

Dacorum Borough Council Core Strategy Examination in Public 2012

AMEC on behalf of The Crown Estate (ID: 211068)

Hearing Session: Tuesday 9th October, 10.00

Issue 1 Basis of the Overall Strategy

Question 1.1 (part). Does the DPD have regard to national and regional policy and if there are any divergences how are these justified?

1. The whole of the Core Strategy is unsound for a number of reasons, all of which are interlinked:
 - a) The Council has failed to comply with the ‘duty to cooperate’ and is therefore contrary to Section 33A of the Planning and Compulsory Purchase Act 2004 and the NPPF (paragraphs 178-181). The Council has not considered the objectively assessed housing needs of the as a whole (London Commuter Belt (West) HMA), which would require further engagement with the six authorities in this HMA. In addition, there is a need to secure the delivery of the East Hemel Hempstead Area Action Plan (EHHAAP) in partnership with St Albans through aligned local plans and more effective cooperation. Paragraphs 2-9 of this representation provides further justification regarding these points.
 - b) The Core Strategy has not been ‘positively prepared’ (NPPF para. 182) by failing to meet objectively assessed development and infrastructure needs because it would mean ‘difficult policy decisions’¹ need to be made is clearly unsound. In addition, the Council’s assertion that the level of housing demand for the Borough cannot be met due to Green Belt is an argument that was robustly dismissed by the Inspector assessing the Hertsmere Core Strategy, an authority lying in the same HMA (see Appendix 3 for the Inspector’s comments). The lack of compliance with the duty to cooperate also calls into question the ability to deliver economic growth, particularly with respect to the EHHAAP. Paragraphs 10-13 of this representation provides further justification regarding these points.
 - c) The Council’s approach to Green Belt conflicts with policy in the NPPF. As well as using Green Belt as a reason to plan for a lower level of growth (see b)), no Green Belt review has been undertaken. Green Belt is a policy designation and not an absolute constraint to development. The ‘exceptional circumstances’ (para. 83 of the NPPF) exist for the Council to review its Green Belt boundaries, namely a significant housing

¹ Para. 3.50, Selecting the Core Strategy Housing Target, Dacorum Borough Council, June 2012 (examination reference HG16)

and employment demand. Paragraph 14 of this representation provides further justification regarding this point.

- d) The Council's approach to the selection of housing sites is not justified (para. 182 of the NPPF) by failing to consider reasonable alternatives. The Crown Estate has consistently demonstrated to both Dacorum and St Albans the potential of its land east of Hemel Hempstead to accommodate smaller scale residential neighbourhoods through to a strategic urban extension (see *Proposed Development at Gorhambury: Hemel Hempstead, Supporting Information* (examination reference OT 10), *The Gorhambury Concept, Hemel Hempstead East: Background Paper* (Appendix 1 to this representation) and *St Albans Core Strategy Consultation, Response on Behalf The Crown Estate* (written submission and supporting plans, Appendix 2 to this representation).

This land has not been considered in the Sustainability Appraisal (SA, examination doc. SUB3) when it is a key alternative option for Hemel Hempstead. Indeed, **the Council recognises that it is the logical longer term option to meet Dacorum's housing needs**² (our point is that this land is needed *now* and should be planned for given the level of demand). The subsequent decision to allocate residential sites on Green Belt to the west of Hemel Hempstead is clearly unsound and unjustified. Paragraphs 15-20 of this representation provides further justification regarding these points.

A failure to comply with the duty to cooperate

2. The first failing in application of the duty to cooperate relates to planning for the housing needs of the London Commuter Belt (West) Housing Market Area (HMA) as per paragraph 47 of the NPPF, which is clear that authorities should meet the "*full, objectively assessed needs for market and affordable housing in the **housing market area***" (emphasis added).
3. The Strategic Housing Market Assessment (SHMA, examination doc. HG 12) identifies the relevant housing market area (para. 3.5) as a sub-group of six authorities (Dacorum, St Albans, Hertsmere, Three Rivers, Watford and Welwyn Hatfield). Together these six authorities comprise the London Commuter Belt (West) HMA.
4. Hertsmere, Three Rivers and Watford are planning for annual housing growth which aligns broadly with the SHMA's findings³ and commensurate with Policy H1 of the East of England Plan⁴. Whilst the relevant policy was quashed for the remaining authorities in the HMA (Dacorum, St Albans and Welwyn Hatfield) there is still an objectively assessed housing need that needs to be met, as explicitly required by the NPPF. The implication of Dacorum failing to plan for this level of housing need has to be considered in the context of the HMA as a whole. By failing to plan for Dacorum's needs, what impacts will this have

² Para. 4.18 Statement of Compliance with the Duty to Cooperate (examination reference SUB 8).

³ Hertsmere is planning for 266dpa against the SHMA figure of 257dpa (Main Modifications to their Core Strategy, currently out for consultation). Three Rivers has a 2011 adopted Core Strategy which plans for 180dpa against the SHMA figure of 180dpa. Watford is currently consulting on Main Modifications to their Core Strategy which plans for 260dpa against the SHMA figure of 257dpa.

⁴ All of these figures are *broadly* (+/- 10dpa) commensurate with what is required under Policy H1 of the East of England Plan.

on other authorities in the HMA? Will they need to plan for additional growth to accommodate Dacorum's shortfall? This issue cannot be avoided and has fundamental impacts on the soundness of the plan. The issue is further exacerbated when considering that neighbouring St Albans City and District also intends to provide for significantly less than their objectively assessed housing needs, as set out in their latest housing paper⁵.

5. In order to ensure a sound plan, the Council needs to undertake more effective engagement with other authorities in the HMA so that there is a clear strategy as to how the full, objectively assessed needs of the HMA will be met in accordance with paragraph 47 of the NPPF.

(Please see The Crown Estate's written response to Issue 6: Providing Homes for a more detailed justification.)

6. The second key failing in application of the duty to cooperate relates to a specific cross-boundary issue that needs to be addressed at Hemel Hempstead, where green belt land east of the town - which lies in St Albans City and District - is fundamental to delivery of the Core Strategy's economic strategy. The importance of this land is recognised by Dacorum and one of the reasons for the Council committing to the preparation of a joint Area Action Plan with St Albans (the EHHAAP).
7. The Crown Estate has shown how new employment land can be brought forward (refer examination reference OT 10 and Appendix 1 to this representation), with the EHHAAP being the mechanism via which to do so. The Crown Estate is in advance discussions with DHL regarding a B8 scheme on part of this land and is therefore keen to ensure positively prepared and aligned local plans between Dacorum and St Albans.
8. The concern is that there is no definitive commitment to releasing this land for development by St Albans City and District. A preliminary draft of what is called their Strategic Local Plan (SLP, examination reference REG19)⁶ does not allow for this land to come forward, by not making provision for a Green Belt review and identifying the land for new strategic green infrastructure (Figure 13, REG19). In addition, no agreement has been reached between St Albans and Dacorum regarding the boundary for the EHHAAP.
9. For a sound plan the Dacorum Core Strategy and Albans SLP need to be aligned to ensure delivery of land east of Hemel Hempstead; without this delivery of the EHHAAP is a major concern with economic implications for the Borough and beyond. Addressing this type of cross boundary issue was the very reason that the duty to cooperate was introduced.

⁵ The St Albans City and District Strategic Local Plan: A Local Housing Target; Affordable Housing; Housing Type/Size/Mix, September 2012 (examination reference REG18). This document sets out that the Council intends to plan for just 250dpa, against a SHMA figure of 500dpa and 2008-based household projections which show a need for 688dpa.

⁶ A preliminary draft of the SLP is to be consulted on at public Council meetings on 19th and 24th September 2012, in advance of Local Services Scrutiny Committee (27th September 2012), Cabinet (18th October 2012) and Full Council (November 2012 - date to be confirmed). According to the Council's website: "Once agreed by the Council, the final draft version of the Strategic Local Plan will progress to what is known as 'pre-submission publication' in late 2012."

(Please see The Crown Estate's written responses to Issue 5: Strengthening Economic Prosperity and Issue 10: Place Strategies; Hemel Hempstead for more details.)

The lack of a positively prepared plan which meets objectively assessed development and infrastructure needs

10. As set out in response to failings regarding the duty to cooperate, the Core Strategy clearly does not reflect the full, objectively assessed needs of the London Commuter Belt (West) HMA as required by NPPF paragraph 47. Discussions are needed with the other authorities in the HMA in order to demonstrate compliance with the duty to cooperate and plan positively for the needs of the Borough and surrounding area.
11. Notwithstanding this, we also disagree with the Council's justification for providing well below what the SHMA and 2008-based household projections suggest. One of the key reasons for not meeting the Borough's demands is Green Belt, an assertion that is unjustified in the absence of a Green Belt review and a line of argument already dismissed by the Inspector assessing the Hertsmere Core Strategy: *"The Council's evidence does not provide substantive justification, other than protection of the existing Green Belt boundary, for the setting of a housing provision figure that is below the minimum required by RS"* (see Appendix 3, para. 10). The range of options presented by The Crown Estate's land east of Hemel Hempstead (see Appendix 1 and Appendix 2) should be considered by the Council as having potential to contribute to both Dacorum and St Albans objectively assessed needs.
12. To ensure a sound Core Strategy the Council needs to undertake a fundamental review of the Core Strategy's housing policies, specifically Policy CS17, to reflect the duty to cooperate, needs of the HMA as a whole, the undertaking of a Green Belt review and an SA which includes the potential of land east of Hemel Hempstead. The Council clearly recognises that this land is a logical location to meet Dacorum's housing needs⁷, although notes that this would be in the longer term. Given the level of demand and time horizon of the Core Strategy through to 2031 why cannot this be planned for now?
13. As well as housing, the lack of an effective mechanism to ensure the delivery of employment land east of Hemel Hempstead via the EHHAAP is also a major concern affecting the soundness of the plan.

(Please see The Crown Estate's written response to Issue 6: Providing Homes for a more detailed justification.)

A failure to comply with Green Belt policy

14. The Core Strategy is also unsound with respect to the approach to Green Belt policy in the NPPF, with no Green Belt review having been undertaken. To conclude that one of the reasons housing demand in the Borough cannot be met is because of the Green Belt (*"it is difficult to see how full demand (for housing) can be achieved satisfactorily given the Green Belt and other environmental constraints in the Borough"*⁸) is unjustified in the absence of

⁷ Para. 4.18 Statement of Compliance with the Duty to Cooperate (examination reference SUB 8).

⁸ Paragraph 5.5, Selecting the Core Strategy Housing Target, Dacorum Borough Council, June 2012 (examination reference HG16)

a robust Green Belt review. As already set out in this representation, this line of argument has already been dismissed by the Inspector assessing the Hertsmere Core Strategy (Appendix 3). The exceptional circumstances (NPPF, para. 83) clearly exist for the Council to review their Green Belt boundaries, particularly meeting the demand for both housing and employment growth.

(Please see The Crown Estate's written response to Issue 2: distribution of development and the Green Belt for a more detailed justification.)

The Council's approach to the selection of housing sites is unjustified

15. The lack of consideration of land east of Hemel Hempstead in the SA renders the subsequent decision to allocate residential land in the Green Belt to the west of Hemel Hempstead (allocations LA1, LA2 and LA3) fundamentally unsound. The Crown Estate's land east of Hemel Hempstead has already been accepted as a suitable location for new residential development via the East of England Plan process and in statements made by the Council⁹. The Council's approach to now disregard the residential potential of this land, leaving it to St Albans to assess as part of their LDF is clearly questionable, particularly when it is clear that St Albans has no intention to review its Green Belt to allow for development¹⁰.
16. New residential development on land east of Hemel Hempstead would help both Dacorum and St Albans meet their housing needs and make a fuller contribution to the objectively assessed housing needs of the London Commuter Belt (West) HMA in accordance with paragraph 47 of the NPPF. Appendix 1 to this submission shows the strategic contribution that the land could have (6,000-7,000 dwellings alongside employment, community facilities, schools and public transport) with Appendix 2 showing the north eastern neighbourhood options submitted to St Albans City and District (section 3.2).
17. To ensure a sound Core Strategy the Council needs to consider land east of Hemel Hempstead as an alternative option as part of its SA, linked to a joint Green Belt review with St Albans City and District. Instead of considering the land as a longer term option, it should be considered as part of this plan review given its ability to help the Council meet its objectively assessed housing needs.

(Please see The Crown Estate's written responses to Issue 2: distribution of development and the Green Belt and Issue 10: Place Strategies; Hemel Hempstead for more details.)

Question 1.2 (part). In general terms is the overall strategy based on a sound assessment of the socioeconomic and environmental characteristics of the area and are the impacts of the proposals properly addressed?

18. In response to question 1.1 The Crown Estate sets out the flaws in the underlying strategy, flaws which render the Core Strategy as a whole unsound through a lack of justification and

⁹ Para. 4.18 Statement of Compliance with the Duty to Cooperate (examination reference SUB 8).

¹⁰ See para. 4.16(d) of the Statement of Compliance with the Duty to Cooperate (examination reference SUB 8). Here the Council notes that St Albans has no intention to release Green Belt land to provide for the north eastern neighbourhood options identified by The Crown Estate.

conflict with national policy. In particular, the Core Strategy needs to show how the full objectively assessed housing needs of the London Commuter Belt (West) HMA are to be met – what will be the impact of Dacorum and St Albans failing to meet their housing needs on the rest of the HMA for example? These impacts need to be properly addressed.

Question 1.3(part) Is the DPD based on a sound process of sustainability appraisal and testing of reasonable alternatives, and does it represent the most appropriate strategy in the circumstances?

19. The Core Strategy is unsound because the SA fails to consider reasonable alternatives for growth at Hemel Hempstead. In deciding to allocate new residential development to the west of the town (LA1, LA2 and LA3) the Council has not considered land east of Hemel Hempstead, leaving this for St Albans to address as part of their LDF process. Given the significance of land east of Hemel Hempstead to the Core Strategy as a whole, for economic development in particular (see The Crown Estate's response to Issue 5: Strengthening Economic Prosperity), that this land has not been considered for residential development is clearly a failing of the SA process: where the authority boundary is drawn is irrelevant, the SA should have considered all options for extensions to Hemel Hempstead. As we have shown in response to question 1.1 and supporting documents (examination reference OT 10 and Appendix 1 and Appendix 2 to this submission), land east of Hemel Hempstead is a highly sustainable location for new development and needs to be properly assessed as part of the Core Strategy. The Council also notes that it is a logical longer term growth option for Dacorum and in our view this should be planned for now¹¹.

Conclusions for Issue 1

20. The Core Strategy is unsound for a number of reasons:
- a) The Council has failed to comply with the 'duty to cooperate' and is therefore contrary to Section 33A of the Planning and Compulsory Purchase Act 2004 and the NPPF (paragraphs 178-181). Joint working with other authorities in the London Commuter Belt (West) is needed with respect to meeting housing needs. Effective cooperation is needed with St Albans to ensure delivery of the EHHAAP given its critical contribution to provision of new employment land.
 - b) The Core Strategy has not been 'positively prepared' (NPPF para. 182) by failing to meet objectively assessed development and infrastructure needs.
 - c) The Council's approach to Green Belt conflicts with policy in the NPPF, with no Green Belt review having been undertaken when the exceptional circumstances exist to do so.
 - d) The Council's approach to the selection of housing sites is not justified (para. 182 of the NPPF) by failing to consider reasonable alternatives, including land east of Hemel Hempstead (The Crown Estate's Gorhambury proposals – see Appendix 1 & 2). The Council recognises that this is a logical longer term option, but given the level of demand and time horizon of the Core Strategy this should clearly be considered now.

Word count: 2,739 (excluding appendices)

¹¹ Para. 4.18 Statement of Compliance with the Duty to Cooperate (examination reference SUB 8).

Appendix 1

The Gorhambury Concept, Hemel Hempstead East, Background Paper



Appendix 1

The Gorhambury Concept, Hemel Hempstead East: Background Paper

1. Introduction

- 1.1.1 This document provides an overview of proposals for the major eastern expansion of Hemel Hempstead on land owned by the Crown Estate. The development is also known as the Gorhambury Concept. The Concept has been identified over many years as a potentially sustainable way to accommodate major expansion of Hemel Hempstead.
- 1.1.2 The purpose of this document is to provide background supporting information to the representations made by The Crown Estate to the Dacorum Borough Council Core Strategy Public Examination.
- 1.1.3 Chapter 2 provides an overview of the Concept and Chapter 3 provides information on its background and history. Chapter 4 provides overall conclusions.
- 1.1.4 The concept is being promoted by the Crown Estate as the sole landowner. The Crown Estate's core values are commercialism, Integrity and Stewardship. Its stewardship principles are key to the proposals at Gorhambury. The Crown Estate's commitment to stewardship means pursuing good environmental practice, making sure its activities in the communities in which it operates are handled sensitively and taking a sustainable long term view in its actions.

2. The Gorhambury Concept – Overview

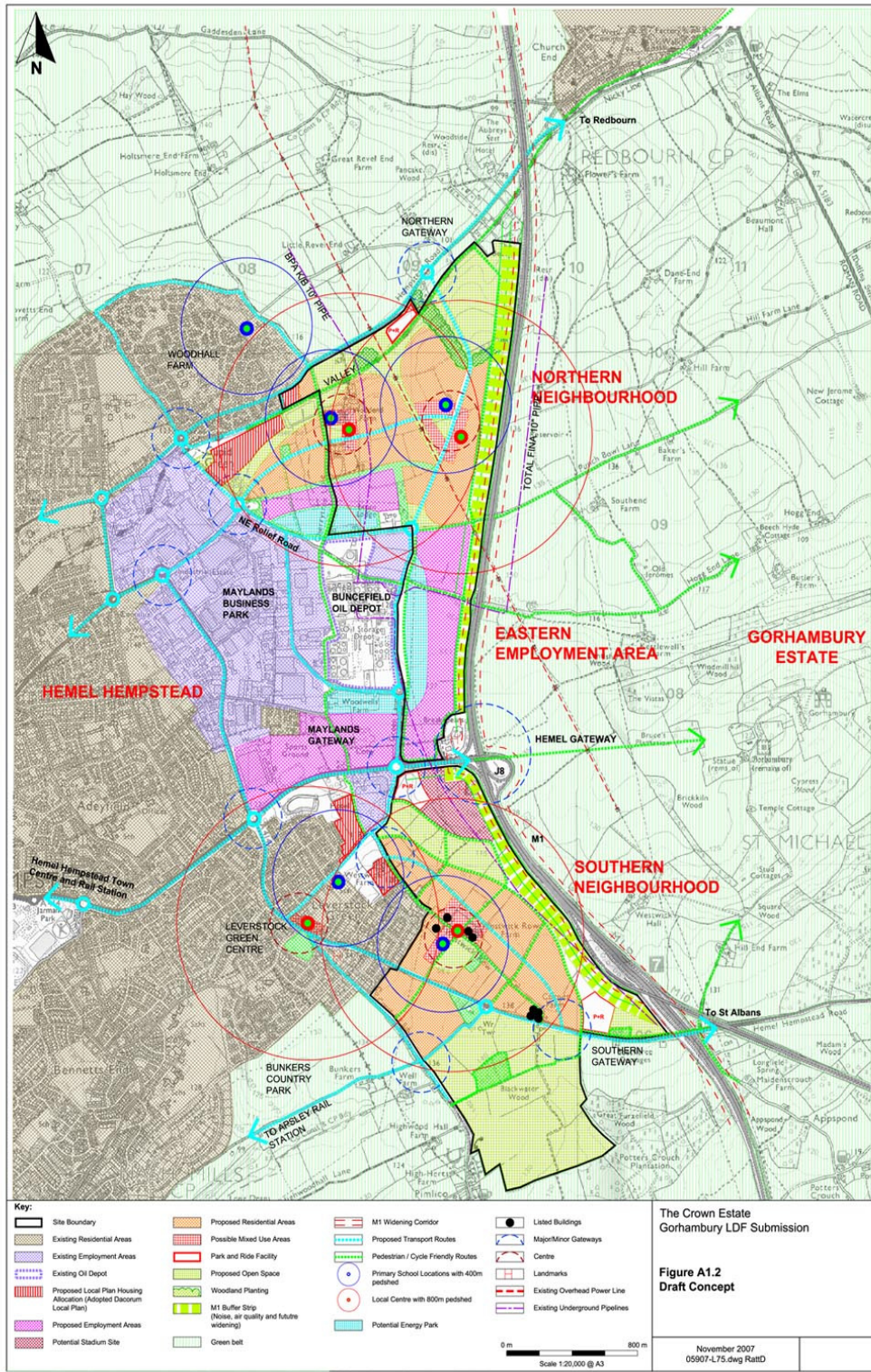
2.1 Overview

- 2.1.1 The Gorhambury Concept is a proposal for a sustainable mixed use urban extension of Eastern Hemel Hempstead on land owned by the Crown Estate. The Crown Estate owns the majority of land between the eastern edge of the built up area of Hemel Hempstead and the M1 Motorway. The Crown Estate's ownership also extends to the east of the motorway but this area is not proposed for development although it is available for use with the development if required, e.g. for informal recreation purposes. The land covered by the Concept falls mainly within the District of St Albans.
- 2.1.2 The Crown Estate has been aware of the excellent potential of the area of land to the East of Hemel Hempstead for many years. The area has potential for up to 6,000-

7,000 dwellings together with employment uses, integrated public transport routes, open space, recreation and community facilities and services.

- 2.1.3 Figure 2.1 shows the full extent of the Concept which is broadly structured into residential neighbourhoods to the north and south of a central employment area between Buncefield and the M1 motorway.
- 2.1.4 Hemel Hempstead has long been identified as a suitable location for major growth based on a range of factors including having few environmental constraints (particularly to the east) and being well placed on the strategic transport network, particularly with good access to the M1 and M25. In addition, the town's strategic location in Hertfordshire with good links to London and elsewhere in the south east combined with a track record of supporting business makes the town an attractive location for business growth and investment. These factors among others led to the town being identified in the East of England Plan as a Key Centre for Development and Change (policy SS3) – one of a number of towns selected as the main drivers of economic growth in the region.
- 2.1.5 The land to the east of Hemel Hempstead has a number of distinct attributes which when compared to alternative options make this the most sustainable location for future expansion. For example, the area lacks major environmental constraints, it is well located in relation to the motorway network, there is opportunity to provide a long term defensible green belt boundary along the M1, and being located next to the town's major employment location (Maylands) development here will minimise the need for cross town movements.

Figure 2.1 Draft Concept



- 2.1.6 The Concept is supported by detailed technical analysis which demonstrates the feasibility of development in this location. The principal technical evidence base for the Concept was prepared in 2008¹ to support the promotion of the location through the Regional Strategy process and also St Albans and Dacorum Development Plans. A copy of this document is included as Core Document for the Examination (reference: OT 10).

2.2 Details of the Concept

Technical review

- 2.2.1 The technical baseline work undertaken demonstrates that land to the east of Hemel Hempstead provides an excellent location for growth bringing many benefits to the area including new homes and jobs and environmental enhancements. The location has no major environmental constraints and provides a logical, technically sound and sustainable location for growth. The following paragraphs provide a snapshot of the key issues addressed in the preparation of the Concept. Further details on each of these topics can be found in the 2008 document.
- 2.2.2 **Green Belt:** All of the land identified in the Concept is in the Green Belt. However a detailed review of the area's contribution to Green Belt shows that there would be limited impact on Green Belt purposes and objectives. Furthermore the M1 would provide a suitable long term defensible new Green Belt boundary which will ensure that the town does not encroach into the open countryside or result in settlements merging in the future.
- 2.2.3 **Ecology:** The ecological work concludes that there are no statutory sites of nature conservation value and the majority of the land is of limited nature conservation importance. There are a number of opportunities for biodiversity enhancement in this area.
- 2.2.4 **Flood risk:** The land is not within an area at risk of fluvial or tidal flooding, and there are opportunities for incorporation of SUDs and creation of additional wetlands and water storage areas to ensure that surface runoff from the site to adjacent land is managed and minimised. The Crown Estate also owns land to the east of the M1. This land is not proposed for development, but does provide an opportunity to be used as a resource for the new development, for instance through use for storage wetlands and as a recreational resource.
- 2.2.5 **Historic Environment:** An assessment of the historic environment in the area indicates that this scale of development can be achieved without significant adverse effects on the immediate historic environment, and that there is a significant opportunity to generate public participation in the wider historic environment and to manage the historic environment in a sustainable way.

¹ "Proposed development at Gorhambury: Hemel Hempstead East. Supporting Information," January 2008

- 2.2.6 **Landscape:** Although the land is not subject to any landscape designations the character and quality of the landscape has been a key element in shaping the proposed development. Features such as valleys and plateaus, the agricultural landscape, the modern urban environment and retained ecology have influenced the shape of the proposed development.
- 2.2.7 **Transport:** Improvements to the local road network will be required to accommodate the scale of development envisaged. The proposed development offers a number of opportunities for improving public transport in the area; measures such as creation of bus only lanes, use of clean energy vehicles, new public transport links and a park and ride are explored.
- 2.2.8 **Social / community facilities:** A facilities audit has been undertaken which identifies the location of key services and social and community facilities in the area and identifies the types of services that are likely to be necessary as part of the proposed development. The scale of the proposed development means that there are significant opportunities to provide new services and facilities and to consider provision of larger facilities that may currently be lacking in the town, possibly including a new town leisure stadium.
- 2.2.9 **Recreation and Public access:** A review of recreation facilities and public rights of way in the area has identified that there is potential for significant enhancement including the provision of new footpaths and green infrastructure links. Furthermore the land to the east of the M1 (not proposed for development but owned by the Crown Estate) has significant potential for enhanced informal recreation and improved public access including green links to strategic facilities including the Nicky Line.
- 2.2.10 **Noise and air quality:** Due to the proximity of the site to the M1 motorway, air quality and noise are key issues which need to be addressed. However, preliminary investigation has shown that given the scale of the Crown Estate's landholding here there is opportunity to plan buffer zones and standoff zones to minimise impacts. It is also to be noted that as an integral component of the M1 widening works, landscape planting alongside the motorway in this location was specifically designed to take into account future development.
- 2.2.11 **Buncefield oil depot and associated pipelines:** The site adjoins the Buncefield oil depot and there are three pipelines which run through the Gorhambury area. The Concept has taken into account these constraints, for example the oil pipelines provide opportunity for provision of linear green features and parkland through the development. Also there is sufficient distance between the oil depot and the M1 motorway to provide for appropriate separation of development from the depot to meet the requirements of the HSE.
- 2.2.12 **Water:** An estimate of the likely water requirements of the proposed development has been made, and a number of potential measures are identified to help the proposed development minimise water use.
- 2.2.13 **Waste:** An estimate of the likely waste arising from the proposed development has been made and a number of potential measures identified that could significantly reduce the level of waste.

- 2.2.14 **Alternative locations for growth:** As part of the joint consultation on the Core Strategy Issues and Options for Growth at Hemel Hempstead, Dacorum and St Albans put forward a number of options for urban extensions to Hemel Hempstead including land to the east at Gorhambury. A high level appraisal of these sites was undertaken which showed that the Crown's site performed well against the other sites across a range of factors, but particularly in its ability to provide a defensible long term green belt boundary.
- 2.2.15 **Urban and landscape design:** The design principles that underpin the concept are based on the way that Hemel Hempstead has developed over the years – the design is set in the context of the town as a whole rather than simply an urban extension to the east. The design was informed by an analysis of surrounding neighbourhoods as well as an analysis of the historic development of the area both the medieval settlement at Westwick and Hemel Hempstead as a designated New Town.
- 2.2.16 **Delivery:** An investigation of potential delivery options was undertaken which demonstrated that the deliverability of the development. A key advantage of Gorhambury over other large extensions is the single land ownership of the Crown Estate.

Overall Concept

- 2.2.17 The Concept Plan (figure 1) provides an indication of how the land to the east of Hemel Hempstead could be developed. This has been developed through consideration of the baseline technical work and key opportunities and constraints. A key influence in developing this concept has been the urban structure and development history of the town. For instance, it is important to understand the previous settlement pattern, including the medieval village that pre-dates Leverstock Green at Westwick and the way in which the New Town neighbourhoods have developed over the years. A summary of the key components of the concept are set out below.

Northern Neighbourhood

- Approximately 3,000 new homes set out around two mixed use centres and village greens with two new primary schools. Open space at the core of each neighbourhood and to the north along the Nickey Line and along the M1 buffer strip.
- Possible northern gateway Park and Ride facility off Redbourn Road.
- Two new main streets connecting Redbourn Road to Green Lane and Three Cherry Trees Lane via the two new neighbourhood centres.

Maylands East

- B1 / B2/B8 employment development.

Hemel Gateway

- New Gateway to Hemel Hempstead from the M1 Junction with landmark buildings including a possible new stadium for the town; and
- Central Gateway Park and Ride facility (possibly in conjunction with a new town stadium) off Breakspear Way along with improvements to the highways to facilitate priority public transportation within an urban 'boulevard'.

Southern Neighbourhoods

- Approximately 3,000 new homes set around the existing village of Leverstock Green with a new mixed use centre, village green and primary school centred on Westwick Row. Open space is at the core of the new neighbourhood.
- The layout of the neighbourhood respects the memory of medieval origins of settlement in the area and sensitively incorporates a series of listed buildings within their context and setting.
- Recreational routes link along the M1 buffer zone north and south to other resources such as Blackwater Wood and Bunkers Country Park.
- Southern Gateway and Park and Ride facility with improvements to the highway to facilitate priority public transportation within an urban 'boulevard'.

2.2.18 The Concept provides an indication of how the area could be developed. This was intended to form the starting point for joint working and involvement with the local authorities, other key stakeholders and the wider public to develop the proposals further. Public consultation will play a very important role in developing the proposals further.

Smaller Scale Options - Northern Neighbourhood

2.2.19 The Concept outlined above provides an indication of the development potential of all of the land to the east of Hemel Hempstead.

2.2.20 However, following discussions with officers at Dacorum and St Albans Councils in 2011, the Crown Estate also considered the potential for smaller scale options. Through these discussions it was considered by all that the most appropriate smaller scale options would be to develop the northern neighbourhood as a sustainable extension to Spencers Park.

2.2.21 The Crown Estate therefore carried out further technical work to investigate options for the northern neighbourhood. Three options were prepared showing how different scales of residential development could be accommodated:

- Option 1: 381-445 dwellings;
- Option 2: 1,185-1,383 dwellings; and
- Option 3: 1,935-2,258 dwellings.

2.2.22 Each of the options was designed as an extension to residential development at Spencer's park (phase 2). Access was shown from Redbourn Road as well as through Spencers Park. A new green belt boundary was proposed along the M1 boundary with land between the M1 and the development identified as Safeguarded Land for the smaller scale options. A substantial area of land in the triangular wedge between Redbourn Road and the M1 was retained in the green belt to maintain the important separation between the settlements of Redbourn and Hemel Hempstead. Under each option employment development was identified between Buncefield and the M1 motorway.

2.2.23 The options together with supporting information were submitted to St Albans in response to its Core Strategy Consultation (December 2011). A copy of the

representation and plans is attached to the Crown Estate statement under Issue 6 ‘Providing Homes’.

3. History of the Concept

3.1.1 The Concept has been the subject to discussion with Dacorum and St Albans councils as well as Hertfordshire County Council over many years. The Concept was being supported through the development plan process at regional and local levels up until the successful legal challenge of the Regional Spatial Strategy.

3.1.2 The following table traces the history of the Concept demonstrating the level of support received over many years.

Table 3.1 Land at East Hemel Hempstead - Chronology through emerging Development Plan Documents.

Date	East of England Plan	Dacorum Core Strategy	St Albans Core Strategy
June 2006	<p>The East of England Plan Report of the Panel (December 2004). The Panel H1 housing figures (page 133) included a provision for the expansion of Hemel Hempstead in St Albans District. Paragraph 5.128 states that ‘<i>a significant proportion of the of the necessary urban extensions to Hemel Hempstead would probably have to be in St Albans District, thus requiring close co-operation across the boundary and the development of a strong and effective delivery organisation</i>’.</p>		
November 2006		<p>Issues and Options ‘Growth at Hemel Hempstead’ consultation document identified land to the East of Hemel Hempstead as a Growth Option. The Sustainability Appraisal did not identify any major constraints to development.</p>	<p>Issues and Options ‘Growth at Hemel Hempstead’ consultation document identified land to the East of Hemel Hempstead as a Growth Option. The Sustainability Appraisal did not identify any major constraints to development.</p>
May 2008	<p>East of England Plan Figures in Policy H1 include provision (the amount to be determined through Development Plan Documents) for any expansion of Hemel Hempstead within St Albans District. Policy LA2 states ‘<i>urban extensions will also be required, to be</i></p>		

Date	East of England Plan	Dacorum Core Strategy	St Albans Core Strategy
	<p><i>focused on the edge of the built-up area of Hemel Hempstead. Extension of Hemel Hempstead into St Albans</i></p> <p><i>District will probably be required...'</i></p>		
<p>April 2009</p>		<p>Assessment of Alternative Growth Scenarios for Hemel Hempstead.</p> <p>Dacorum developed three options for delivering housing growth around Hemel Hempstead and these were assessed as part of the evidence base for the Dacorum and St. Albans Core Strategies. These three options included 'Eastern option which includes land to the east of the town in St. Albans, West Hemel Hempstead and Marchmont Farm'.</p> <p>The growth Options Paper was not published due to the announcement that RSS were to be revoked.</p>	<p>Assessment of Alternative Growth Scenarios for Hemel Hempstead.</p> <p>Dacorum developed three options for delivering housing growth around Hemel Hempstead and these were assessed as part of the evidence base for the Dacorum and St. Albans Core Strategies. These three options included 'Eastern option which includes land to the east of the town in St. Albans, West Hemel Hempstead and Marchmont Farm'.</p>
<p>June 2009</p>		<p>Emerging Core Strategy (page 146) stated that "Further extension of Hemel Hempstead's residential areas may be necessary or appropriate. The best opportunity with least impact lies to the east of Spencer's Park and south of the Nickey Line." It goes on to note that St. Albans would be the planning authority and would be responsible for decisions on the level of development. However, no specific options for Hemel Hempstead were assessed as part of the SA.</p>	
<p>July 2009</p>			<p>Emerging Core Strategy did not include the land as part of the assessment.</p>
<p>October 2010</p>		<p>Assessment of Local Allocations and Strategic Sites Document (October 2010) did not include the land as part of the assessment.</p>	
<p>November 2010.</p>		<p>The Core Strategy consultation in November 2010 did not include land to the east of Hemel Hempstead (north or south of the A414).</p>	
<p>December 2010</p>			<p>Core Strategy – Consultation for locating future development in the District. Outlines a possible growth option</p>

Date	East of England Plan	Dacorum Core Strategy	St Albans Core Strategy
			of 150 homes on land at Spencer's Park, West of Cherry Tree Lane.
October 2011		Pre-submission Core Strategy did not include land to the east of Hemel Hempstead.	

4. Conclusions

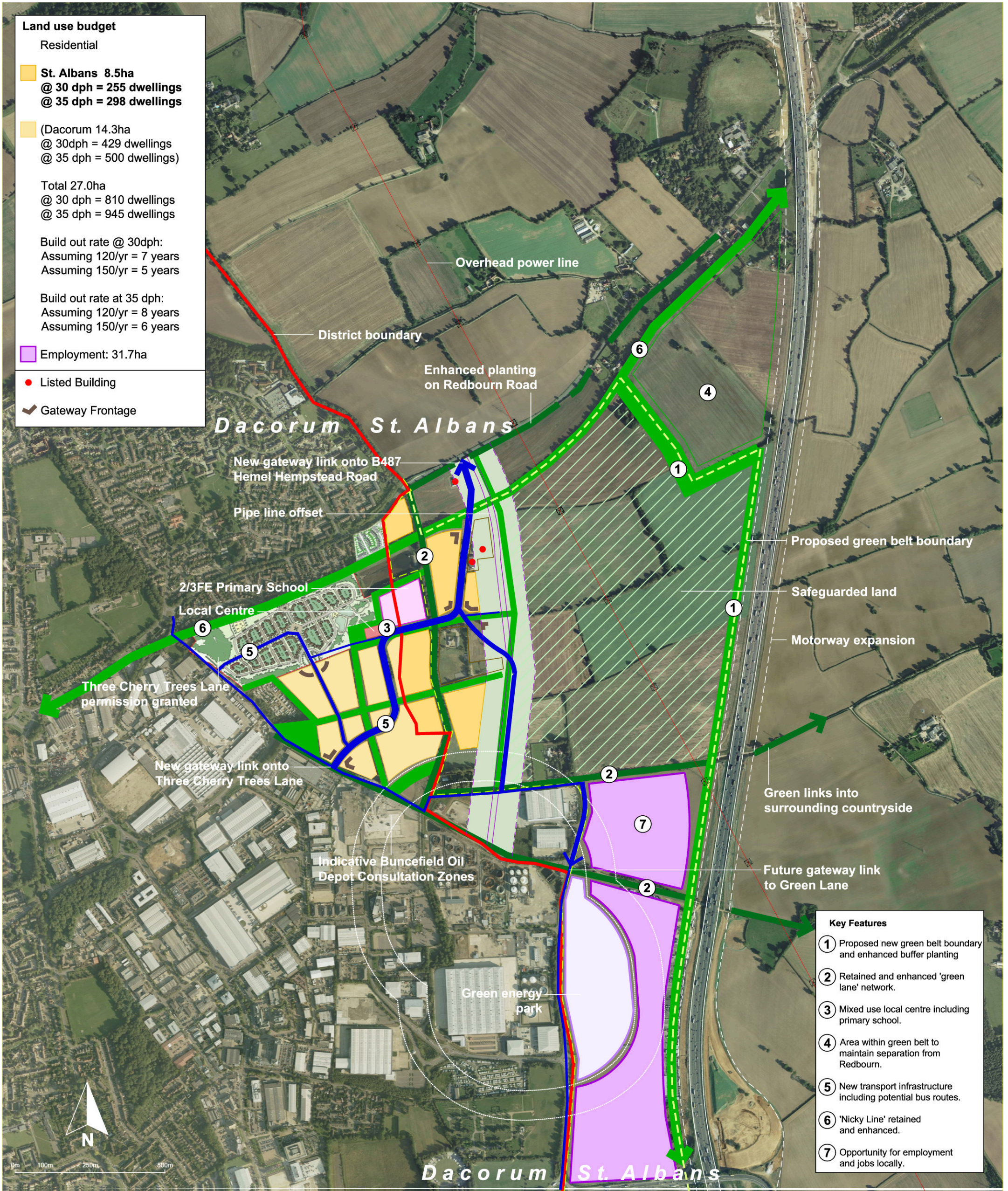
- 4.1.1 This document has provided an overview of the Gorhambury Concept to the East of Hemel Hempstead. This location was identified by Dacorum and St Albans Councils (as well as the former Regional Assembly) in the early stages of LDF preparation for a potential major expansion of Hemel Hempstead. However circumstances changed with the successful legal challenge of the RSS and the subsequent proposed revocation of regional strategies.
- 4.1.2 Although the planning policy context for the Concept has now changed, the potential for the East of Hemel Hempstead remains.
- 4.1.3 The concept was underpinned by a sound body of technical work which showed that the development could provide an attractive expansion of Hemel Hempstead with many advantages over other locations. Also, although the overall concept has capacity for some 6000 -7000 dwellings together with employment development and other uses, more recent detailed technical work undertaken through discussion with St Albans officers shows how smaller scale options could be brought forward as an extension to Spencers Park (phase 2).
- 4.1.4 Overall the Concept provides an excellent opportunity for the expansion of Hemel Hempstead providing much needed new homes within sustainable neighbourhoods whilst also providing for significant employment opportunities including logistics uses taking advantage of the excellent motorway access. Such employment development bringing diversity of opportunities will help with the regeneration of the town.

September 2012

Appendix 2

The Crown Estate, St Albans Core Strategy Consultation (December 2010), Response on Behalf of The Crown Estate

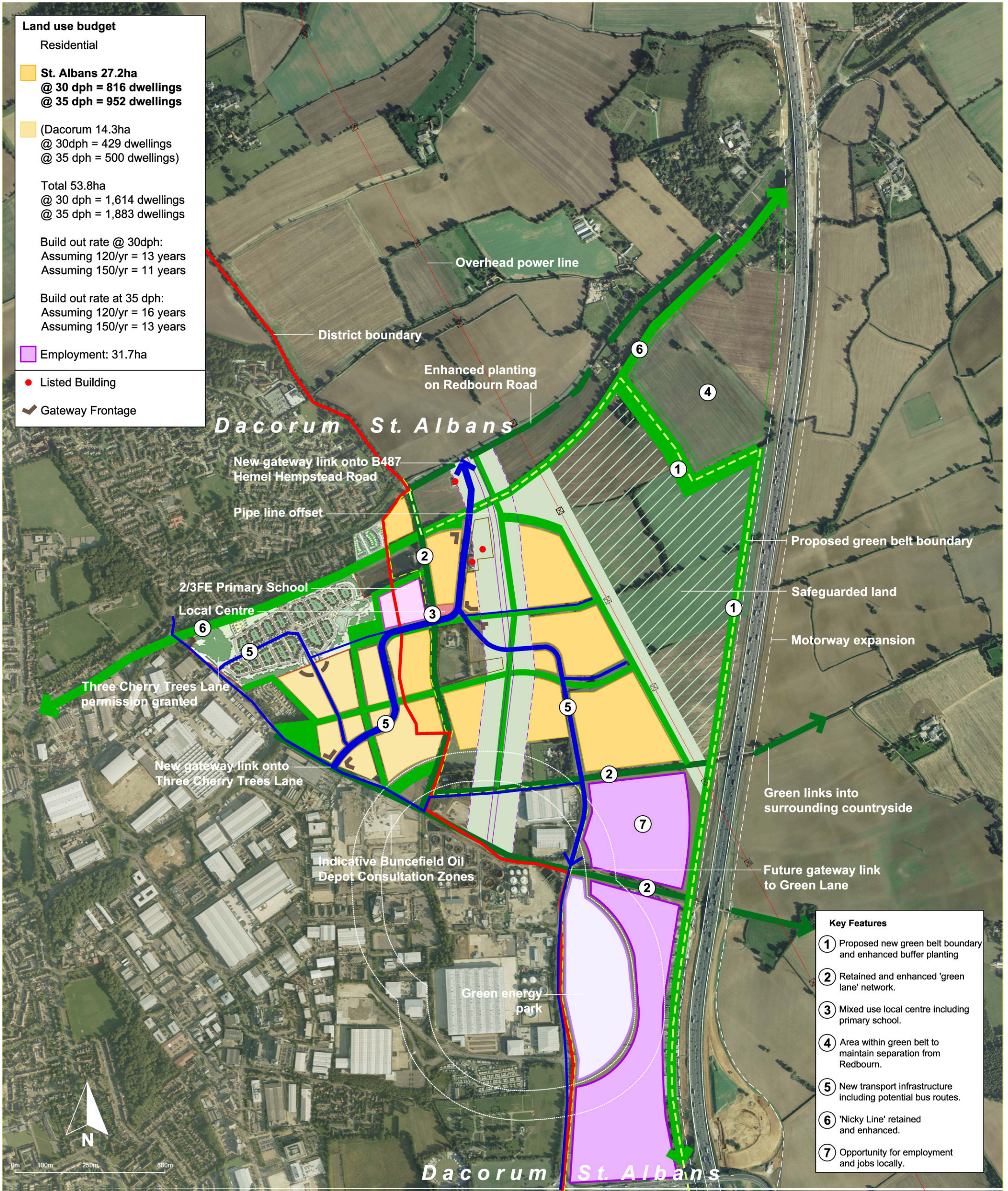
Draft North East Hemel Hempstead Framework - Option 1



Note: See accompanying text for detail on options.

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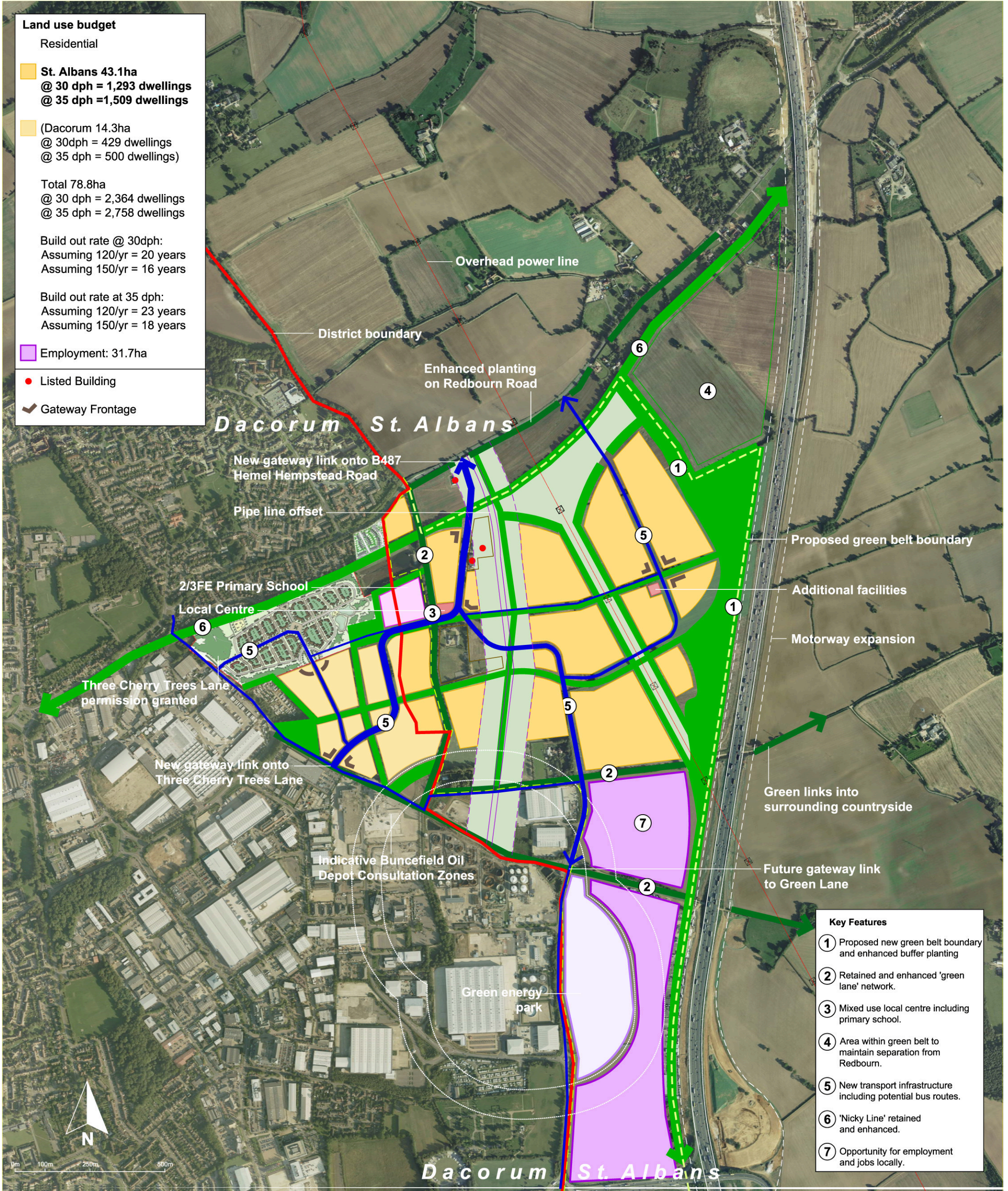
Draft North East Hemel Hempstead Framework - Option 2



Note: See accompanying text for detail on options.

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Draft North East Hemel Hempstead Framework - Option 3



Note: See accompanying text for detail on options.

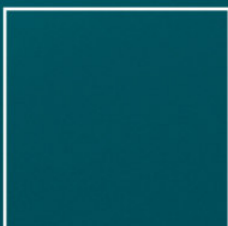
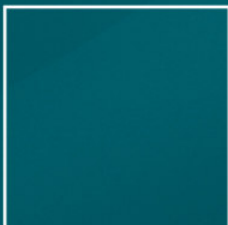
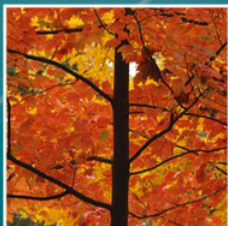
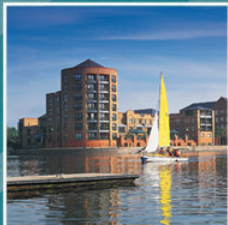
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The Crown Estate

St Albans Core Strategy Consultation (December 2010)

Response on behalf of The Crown Estate

February 2011



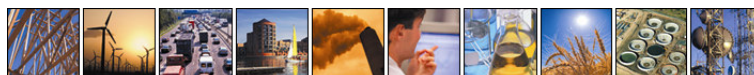
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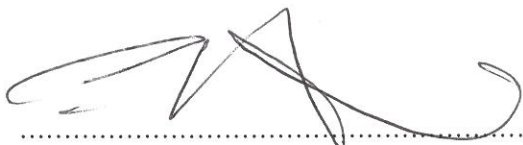
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The Crown Estate

St Albans Core Strategy Consultation (December 2010)

Response on behalf of The Crown Estate

February 2011

Entec UK Limited



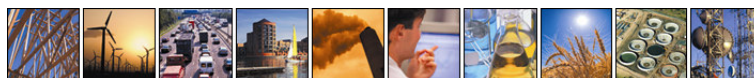
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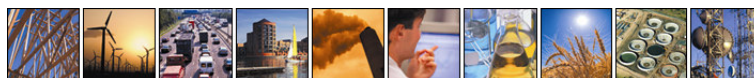


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1. Introduction

1.1 Background

The purpose of this report is to set out The Crown Estate's response to the St. Albans Core Strategy Consultation on the Strategy for Locating Future Development in the District (December 2010). Given the detailed and technical nature of our submission we felt it more appropriate to submit a detailed report rather than respond using St Albans online consultation questionnaire.

The Crown Estate owns significant urban property, it has substantial marine and rural assets and agricultural land throughout England, Scotland and Wales. Under the Crown Estate Act 1961, The Crown Estate has a duty to maintain and enhance the capital value of the estate and the income obtained from it. The revenue surplus is paid directly to the Treasury for the benefit of all UK taxpayers.

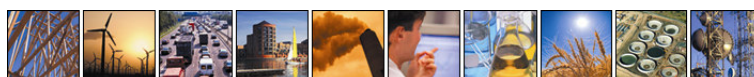
The Crown Estate is in a unique position as a landowner that will retain control over the development of the land to ensure that high design and quality standards are met. The Crown Estate has considerable landholdings at the Gorhambury Estate in St. Albans District and therefore has an interest in the emerging Core Strategy. The Crown Estate has made both St. Albans District Council and Dacorum Borough Council aware of the potential to utilise land between the edge of Hemel Hempstead and the M1 motorway (west of the M1) for sustainable mixed use development.

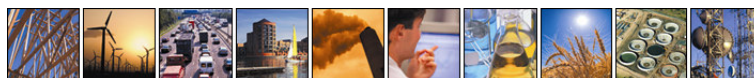
1.2 Structure of Report

Chapter 2 of this report sets out our response to the St. Albans Core Strategy consultation on behalf of The Crown Estate. This chapter covers the following issues of relevance:

- level of housing growth;
- provision and delivery of affordable housing;
- housing supply and flexibility;
- location of housing growth;
- cross boundary issues; and
- Green Belt issues.

Chapter 3 sets out further information about The Crown Estate's proposals for a new sustainable neighbourhood at north-east Hemel Hempstead and makes a case as to why these proposals should form a part of the St. Albans Core Strategy. Chapter 4 concludes the report.





2. Response to Consultation on behalf of The Crown Estate

2.1 Level of Housing Growth

2.1.1 Justification for Proposed Level of Growth

The 'Consultation for Locating Future Development in the District' document states that St Albans District Council has taken the opportunity to review the housing growth that is really needed at the local level. It goes on to state that the starting point is therefore the provision of 100 affordable homes a year which would necessitate an overall target of 250 homes to fund these. 250 homes are proposed as the annual target from 2011 to 2028, although there is reference to the possibility of revising the target downwards if more than the 100 affordable homes are provided per annum.

However the document does not reference any evidence to suggest how this figure of 250 dwellings has been arrived at or what the 'review' has involved. It indicates that this figure has been arrived at because the Council believes that this is the level at which 100 affordable units may be provided each year. Guidance in paragraph 33 of PPS3: *Housing* is applicable to this and identifies evidence that LPAs should take into account when determining local housing provision, including:

- evidence of levels of demand for housing and affordability;
- evidence of the availability of suitable land for housing using SHLAAs, National Land Use Database and the Register of Surplus Public Sector land;
- the Government's ambitions for affordability across the housing market; and
- a sustainability appraisal of the environmental, social and economic implications of development including the most sustainable pattern of housing.

Planning Officer's reports to the Planning Policy Advisory Panel in 2010 indicated that 500 units would be required per annum to meet the Government's population and household targets. New household projections were published by CLG at the end of November 2010 and these indicate that between 2013 and 2033, the number of households in St. Albans District will increase from 59,000 to 72,000, an increase of 22% or 650 households per annum (for the 20 year period). By providing 250 dwellings per annum, St. Albans would be meeting less than half of this projected need for new households.

Section 5 of the consultation document sets out a range of factors that it states must be considered in deciding the right amount of growth. Amongst these is the pressure for more affordable housing, population data, household



growth data and the historic building rate. It is not clear what the link is between these factors and the 250 dwellings per annum that are proposed.

The St. Albans Sustainability Appraisal Working Note (September 2010) considered the spatial strategy options that were being considered at the time, but that were not consulted on. These were three options for different levels of housing growth ranging from 360 dwellings per annum up to 500 dwellings per annum. There is no reference to 250 dwellings per annum having been considered as an option and appraised at this stage. Instead, the current consultation presents 250 dwellings per annum as the level that is to be sought without consideration of the other options or full explanation as to how it relates to population or household projections. If an Inspector decides that this level of growth is not appropriate, then there is no flexibility in the strategy as there are no other options. This may well be considered by an Inspector to be ‘unsound’ as for a Core Strategy to be sound it must be founded on a robust and credible evidence base and should be flexible enough to deal with changing circumstances.

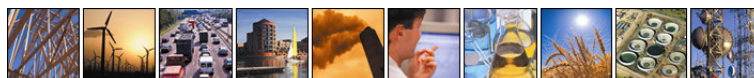
It is recognised that the Sustainability Appraisal that accompanies the consultation document is only a Working Note rather than a full appraisal, however the note appears to give more weight to environmental factors over social and economic factors. It also simplifies the environmental appraisal, making assumptions that development on urban brownfield sites is always preferable for the environment rather than considering the most sustainable patterns of development.

It is noted that the consultation document does not make reference to the Government’s New Homes Bonus Scheme and the financial implications of different levels of housing growth, including potential financial benefits to the communities where the development takes place.

2.1.2 Potential Implications of Proposed Level of Growth

As noted above, 250 dwellings per annum is less than half the Government’s predicted annual household growth (2013 to 2033) in St. Albans. There are clear implications for St. Albans if it does not provide both market and affordable housing to meet its overall housing needs. There will be implications for employers in the area who may see a reduction in the local workforce if people are not able to live in the area. Some people may be forced to move out of the District into other areas where housing is available. There will increasingly be difficulties for new households that are forming as they will struggle to find housing. Not providing for the District’s housing needs could potentially lead to increases in the price of market housing, making housing less affordable for households on lower incomes, and potentially increasing the pressure on affordable housing further as less people are able to afford market housing.

St. Albans not meeting its overall housing needs is likely to have implications for surrounding authorities, putting additional pressure on their housing needs and on their services and infrastructure. There will be fewer community gains in terms of S106 contributions towards community infrastructure, and there will be a reduced financial gain through the Government’s New Homes Bonus Scheme. Lower levels of growth and indeed lower levels of construction may impact negatively on local services through fewer people to support such services.



2.2 Provision and Delivery of Affordable Housing

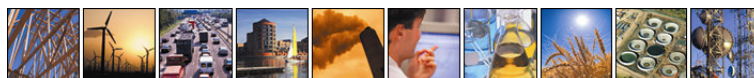
The consultation document assumes that by increasing the proportion of affordable housing sought on developments from 35% to 40%, by seeking contributions to affordable housing from all new housing (including a single house) and building more affordable homes on Council land, that 100 affordable homes a year could be built (based on an overall target of 250 homes per annum).

Table 2.1 shows that even in the last 16 years, 40% affordable has only been achieved in two years, and the first year this was achieved a total of 600 dwellings were completed. On average over the 16 year period, only 18% of new homes were affordable, and this was based on an average of 394 dwellings per annum, 144 more than is being proposed by St. Albans in the current consultation document.

Table 2.1 St Albans Housing Completions in Recent Years

Year	Affordable	Market	Total	% Affordable
94-95	96	321	417	23
95-96	170	305	475	36
96-97	57	181	238	24
97-98	-6	421	415	-1
98-99	124	405	529	23
99-00	25	575	600	4
00-01	30	385	415	7
01-02	64	292	356	18
02-03	45	256	301	15
03-04	7	241	248	3
04-05	243	358	601	40
05-06	28	301	329	9
06-07	10	367	377	3
07-08	36	303	293	12
08-09	100	298	398	25
09-10	129	143	272	47
TOTAL	1,158	5,152	6,310	
Average	72	322	394	18%

Source: St. Albans Annual Monitoring Report 2009-2010



Even with an increase to a target of 40% affordable and lowering the threshold to one unit, there are still likely to be viability issues. The St. Albans Development Economics Study (DES) (July 2010) identifies in its conclusions that there would be instances where 40% may not be viable in St. Albans and Harpenden. Therefore there is a need to provide considerably more than 250 dwellings per annum, not only to meet the Council's target of 100 affordable homes, but also to provide sufficient new homes to meet household growth projections. Setting a target of more than 250 dwellings will allow greater flexibility of supply, as there is never any guarantee that all allocated sites will actually come forward for development. Table 2.1 demonstrates the variability of the levels of completions over recent years.

The Council's Corporate Plan (2010-2013) sets a target of 100 affordable homes per annum. The justification for this is not clearly set out in the Plan, although it is noted that this target was based on the higher RSS housing target. The most recent housing needs survey (2006) for St. Albans identifies that there is an annual affordable housing shortfall of 822 units per annum. In order to start to reduce this number, St. Albans should be planning for more affordable housing, ultimately through increasing the total number of dwelling which would increase the number of affordable dwellings. The evidence base for the level of 100 affordable homes per annum must be clearly set out in the Core Strategy.

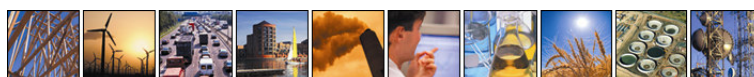
The London Commuter Belt (West) Sub-Region SHMA 2008 identified the need for around 18% social rented and around 76% intermediate affordable based on long term trends of house prices. If market housing in St. Albans was more affordable, it is likely that the percentage for intermediate could decrease as market homes become more affordable to those who might previously have sought intermediate housing.

The St. Albans Development Economics Study (DES) (July 2010) concludes that a target of 35% affordable housing is deliverable in most locations across the District, and that a split target of 40% in St. Albans and Harpenden and 35% elsewhere is also an option although 40% may not be viable on all sites in St. Albans and Harpenden. The current consultation document suggests a target of 40% throughout the District which does not accord with the recommendations of the DES. The consultation document does not reference any further justification for the 40% approach.

35% affordable housing is considered to be a more realistic target. However, if a target of 40% is adopted, the Core Strategy should make clear that viability will be taken into account on sites where 40% is not considered to be viable.

2.3 Housing Supply and Flexibility

The consultation paper only makes provision for 250 dwellings per annum or 4,250 dwellings between 2011 and 2028. The paper only identifies 750 dwellings at strategic housing locations (those over 100) over the period to 2018 and states that the remainder of new housing will mostly be built on previously developed land within the urban areas. It is assumed that such sites will be identified in the site allocations DPD. St. Albans should ensure that it has identified sufficient sites that in accordance with PPS3 are available, suitable and achievable. Given that the strategic sites identified in the Core Strategy cover the whole plan period up to 2028, the site allocations



document will need to identify sufficient sites which are available for development in the next five years. These cannot simply be sites identified in the SHLAA but must be those sites that are available, suitable and achievable (under the PPS3 definitions).

The approach that St. Albans has taken, i.e. only identifying 750 strategic sites (or three years supply) does not appear to provide any flexibility for changing circumstances, and as it does not identify any options for housing growth, there is no fallback position if circumstances changed or if one or a number of the strategic locations was for some reason not able to come forward for development within the required timescale.

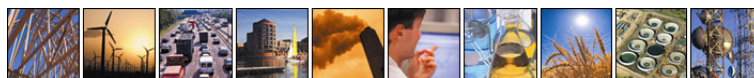
Another concern regarding this heavy reliance on smaller urban sites, is that it will put increasing pressure on different land uses to be redeveloped for residential. For instance there will be pressure on small employment sites, and possibly retail and community facility sites, potentially resulting in the loss of these uses. St. Albans already has a shortage of employment sites (as referenced in section 4 of the consultation document), and the approach that it is taking to housing may well exacerbate the shortage.

2.4 Location of Housing Growth

The document refers to the withdrawal of the previous Areas of Search in the Green Belt and that this consultation now focuses on identifying more locations within existing towns and villages and smaller locations of under 400 homes. It only identifies five strategic sites totalling 750 dwellings. We have a number of concerns with this approach as follows:

- Higher densities in urban areas can have a negative impact on quality of life.
- There can be negative impacts on historic features in the town.
- There is likely to be more pressure on local social and community facilities, as smaller developments will not bring the scale of S106 contributions that are required to be able to improve facilities or provide new facilities.
- Higher densities will not be helpful to the Council in trying to meet its vision of providing more medium sized family housing.
- The approach to identifying only a small number of sites, with no sites over 250 dwellings ignores the sustainability benefits of larger scale developments which can provide new facilities and services as part of the development, and by providing these new facilities encourage walking and cycling and reduce the need to travel by car. Neighbourhoods of over 1,000 dwellings with other land uses such as open space, schools, shops and community facilities are likely to be a lot more sustainable than smaller developments where people have to travel further for their everyday needs.

The Crown Estate supports the inclusion of the 150 dwellings at the Spencer's Park strategic site, west of Cherry Tree Lane which would be linked to a new development in Dacorum. However, we would urge St. Albans to consider a larger scale of development here which, linked with the adjoining development in Dacorum would be of



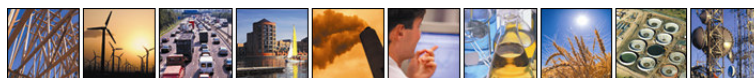
a more suitable scale to ensure that the development is as sustainable as possible. Typical neighbourhoods are made up of at least 1,200 dwellings. In order to create neighbourhoods that are as sustainable as possible, that can reduce car journeys, encourage walking/cycling and can support a two form entry primary school and key community facilities, the scale of the development needs to be carefully considered. If the desired outcome is a highly sustainable neighbourhood which responds to climate change and seriously considers issues such as reducing carbon dioxide emissions, reducing waste arisings and water use, then there are more opportunities to do so where the new neighbourhood is of a reasonable size. The larger options initially considered for the 'Spencer's Park'/North East Hemel Hempstead neighbourhood should be re-considered. Further information on these options is set out in Chapter 3 of this report.

Dacorum Borough Council's Sustainability Appraisal of its Emerging Core Strategy in June 2009 identified land to the north-east of Hemel Hempstead as appropriate to deliver growth for the town. The Appraisal ranked two options, both of which included land to the north-east, as being more sustainable than the third option. A large part of this land at north-east Hemel Hempstead is in St. Albans due to the tightly drawn authority boundary. The St. Albans Planning Policy Advisory Meeting Agenda on 16 September 2010 recognised that although in the Green Belt, north-east Hemel Hempstead is in a sustainable location and the initial findings of the St. Albans Proactive Green Belt Study showed that the site scored well in terms of suitability for release from the Green Belt. Therefore both Dacorum and St. Albans have recognised the suitability of land east of Hemel Hempstead. Given Dacorum's preference for the north-east growth option and the suitability of this land for development, we believe that this requires further consideration as an option through the next stage of St. Albans consultation. It has not yet been considered formally as an option through any of the St. Albans Core Strategy consultations, which could be considered to be unsound as Core Strategies should consider all the options.

2.5 Cross Boundary Issues

The consultation document does not refer to issues relating to cross boundary growth, other than reference to the Spencer's Park Strategic housing location helping to deliver new community facilities on adjoining residential development in Dacorum. St. Albans should consider the growth needs of neighbouring local authorities, particularly in the case of Dacorum, where the boundary with St. Albans runs right along the edge of the built up area. It is understood that Dacorum has raised the issue of expansion of Hemel Hempstead to the east (up to the M1) for a range of land uses with St Albans, but there is no reference to Dacorum's needs in this consultation paper. There is also no specific reference to the East Hemel Area Action Plan, which is likely to require close working between the two authorities.

Ideally planning for sustainable growth should not stop at administrative boundaries, Authorities should not simply plan for their own area but give consideration to what is being planned in adjoining areas, particularly where boundaries are drawn so tightly around the edge of the urban area.



The importance of cross boundary co-operation on planning issues is acknowledged in the new planning legislation currently progressing through Parliament. The Decentralisation and Localism Bill references the need for cross boundary working, stating that local authorities should have a ‘duty to co-operate’.

In order for a Core Strategy to be considered effective, it needs to be deliverable. One of the questions to establish how effective and deliverable a plan is, as set out in guidance from the Planning Inspectorate (August 2009), ‘Local Development Frameworks, Examining DPDs: Soundness Guidance’ is as follows:

“Are there any cross-boundary issues that should be addressed and, if so, have they been adequately addressed?”

In the case of the consultation document, the answer to the above is likely to be that cross boundary issues have not yet been adequately addressed. The Planning Inspectorate guidance ‘Examining Development Plan Documents: Learning from Experience’ September 2009 states at paragraph 29 that:

“A conflict between authorities about cross boundary dependencies is likely to lead to a finding of unsoundness for all the strategies involved.”

We would encourage St. Albans to discuss in detail with Dacorum cross boundaries issues relating to future growth and in particular give consideration to the most sustainable growth options for Hemel Hempstead.

2.6 Green Belt Issues

The Council’s Proactive Green Belt Management study has not been made available as part of this consultation exercise, and yet it is a key part of the evidence base for the Core Strategy, as the consultation document identifies two previously developed Green Belt sites for growth. There should be evidence to demonstrate that these are the right Green Belt sites to bring forward, and to compare these with other possible Green Belt releases. The Green Belt study should be an independent technical evidence based document that clearly considers different areas of the Green Belt against the five purposes of including land in the Green Belt as set out in PPG2. A report such as this that forms part of an evidence base should be a purely technical document. It is understood that the PINS LDF advisory note to St. Albans also set out the need for a Green Belt study to specifically look at how areas of the Green Belt perform in relation to the PPG2 purposes of the Green Belt. Such a study should also consider the longer term growth requirements of the District and whether or not there will be a need for Green Belt releases in the longer term. St. Albans should consider for how long it can continue to rely heavily on windfall sites and small urban sites. These Green Belt issues need to be fully resolved at this stage in the development of the Core Strategy, and should not be left until submission stage.

It is noted that the preliminary findings of the Proactive Green Belt study as reported in the St. Albans Planning Policy Advisory Meeting Agenda of 16 September 2010 indicated that the land at north-east Hemel Hempstead scores well in terms of release from the Green Belt.



The consultation document refers to the need to protect and preserve the Green Belt, but does not consider that by focussing on protection of the Green Belt, sustainable options for development could be being overlooked. The focus on protection of the Green Belt does not make any reference to the five purposes of including land in the Green Belt (PPG2) and how different parts of the Green Belt meet these purposes. For instance the land at north-east Hemel Hempstead does not meet any of the purposes of including land in Green Belts. The same applies to the land between the Buncefield Oil Depot and the M1 which could be used to meet the growth needs of Hemel Hempstead if it was released from the Green Belt. The M1 would provide a new robust long term boundary at this location which would then not need to be altered at the end of the plan period. The M1 and enhanced planting of the tree belts to the north-east are clear robust boundaries that would maintain separation from Redbourn and would act as a very long term boundary.

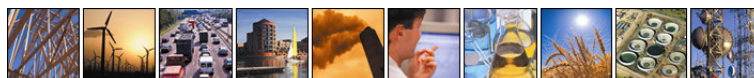
The consultation paper asks whether future housing growth should be considered alongside locations where educational establishments in the Green Belt can demonstrate a need for expansion, thus enabling the educational improvements. There is no reason why such housing growth should actually need to be adjacent to the educational establishment. It would be more logical to establish through a full Green Belt review which locations in the Green Belt may be more appropriate for development, i.e. those sites that do not meet the five purposes of including land in Green Belts (as set out in PPG2). Development on these sites could contribute to the particular educational establishment through S106 contributions even if they are not immediately adjacent.

2.7 General Comments

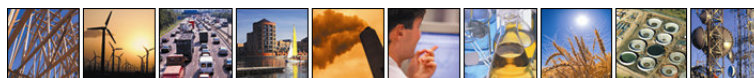
The consultation document refers to this consultation as being the second phase of the Shaping Our Community Consultation. It states that the Council has taken the opportunity to review the level of housing growth, but beyond this, it is not clear which elements of the much more detailed July 2009 consultation document will be retained in the submission Core Strategy and which elements are to be replaced as a result of the current consultation. We would welcome some clarification on this.

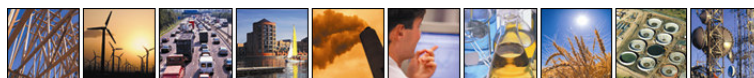
In the Foreword to the consultation document, there is reference to providing for affordable homes, new jobs, transport improvements and infrastructure. There is no reference to market homes and the need for new market homes to meet the needs of the District's residents. The Core Strategy Vision section places emphasis on providing affordable housing and medium sized family housing, yet the strategy itself seeks to focus development on smaller urban infill sites and seeks higher densities in such areas. This approach is unlikely to lead to the development of more medium sized family housing. Larger greenfield sites are the type of sites that are more likely to be suitable for family housing, and where developers are more likely to propose family housing. Therefore this part of the vision does not appear to be entirely consistent with other elements of the strategy.

Section five of the consultation document refers to the importance of delivering the right amount of development to meet local needs. This would appear to be at odds with the low number of new dwellings that are proposed, particularly as the level proposed does not come close to the household projections for the district.



In order for settlements to remain sustainable and viable, maintaining their level of services and community facilities, they need some growth and change otherwise they are in danger of stagnating or declining. We would like to see the Core Strategy taking a more positive approach to growth and to delivering the right amount of development to meet local needs.





3. Sustainable Development at North East Hemel Hempstead

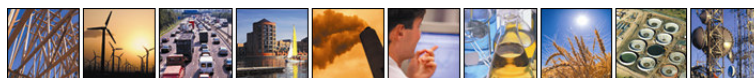
3.1 Background

In January 2008, Entec submitted 'Proposed Development at Gorhambury: Hemel Hempstead East, Supporting Information' to St. Albans District Council and Hertfordshire County Council (HCC). This looked at the key opportunities for growth to the east of the town in the overall context of development of the whole town. It provided an update on much of the baseline data that was set out in the original Gorhambury Concept document, covering the following key areas:

- Employment and Socio-Economics;
- Community Facilities;
- Landscape and Visual Context;
- Transport;
- Historic Environment;
- Ecology;
- Infrastructure and Utilities;
- Informal Recreation and Public Access;
- Noise and Air Quality; and
- Buncefield Oil Depot and Associated Pipelines.

The supporting information document built on the baseline data and specifically considered climate change and sustainability, exploring how the proposed mixed use development at Hemel Hempstead East could push the boundaries of sustainability, creating a highly sustainable mixed use urban extension to the town which assists in the overall regeneration of the town.

The potential of the land to the east of Hemel Hempstead has been recognised through independent studies, through Sustainability Appraisals and the SHLAA undertaken for Dacorum Borough Council. The draft East of England Plan also recognised the potential of the area and the need for joint working between St. Albans and Dacorum.



3.2 North East Hemel Hempstead Neighbourhood Options

Following changes at the regional level and further discussions with Officers at St. Albans and Dacorum, it was agreed that the Gorhambury northern neighbourhood as a sustainable extension to Spencer's Park would be the most appropriate neighbourhood option to consider taking forward at this stage particularly if some smaller options for growth at this location were identified. Therefore, we identified three different scales of growth for a proposed northern neighbourhood which would be split between some development in Dacorum at Spencer's Park and some development to the east in St. Albans. These options range from around 800 dwellings through to around 2,500 dwellings, including the land at Spencer's Park in Dacorum. A summary of the key features of each of these options is set out below.

3.2.1 Option 1 (Around 380 dwellings)

This option would provide between 381 (30dph) and 445 (35dph) new homes in St. Albans District. This is in addition to any potential new homes in Dacorum at Spencer's Park. Whilst development in the two districts is separate in terms of housing numbers, the development should to be viewed as a single new neighbourhood/community in terms of provision of facilities and sensible planning and design. A two form entry primary school and local centre form part of this option.

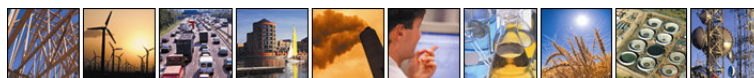
This option would take the development area up to a point between Cherry Tree Lane and the overhead power line. The robust new Green Belt boundary would be the M1 to the east and the tree belt (with enhanced planting) to the north-east to ensure separation from Redbourn. Land between the potential development and this new Green Belt boundary could be designated as safeguarded land/open space.

Cherry Tree Lane would be retained as it is as a rural lane. This would form part of the green lane network, where the focus would be on walking and cycling. Measures would be put in place to discourage other traffic from using these routes. A new hierarchy of streets within the development would link into the surrounding movement network, including a link from Three Cherry Trees Lane past the local centre and primary school up to Redbourn Road.

There would be enhanced buffer planting along the Redbourn Road and along the eastern edge of the development to protect views. There could be advance planting in appropriate locations. Appropriate protection would be given to the listed buildings and their settings whilst ensuring that they are integrated within the development in an appropriate way.

The focal point of the new neighbourhood would be the primary school and local centre, which is likely to include a local shop, community centre and public open space/green. There would be other areas of open space throughout the development.

This option would include the opportunity to enhance and link to the Nicky Line, to enhance the series of 'Green Lanes' as pedestrian and cycle priority routes linking to the surrounding countryside to the east.



3.2.2 Option 2 (Around 1,180 dwellings)

This option would provide between 1,185 (30dph) and 1,383 (35dph) new homes in St. Albans District. As with Option 1, this is in addition to any potential new homes in Dacorum at Spencer's Park. This option would take the development area eastwards up to the overhead line that crosses the site. The development area would not extend as far as the Nicky Line in the north, leaving a green buffer in the northern area. This green buffer follows the natural topography in this area, following the valley, focusing development on the plateau. There would be additional buffer planting along the southern side of Redbourn Road to screen the site further.

As with Option 1, the robust new Green Belt boundary would be the M1 to the east and the tree belt (with enhanced planting) to the north-east to ensure separation from Redbourn. Land between the potential development and this new Green Belt boundary could be designated as safeguarded land/open space.

This option offers the same opportunities and key features as Option 1, with the significant additional advantage of enabling a larger local centre to be developed with more facilities and if required a three-form entry primary school rather than two-form. The provision of more facilities would encourage new residents to walk and cycle and would reduce the need for journeys outside of the neighbourhood. This option provides a more appropriate number of dwellings to create a sustainable community with the economies of scale to provide more facilities and services. This option also enables a new road link up via Green Lane to the new local centre.

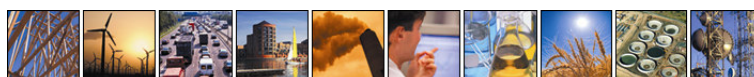
3.2.3 Option 3 (Around 1900 dwellings)

This option would provide between 1,935 (30dph) and 2,258 (35dph) new homes in St. Albans. As with Option 1, this is in addition to any potential new homes in Dacorum at Spencer's Park. The development area in this option would be up to an enhanced tree belt in the north-east, to allow clear separation between the new neighbourhood and Redbourn. To the east, the development would be separated from the M1 with significant green buffers of at least 100m between the development and the motorway. The development area would not extend as far as the Nicky Line in the north, leaving a green buffer in the northern area, in the more sensitive valley area and focussing development on the plateau. Development adjoining this area would be less dense.

As with Option 1, the robust new Green Belt boundary would be the M1 to the east and the tree belt (with enhanced planting) to the north-east to ensure separation from Redbourn.

This option offers the same opportunities and key features as Option 1, but the larger scale brings with it significant benefits in terms of sustainability. This scale of development makes provision for appropriate levels of infrastructure much easier, and means that the development can have a greater degree of self sufficiency. This scale of development would enable the provision of additional facilities and possibly a second local centre.

This option will provide the greatest opportunity for working towards a zero carbon development and for maximising opportunities associated with water conservation/working towards water neutrality.



3.3 The Opportunity for St. Albans

The Dacorum Core Strategy Sustainability Appraisal (SA) (November 2010) acknowledges at section 6.3 that the eastern strategy in combination with the East Hemel Hempstead AAP should they both proceed, could have cumulative positive effects on the economic and social objectives through the provision of employment, leisure and housing in close proximity, plus improvements to the transport infrastructure and positive effects in terms of sustainability appraisal objectives. It is not logical to not progress with this option because some of the land falls within a different authority's administrative area. The identification of Spencer's Park as a strategic housing allocation in St. Albans for 150 dwellings is welcomed, but in order to maximise the sustainability opportunities of the development and to offer the opportunity to create a development that reduces carbon emissions, waste and water use, larger options for the neighbourhood need to be considered. The development would not have any impact on the historic town of St. Albans and would ensure that separation between the development and Redbourn was achieved.

Some of the key features of the development are set out below:

Land Ownership

- The land in St. Albans is in the single ownership of The Crown Estate which reduces land assembly issues and ensures that The Crown Estate's stewardship principles can influence the development to ensure its quality.

High Quality Urban Design

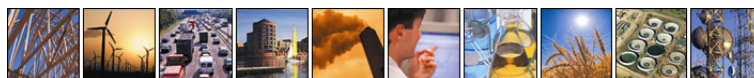
- Creation of a new vibrant and integrated neighbourhood with associated infrastructure, including a new primary school, shop, community centre and public open space/green, forming a new neighbourhood centre. Access to existing and potential employment areas.
- Utilising the existing environment, retaining and enhancing features such as the 'green lanes' and protecting more sensitive areas such as the valley on the northern part of the site, south of the Nicky Line and the eastern edge.

Green Belt

- New robust long term Green Belt boundary that accords with PPG2 Guidance and maintains separation from Redbourn.

Landscape and Green Links

- Opportunities to link to and enhance the Nicky Line, long distance pedestrian and cycle route.
- Opportunities for advance planting, in particular to strengthen a new Green Belt boundary to the north-east and east to ensure clear separation from Redbourn and to act as a buffer to the M1. Planting on the southern side of Redbourn Road would assist in screening views into the development.
- Opportunities for improving and extending informal recreation and public access to the wider Gorhambury Estate to the east of the M1.
- No ecological constraints to development.



Infrastructure

- Development of a larger scale offers considerable advantages in terms of infrastructure provision.
- Opportunities for new bus links through the site linking onto Redbourn Road and routes beyond.

Affordable Housing

- Offers the opportunity for provision of good steady supply of affordable homes to meet St. Albans' target of at least 100 new affordable homes per annum. Opportunity to provide the most needed types of houses rather than apartments that are likely to be provided on smaller urban infill sites.

Overcoming Constraints

- There are no major constraints to development. The Buncefield Consultation zones have been taken into account, as has the location of the high pressure pipeline. Significant buffers are proposed to the M1.

3.4 Green Belt at North East Hemel Hempstead

As part of the supporting information that was provided with the Gorhambury Concept in January 2008, an appraisal of the site's contribution to the purposes/function of the Green Belt as set out in PPG2 was undertaken. A summary of the key points from this relating to the northern neighbourhood are included below.

PPG2: *Green Belts* sets out five purposes of including land in Green Belts at paragraph 1.5. These are:

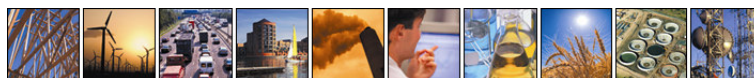
- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns from merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

In respect of these five purposes of including land in the Green Belt, the findings are set out below.

'To check the unrestricted sprawl of large built-up areas'

The far north-eastern part of the land to the west of the M1 does play a role in checking urban sprawl due its close proximity to the settlement of Redbourn and the elevated nature of the site. Although well contained by the M1 and Nicky Line, this part of the site is visually more open to views from Redbourn and is generally viewed in context of the wider countryside. This area of land to the north-east of the woodland belt would remain in the Green Belt, or be used only for open space as the woodland belt could be strengthened to provide a robust Green Belt boundary.

The north-western part of the site plays a limited role in checking urban sprawl as it is a relatively small area of land quite well contained by valley topography. The area is generally well defined by woodland vegetation



associated with the Nicky Line to the north, and field boundaries to the south and east. In addition, a number of urbanising elements are visible in views of this area including the M1, the eastern edge of Hemel Hempstead, and a number of pylons and overhead transmission lines. The removal of this part of the site from the Green Belt would not harm the Green Belt function.

It is considered that the landscape strategy could ensure the proposed development would provide an appropriate transition between town and country.

‘To prevent neighbouring towns from merging into one another’

The far northern part of the land to the west of the M1 is located between the eastern edge of Hemel Hempstead and the south-western edge of Redbourn. The north-eastern part of the site is a broad triangular piece of land located to the south-west of the settlement of Redbourn and the M1. This part of the site is well related to both the wider countryside and the settlement of Redbourn and prevents these settlements from merging. This land should be retained as open land in the Green Belt. It is considered that development within the north-western part of the site subject to the retention of land to the north-east as Green Belt would have little effect on this Green Belt function.

Development in accordance with the landscape strategy would not result in merging of neighbouring towns. In particular the M1 motorway provides a clear boundary between Hemel Hempstead and St. Albans which is over 2km away.

‘To assist in safeguarding the countryside from encroachment’

The site is physically well separated from the wider open countryside by the M1 and local road network.

The north-western part of the site is for the most part visually separated from the wider open countryside - especially the area related to lower lying land adjacent to the Nicky Line. Clear open views of the wider open countryside are available from a small area of elevated land and north facing slopes located within the north-western part of the site.

The far north-eastern part of the site has clear open views of the wider countryside and, in landscape and visual terms, is well related to the open countryside and performs this function well. This area would not be proposed for development.

Development in accordance with the landscape strategy will provide an appropriate transition between town and country through the provision of a greener edge and enhanced landscape setting to Hemel Hempstead.

‘To preserve the setting and special character of Historic Town’

This purpose is not very relevant to the land to the east of Hemel Hempstead as St. Albans is the nearest historic town, although it is some distance away. The site contributes little to the setting and special character of the historic town of St. Albans.

Views of the site from the wider countryside are limited by screening elements such as intervening topography and vegetation; and the dispersed nature of potential visual receptors.



Views of the northern part of the site from the wider countryside and approaches to Hemel Hempstead are principally from the local road/footpaths located to the north of the site, from the Nicky Line, and from the settlement of Redbourn. From vantage points located to the north, the north-eastern part of the site is perceived as being well related to the wider countryside. Views of the north-western part of the site from the wider countryside and approaches to Hemel Hempstead are principally from the local road/footpaths located to the north of the site and from the Nicky Line. The site is not perceived as being well related to the existing urban edge.

‘To assist in urban regeneration by encouraging the recycling of derelict or other urban land’

The area of Green Belt between the town and M1 does not meet this purpose. Much of the Green Belt land at this location is poor quality urban fringe. The proposed development of this land will in fact assist in the regeneration of the town, in particular the eastern part of the town, but there will also be benefits for the wider town. As a new town, Hemel Hempstead was designed to grow, but has now reached a stage at which there is a need for regeneration and new development.

With regard to Green Belt boundaries, PPG2 at paragraph 2.8 states that:

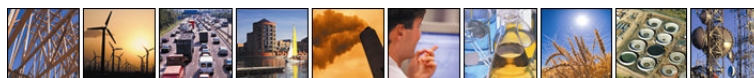
“Where detailed Green Belt boundaries have not yet been defined, it is necessary to establish boundaries that will endure. They should be carefully drawn so as not to include land which it is unnecessary to keep permanently open. Otherwise there is a risk that encroachment on the Green Belt may have to be allowed in order to accommodate future development. If boundaries are drawn excessively tightly around existing built-up areas it may not be possible to maintain the degree of permanence that Green Belts should have.”

Regarding the location of an alternative Green Belt boundary in landscape and visual terms, it is recommended that the southern edge of the Nicky Line or Redbourn Road (with enhanced planting), the western and southern edges of woodland located to the south of the Beeches and the western edge of the M1 would form a long term defensible Green Belt boundary. The M1 is a clear enduring boundary which will act as a long term boundary to Hemel Hempstead.

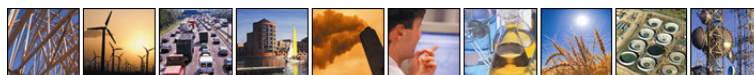
On the basis of the assessment of the land to the east of Hemel Hempstead as set out above, it can be concluded that the site contributes little to the purposes and objectives of the Green Belt as set out in PPG2. Due to the location and relatively well contained and enclosed character of the site, it is considered suitable for development. There is limited public access to the site at present, and development of the site will offer an opportunity to provide new recreational links and possibly extended footpaths to the east of the M1, thus providing new links to the countryside for the new residents and the existing population of the town. The area of land to the far north-west would be retained as Green Belt or open space.

3.5 Infrastructure

Larger scale development at north-east Hemel Hempstead, over the 150 dwellings identified for St. Albans in the consultation document offers a number of opportunities for funding new and improved social and hard infrastructure to the benefit of the new and existing residents. Depending on the scale of the development at north-



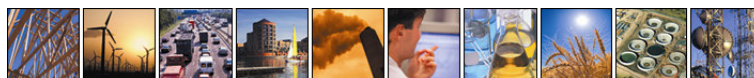
east Hemel Hempstead there may be opportunities to provide a new two form entry primary school, local shops, community facilities, and an improved road network. There are also significant opportunities for green infrastructure in the area at north-east Hemel Hempstead, with opportunities for the creation of open space with public access and new footpaths.



4. Conclusions

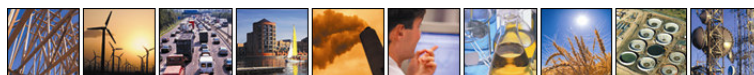
The Crown Estate has a number of concerns about certain elements of the strategy that is being proposed, although it welcomes the inclusion of Spencer's Park as a strategic housing site linking to a development to the west in Dacorum. The Crown Estate would encourage St. Albans to consider the issues raised in this report prior to moving on to the submission stage of the Core Strategy. We would welcome further discussion with you about these issues which are summarised below:

- The justification for the proposed level of housing growth of 250 per annum, of which 100 are proposed to be affordable is not clearly set out. For instance it is not clear how this relates to the Government's household projections which would suggest that at least around 500 per annum are required.
- No alternative option/levels of growth appear to have been considered or appraised as part of the Sustainability Appraisal.
- There is no flexibility in the level of housing growth to deal with changing circumstances over the plan period.
- Such a low level of growth is likely to lead to increasing difficulties for new households through increased house prices and shortages of housing, potentially increasing demand for affordable housing.
- If only 250 dwellings per annum are provided it is likely to be difficult to achieve the 100 affordable units per annum, as this is reliant on achieving 40% affordable on all sites.
- 40% affordable does not accord with the conclusions of the Development Economics Study which suggested that 40% may not be viable on all sites in St. Albans and Harpenden. 35% is considered to be a more realistically achievable target.
- The justification for the level of 100 affordable units per annum is not clear as it does not seem to link to evidence from a recent housing needs survey.
- The approach to only providing for 750 dwellings on strategic housing sites (only three years supply out of the 17 years of the plan) and focusing the rest of the growth on small urban sites will reduce flexibility and opportunities to provide community benefits associated with new development. It is also likely to lead to higher density apartments and small units as opposed to the medium sized family housing that St. Albans identifies as being needed. This type of higher density urban development is also potentially more likely to have negative impacts on quality of life and on the District's historic features, whilst also putting pressure on social infrastructure.
- The consultation document does not deal with cross boundary issues even though we understand that Dacorum has expressed its desire to work together to deal with the issue of growth to the east of Hemel Hempstead which falls within St. Albans due to the closely drawn boundary in this location. This could potentially lead to the plan being found to be unsound. Planning purely based on administrative boundaries, ignoring the surrounding area is not sensible or sustainable. Whilst the



Coalition Government's focus is on planning at the local level, there still needs to be co-ordination between different neighbourhoods to plan sensibly, and this is why the Government is introducing the 'Duty to Co-operate' through the Localism Bill.

- There is a lack of a robust evidence base relating to the Green Belt. Two of the strategic housing sites are previously developed Green Belt sites, but there is no evidence to compare these with other Green Belt sites which may be more suitable for release from the Green Belt in relation to the five purposes of including land in Green Belts as set out in PPG2.



Appendix 3

Hertsmere Core Strategy Examination – Inspector’s Comments 15 May 2012

Examination of the Hertsmere Revised Core Strategy Development Plan Document

Inspector's Preliminary Findings on matters relating to Overall Housing Provision, Housing Land Supply and the Green Belt

1. Following my announcement at the conclusion of the hearing session on 3 May 2012, this note sets out my preliminary findings that give rise to my concerns about the basis for the Revised Core Strategy's (RCS) approach on housing and Green Belt matters. It should not be taken as my conclusion on the soundness of the RCS on these or any other matters. Instead, the purpose of this note is to explain the basis for my concerns in more detail and to invite the Council's views on how they should be resolved.
2. In order to make progress as quickly as possible, it would be helpful if the Council could provide a response to this note by Wednesday 6 June at the latest. To summarise the position set out below, it seems that the Council has three alternative options:
 - a. request suspension of the examination while the Council carries out further work to inform a revised housing target and as necessary, limited review of the Green Belt boundary;
 - b. withdraw the RCS;
 - c. request that I complete the examination on the basis of the housing and Green Belt strategy as set out in the submitted RCS.

However, for the reasons set out below, option c carries significant risks that I would not be in a position to find the RCS sound. If suspension of the examination is sought, I will need further information on the scale of the work that would be undertaken, its timescale for completion and the modifications that would be likely to be required to the RCS in order to ensure that this is the most appropriate way forward.

Housing Requirement based on objective evidence of needs and demands

3. I now turn to the substantive matters that give rise to my concerns. Paragraph 47 of the National Planning Policy Framework (the Framework) states that "To boost significantly the supply of housing, local planning authorities should use their evidence base to ensure that their local plan meets the full objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this framework..". In his announcements about the Framework, the Minister for Planning has emphasised the three objectives of the planning reforms, one of which is "to ensure that we support the building of homes that the next generation will need..".
4. From all the evidence at the hearings, it is clear that the Council relies on the housing requirement set out in the East of England Plan (the regional strategy (RS)) as the appropriate basis for the 15-year requirement for the borough, even though the RCS would not fully provide for this. More is said about this matter below. However, evidence that points towards the need for an uplift of the RS minimum requirement has not been objectively assessed by the Council, although

the Framework highlights the importance of such an assessment (thus carrying forward advice in the superseded Planning Policy Statement 3).

5. In brief, the 2008-based household projections which are more up-to-date than those that informed the RS suggest a need for a significantly increased level of provision (over 500 dwellings per annum (dpa), compared with 237 dpa proposed by the RCS). And the other scenarios discussed at the hearings all point towards a housing requirement that is in excess of the RCS provision figure to varying degrees.¹ The Strategic Housing Market Assessment (2008), while dated and also constrained by the RS housing target, gives an indication of the very high level of need for affordable housing in the borough, closely matching the RCS total provision figure.

6. In summary, even though there is no single, up-to-date objective assessment of needs and demands in the housing market area, there is enough information available to draw an interim conclusion on this point. The RCS does not plan to meet objectively assessed housing needs and demands in accordance with the Framework, as well as not planning to meet the minimum requirement set by the RS. As the Framework acknowledges in paragraph 47, it may not be realistic to seek to meet such needs and demands in full within the area of a local plan. However the RCS does not set out a basis on which it would plan strategically with other local authorities to deliver the homes needed in the area. Nor does it offer an interim approach that would give some certainty that the need for housing would be provided for in due course.

Housing Requirement based on the East of England Plan (RS), and the Green Belt context

7. The RCS makes provision for 3,550 dwellings over the plan period, 2012-2027, an average of 237 dpa. In accordance with the Council's case, this is about 6% below the level required by Policy H1 of RS when rolled forward to 2027. However, a different interpretation of paragraph 5.6 of RS indicates that 260 dpa should be provided 2022-2027, thus giving rise to a greater shortfall against RS, of the order of 11%. There is some dispute about the meaning of paragraph 5.6, particularly in regard to districts that are subject to Green Belt constraints, such as Hertsmere, where a Green Belt review is not proposed in RS. Nonetheless, the paragraph sets out that the purpose of seeking whichever is the higher rate of provision, 2006-2021 or 2001-2021, when rolled forward beyond 2021, is to provide a consistent approach to ensuring continuous delivery of housing over a 15-year period.

8. As the Council accepts, there is a legal requirement that the RCS should be in general conformity with RS for so long as the latter remains part of the development plan. The Council considers that the RCS is in general conformity with RS. However, Policy H1 of RS makes clear that its housing provision figures, including that for Hertsmere, are the minimum requirement.

9. Evidence tested at the hearings indicates that the Council relies on the capacity of the urban areas of the borough to meet its future housing requirement and that the RCS provision figure has been determined accordingly. While options for higher levels of provision were examined in the sustainability appraisal process, this appears to have been on the basis that the Green Belt boundary should be treated as an environmental constraint. Options that

¹ For example, from 260-320 dpa to continue past delivery trends, 340 dpa to maintain existing levels of employment, and very significantly greater numbers to meet housing needs or provide for employment growth.

entailed Green Belt releases were ultimately rejected. Furthermore, the RCS proposes that the sites that are safeguarded for housing under Policy H4 of the Hertsmere Local Plan 2003 should no longer be safeguarded, thus returning these lands to the Green Belt.

10. The Council's evidence does not provide substantive justification, other than protection of the existing Green Belt boundary, for the setting of a housing provision figure that is below the minimum required by RS. References to concerns about the capacity of the supporting infrastructure have not been substantiated by evidence of any significant constraints to delivery of a greater number of dwellings over the plan period.

11. Policies SS7 and LA1 of the RS provide the regional and sub-regional context for the Green Belt.² Policy SS7 sets out that the broad extent of the Green Belts in the region are appropriate and should be maintained, but it goes on to provide for review of the boundaries (on a strategic or local scale) in certain areas. Policy LA1 refers to the London Arc sub-region that includes Hertsmere and it states that the emphasis here will be on retention of long-standing Green Belt restraint and on urban regeneration. There is no specific requirement in the RS for a strategic or local review of the Green Belt boundary in Hertsmere.

12. However, the Council's justification for the approach in the RCS does not seem to be that RS policy imposes blanket protection of the existing Green Belt boundary in Hertsmere. If the Council had been of this view it is unlikely that it would have put forward the proposal in the RCS to safeguard land that is currently in the Green Belt at Elstree Way/Shenley Lane for employment purposes. Therefore there is a significant inconsistency in matters of principle, and this has not been adequately explained.

13. The Framework re-affirms the importance and permanence of Green Belts and that once established, their boundaries should only be altered in exceptional circumstances, through the preparation or review of the local plan. Paragraphs 83-86 of the Framework set out the policy for drawing up or reviewing Green Belt boundaries. As I understand the Council's case, it does not argue that any proposal in the RCS to review the Green Belt boundary in the borough would be in conflict with the Framework – if that were the case, there would be an inconsistency with the RCS approach to meeting long-term employment needs.

14. Given all of the above, the Council's case for a level of housing provision that is between 6%-11% less than the minimum required by RS has not been adequately justified and it is not consistent with the safeguarding of land to meet future employment needs in the Green Belt. The approaches taken in the adopted core strategy for Three Rivers district and some districts beyond Hertfordshire are unlikely to provide this justification, given that their circumstances differ from Hertsmere.

Housing Land Supply

15. The Council's updated Strategic Housing Land Availability Assessment 2011 (SHLAA), shows that the net yield (after applying a lapse rate) is only marginally above the RCS housing provision figure for the plan period. Therefore it does not provide headroom, in terms of surplus available housing land outside the Green Belt, to accommodate an increase in the housing requirement.

² Certain parts of these policies have been successfully challenged in the High Court but this does not materially affect the position in Hertsmere.

16. In addition, from the testing of the evidence at the hearings, I have doubts that the SHLAA capacity will be realised. In particular, reliance on the Elstree Way Corridor to provide 400 dwellings (net yield) in years 6-10 of the plan period appears optimistic when considered against the complex issues of site assembly/relocation of existing uses, re-configuration of highways and availability of funding for essential preparatory works. This could also lead to under-provision of the total net yield of 800 dwellings expected from the Elstree Way Corridor over years 6-15 of the plan period.

17. The potential contribution from small windfalls both in urban and rural areas was explored further at the hearings and the Council provided more evidence on this. As the Framework sets out in paragraph 48, in particular circumstances an allowance for windfalls may be included in the first five years of the supply. The RCS includes an allowance for windfalls only in years 11-15. However, this allowance rests heavily on a projection of past delivery rates rather than an objective assessment of future trends such as an analysis of the types of sites and/or locations in particular settlements that are likely to yield small windfalls. And the Council's further evidence at the hearings reveals that windfalls from large sites have been counted in the historic windfall rates, thus giving rise to potential double-counting of the capacity expected from identified SHLAA sites.

18. Therefore, doubts remain about the reliance that can be placed on the contribution from small windfalls that is already factored into the housing land supply. And having regard to paragraph 48 of the Framework, there does not appear to be sufficient evidence to conclude about the contribution that could be made by small windfalls in the earlier years of the plan period, even though they will play some role.

19. Other sources of housing land supply may emerge from redevelopment of brownfield sites in the Green Belt. The Council has provided some evidence on this in its response to the publication of the Framework but there is an inadequate basis to expect that this source will make a significant contribution to housing supply over the plan period.

20. Overall, there appears to be insufficient flexibility in the RCS to respond to the Government's objective for a significant boost in the supply of housing.

Conclusion and Implications

21. The matters outlined above give rise to significant concern that the RCS would not provide adequately for housing requirements over the next 15 years approximately. In order to meet the Government's expectations of planning for housing, the Council should consider whether it should plan now for a more ambitious but realistic target for housing provision that is informed by an objective assessment of needs and demands. In order to do so, it is likely to be necessary to apply the advice in the Framework about reviewing the Green Belt boundary.

22. During the hearings the implications for the broader extent of the Green Belt in the London Arc area of any relatively limited Green Belt review in Hertsmere was discussed. The evidence does not suggest that a limited, essentially local review should not be undertaken at this stage, even though core strategies for a number of the adjoining districts are not finalised and potential need for Green Belt releases in those areas is yet to be tested. In any event, joint working with adjoining local planning authorities will be required to address

strategic issues about housing and the Green Belt across the housing market area.

23. On this basis, the Council may decide that it would be appropriate to put forward changes to its plan. Depending on the nature and scale of these changes it may be possible to consider them as proposed main modifications to the RCS. Alternatively, it may be decided that a new plan should be brought forward.

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