

Planning Statement (including Affordable Housing and Draft Heads of Terms)  
Stonebond Properties (St Albans) Ltd  
Land off Hatfield Road and to the south of Jove Gardens, Smallford, St Albans  
January 2026



BIDWELLS

**LAND OFF HATFIELD ROAD  
AND TO THE SOUTH OF  
JOVE GARDENS,  
SMALLFORD  
PLANNING STATEMENT  
(INCLUDING AFFORDABLE  
HOUSING STATEMENT AND  
DRAFT HEADS OF TERMS)**

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## Quality Assurance

<b>Site name:</b>	Land off Hatfield Road and to the south of Jove Gardens, Smallford, St Albans, AL4 0HN
<b>Client name:</b>	Stonebond Properties (St Albans) Limited
<b>Type of report:</b>	Planning Statement (Including Affordable Housing Statement and Draft Heads of Terms)
<b>Prepared by:</b>	Andrea Orellano, Planner
<b>Date:</b>	December 2025
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<b>Date:</b>	December 2025



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## 1.0 Introduction

- 1.1 This Planning Statement has been prepared and submitted by Bidwells LLP on behalf of Stonebond Properties (St Albans) Limited in support of a Full Planning Application for residential development at Land off Hatfield Road and to the south of Jove Gardens, Smallford (hereafter referred to as “the Site”).
- 1.2 Stonebond Properties (St Albans) Limited is the applicant (hereafter referred to as “the Applicant”).
- 1.3 The description of development for the Full Planning Application is as follows:
- “Full planning permission for the demolition of an existing building and development of 52 dwellings (including 50% affordable housing) with access off Hatfield Road, associated hard and soft landscaping and open space.”*
- 1.4 This application has been submitted to St Albans City & District Council as the Local Planning Authority (hereafter referred to as “LPA”) with sole jurisdiction over the application.
- 1.5 The primary purpose of this Planning Statement is to assess the proposed development against relevant Development Plan policies and material considerations.
- 1.6 The extent of the supporting information and scope of this documentation is in accordance with the national and local requirements of a Full Planning Application and follows the receipt of pre-application advice.
- 1.7 This Planning Statement should be read in conjunction with the other supporting drawings and documentation submitted with the application as set out in the accompanying Covering Letter.

## 2.0 Site Background

### The Site and Surrounding Context

- 2.1 The Site comprises circa 2.09 hectares of land to the rear of Notcutts Garden Centre, off Hatfield Road and to the south of Jove Garden, Smallford. The location of the Site is shown below in Figure 1, outlined in red. Land also in the Applicant's control (shown in blue) equates to 0.13 hectares. This land lies adjacent to the north-western boundary of the Site.

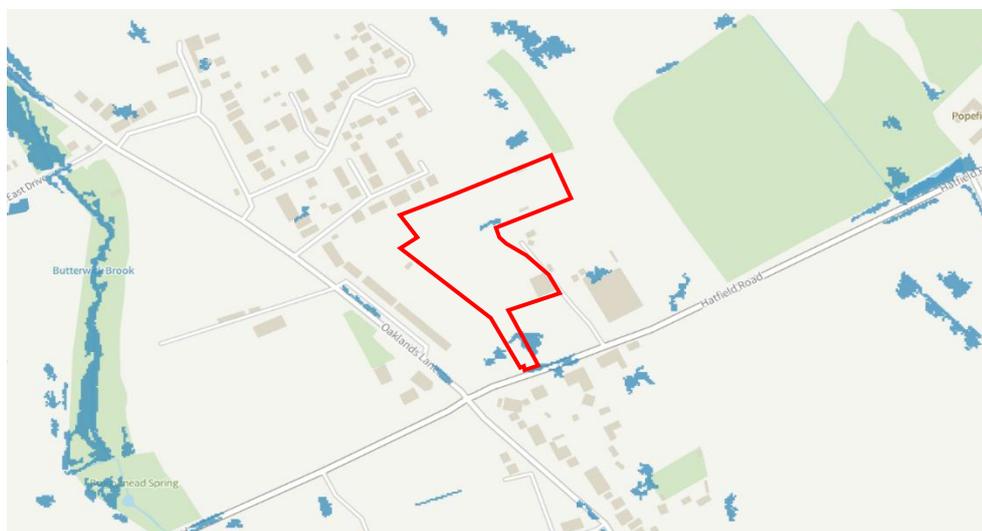


Figure 1: Aerial View Showing Application Site

- 2.2 The north-eastern corner of the Site is formed from hard standing associated with previous use by the Garden Centre for storage which is now surplus to their requirements. There is a further area of hard standing towards the centre of the Site, this was most recently used for the display of tents, along with a building which is still currently in use as part of the sales area of the Garden Centre, albeit not part of the main Garden Centre. These two areas meet the definition of Previously Developed Land set out in the National Planning Policy Framework (hereafter referred to as "NPPF").
- 2.3 The remainder of the Site comprises scrubland with scattered trees.
- 2.4 The main development site is bound on all sides by mature hedgerows. To the north of the Site is the recent Jove Gardens development and associated open space. To the west is the rear gardens of the residential properties on Oaklands Lane. To the east of the Site is the retained Garden Centre, beyond which Ellenbrook Fields are located, which is subject to an ongoing appeal for sand and gravel extraction.

**Full Planning Application**  
**Land off Hatfield Road and to the south of Jove Gardens, Smallford**

- 2.5 Hatfield Road runs along the south of the Site, beyond which lies a petrol station and the Three Horseshoes Public House. The Site is, therefore, enclosed on all sides, aside from a small length on the northeast corner where it shares an immediate boundary with Ellenbrook Fields.
- 2.6 Existing vehicular access into the Site is taken off Hatfield Road, through land which is used as an overflow parking area by the Garden Centre. Details of proposed access are provided in Section 4.
- 2.7 There is an existing phone mast located along the southern boundary of the Site. It is proposed to remove this mast as part of the development.
- 2.8 The Site is located within the village of Smallford which sits circa 5km east of St Albans Town Centre. Smallford is identified as a Green Belt Village in both the adopted Local Plan and the Draft Local Plan.
- 2.9 The nearest bus stops to the Site are located along the southern boundary of the site along Hatfield Road, with additional bus stops to the west of the site along Oaklands Lane. Buses from these stops run regularly providing direct services into St Albans Town Centre, Welwyn Garden City, Hatfield Business Park, Lister Hospital, New Greens and Oaklands.
- 2.10 There are a small range of local services and amenities within Smallford. These include a pub located just south of the Site, a veterinary clinic, a farm shop, a football club and a rugby club. These services, along with the industrial estate to the west, are all accessible by foot or bicycle. Additional facilities are available in St Albans Town Centre including St Albans Railway Station which provides regular train services into Luton, Bedford, London, and Kent. The site is, therefore, considered to be located in a sustainable location with good access to a number of local facilities and services.
- 2.11 The Site is located within the Metropolitan Green Belt and also falls within a 'Landscape Development Area' designation as shown on Local Plan Inset Map 4.
- 2.12 According to the Environment Agency Flood Map for Planning, the Site is located entirely within Flood Zone 1 so is at the lowest risk of flooding. There are, however, a few areas within the Site towards the Site's boundaries that are at risk of surface water flooding.



**Figure 2: EA Flood Map Showing 1 in 30 Chance of Surface Water Flooding**

2.13 The Site and the surrounding area are not covered by any wildlife or ecological designations. The Site is located circa 1.8km north of Colney Heath Local Nature Reserve.

2.14 There are no Listed Buildings or Conservation Areas within the Site. The nearest Listed Buildings are located circa 46m south of the Site, along Hatfield Road. These are the 'Three Horseshoes Public House' (Reference: 1172839) and the 'Milepost' approximately 70 metres northeast of the Three Horseshoes Public House (Reference: 1347182), both of which are Grade II Listed Buildings.

### **Planning History**

2.15 A review of the Council's online planning application records has been undertaken and shown in the table below.

2.16 The most recent applications within close proximity to the site are associated with the dwellings along the site's boundary and Notcutts Garden Centre.

<b>PLANNING REFERENCE</b>	<b>LOCATION</b>	<b>PROPOSAL</b>	<b>DECISION</b>
<b>5/2025/1130</b>	Land Adjacent The Cats Whiskers 1 Oaklands Lane Smallford St Albans	Four dwellings with access, parking and landscaping following the demolition of all existing structures and hardstanding.	Conditional Permission granted 27 <sup>th</sup> October 2025
<b>5/2025/0325</b>	Notcutts Garden Centre 605 Hatfield Road Smallford St Albans Hertfordshire AL4 0Hn	Replace existing old roof sheets with new insulated roof panels and install solar panels.	Conditional Permission granted 10 <sup>th</sup> July 2025
<b>5/2025/0599</b>	36 Oaklands Lane Smallford St Albans Hertfordshire AL4 0Hr	Prior Approval - Single storey rear extension 4m in height x 6m in depth and 3m in height to the eaves.	NCS Prior approval required and refused 18 <sup>th</sup> April 2025
<b>5/2021/1817</b>	Notcutts Garden Centre 605 Hatfield Road Smallford St Albans Hertfordshire AL4 0Hn	Construction of canopy over existing external retail area.	Conditional Permission granted 9 <sup>th</sup> August 2021
<b>5/2018/0263</b>	Notcutts Garden Centre 605 Hatfield Road St Albans Hertfordshire AL4 0Hn	Change of use of land to car wash with associated cabin, concrete apron and canopy.	Application Withdrawn 4 <sup>th</sup> April 2018

### **Pre-Application Advice**

2.17 Pre-application advice was sought by the applicant in respect to the proposed development at Land to the Rear of Notcutts Garden Centre (LPA Reference: PRE/2025/0045).

- 2.18 A written pre-application response was provided by St Albans City and District Council in July 2025.
- 2.19 In respect to the principle of development, the pre-application response notes that the site is located within the Metropolitan Green Belt and would, therefore, be required to meet the exceptions of NPPF Footnote 55. Should the application not be considered to meet these exceptions, a full assessment of Green Belt harm, including an assessment of impact on openness and the Green Belt purposes, would need to be provided.
- 2.20 In regards as to whether the site constitutes 'Grey Belt', the response notes that *"on balance, officers would agree that the site is unlikely to strongly contribute to the purposes identified above and is therefore likely to be Grey Belt subject to the confirmation that no constraint in Footnote 7 is triggered."* The response recommends that the applicant utilises the Lead Local Flood Authority pre-application service to determine whether Footnote 7 is complied with.
- 2.21 The response notes that any future planning application must justify the development of the site in the Green Belt against Paragraphs 153, 155 and 156 of the NPPF.
- 2.22 Advice on the following considerations was also received:
- Alterations to the layout and design
  - Further consideration of the unit mix
  - Engage with external consultees as recommended above
  - Take into account comments and recommendations of external consultees
  - Consider the red line boundary
  - Justify the loss of retail space.

## 3.0 Engagement with the Local Community

- 3.1 Prior to the submission of this application, the Applicant sought to engage with the local community and Parish Council.
- 3.2 A public exhibition was held on Thursday 13th November 2025 at Colney Heath Football Club between 15:00 and 19:00.
- 3.3 Representatives of the project team from the Applicant, the CCP, Bidwells, Markides Transport and Boast Architects were in attendance for queries pertaining to their work. They welcomed residents to the consultation, answered their questions, listened to their comments and requested that they record their opinions on paper feedback forms or on the website, using provided iPads.
- 3.4 22 attendees signed into the event, however, there were also a minority of attendees who chose not to sign the sheet. The number of the latter group not recorded was estimated at around 7. This totals to around 29 attendees.
- 3.5 Visitors were invited to share their opinions on paper feedback forms or on the website, using provided iPads. The paper feedback forms included the same questions as the online form.
- 3.6 The responses received through the resident's survey and comments made during the in person consultation highlighted a number of topics, including access and highways, provision of affordable homes, the development gap between St Albans and Hatfield, the impact on the Garden Centre to the south of the Site and the impact on residential amenity.
- 3.7 These issues have been heard and listened to by the Applicant and are addressed within this application.
- 3.8 The Applicant has also engaged with elected representatives of St Albans City and District Council and Colney Heath Parish Council and is committed to continuing engagement with elected representatives and community stakeholders. Engagement took place with the following Councillors:
- Councillor Chris Brazier, Ward Member for Colney Heath, St Albans City and District Council
  - Councillor Hilary Brazier, Colney Heath Parish
  - Councillor Spender James, Colney Heath Parish
  - Councillor Graeme Shaw, Colney Heath Parish
  - Councillor Craig Tallents, Colney Heath Parish.
- 3.9 The Applicant remains open to and welcomes continued engagement with the local community, and elected representatives at all levels of Government.

## 4.0 Proposed Development

- 4.1 This application seeks full planning permission for the development of 52 dwellings, with associated hard and soft landscaping, infrastructure and open space.
- 4.2 The description of development is as follows:
- “Full planning permission for the demolition of an existing building and development of 52 dwellings (including 50% affordable housing) with access off Hatfield Road, associated hard and soft landscaping and open space.”*
- 4.3 The application proposes a mix of 2, 3 and 4 bedroom dwellings, including maisonettes and bungalows. Building heights will range from single storey to two storey homes.
- 4.4 Proposed housing will be located along either side of the main spine road, with a LAP located in the north-eastern corner of the Site. Informal green space will also be provided throughout the development.
- 4.5 The scheme proposes 50% on site affordable housing provision, equating to 26 affordable dwellings. Affordable homes will be split into 17 affordable rent units and 9 affordable shared ownership homes. The location of these is shown on the Tenure Site Plan.
- 4.6 The supporting Accessibility Plan shows that approximately 90% of homes will be designed to the M4(2) accessibility standard, and approximately 10% of homes will be designed to the M4(3) accessibility standards.
- 4.7 All homes would have their heating and hot water supplied through highly efficient individual air source heat pumps. These will be supplemented with highly insulated hot water cylinders to ensure that the heat loss per day is kept to a minimum, thereby using less energy and keeping carbon emissions reduced.
- 4.8 Proposed access to the site is located off the A1057 Hatfield Road where a new give way junction will be created.
- 4.9 The existing eastbound bus stop layby, west of the site access, is proposed to be altered slightly to allow buses to stop fully within the layby clear of the Hatfield Road carriageway. Bus services will, therefore, remain within walking distance of the proposed dwellings, promoting the use of public transport as a sustainable mode of travel.
- 4.10 A total of 133 parking spaces will be provided throughout the development. 101 parking spaces will be allocated, and 32 parking spaces will be visitor spaces. EV charging points would also be provided as shown on the EV Car Charging Plan.
- 4.11 All homes will have access to cycle storage provision through an 8' x 4' cycle storage shed, cycle storage in garage or a communal cycle store.

## 5.0 Development Plan Policies and Material Considerations

### Introduction

- 5.1 The purpose of this section is to set out the relevant Development Plan policies and material considerations in respect of the proposed development.
- 5.2 Section 70(2) of the Town and Country Planning Act (1990), as amended by Section 143 of the Localism Act 2011 states that:
- “(2) In dealing with such an application the authority shall have regard to:*
- (a) the provisions of the development plan, so far as material to the application;*
  - (b) any local finance considerations, so far as material to the application; and*
  - (c) any other material considerations.”*
- 5.3 Section 38(6) of the Planning and Compulsory Purchase Act ('PCPA'), 2004 states that *“if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”*
- 5.4 An assessment of the proposed development against the Development Policies and material considerations is provided at Section 6.0 of this Planning Statement.

### St Albans Local Plan (Review) – 1994

- 5.5 The adopted Development Plan of relevance comprises the District Local Plan Review, adopted 1994. This was updated to the Saved and Deleted Policies Version in July 2020.
- 5.6 Within the adopted Plan, the Site is not allocated for development.
- 5.7 The Site is located within the Metropolitan Greenbelt and Landscape Development Area. **Figure 3** below provides an extract of the adopted Policies Map.

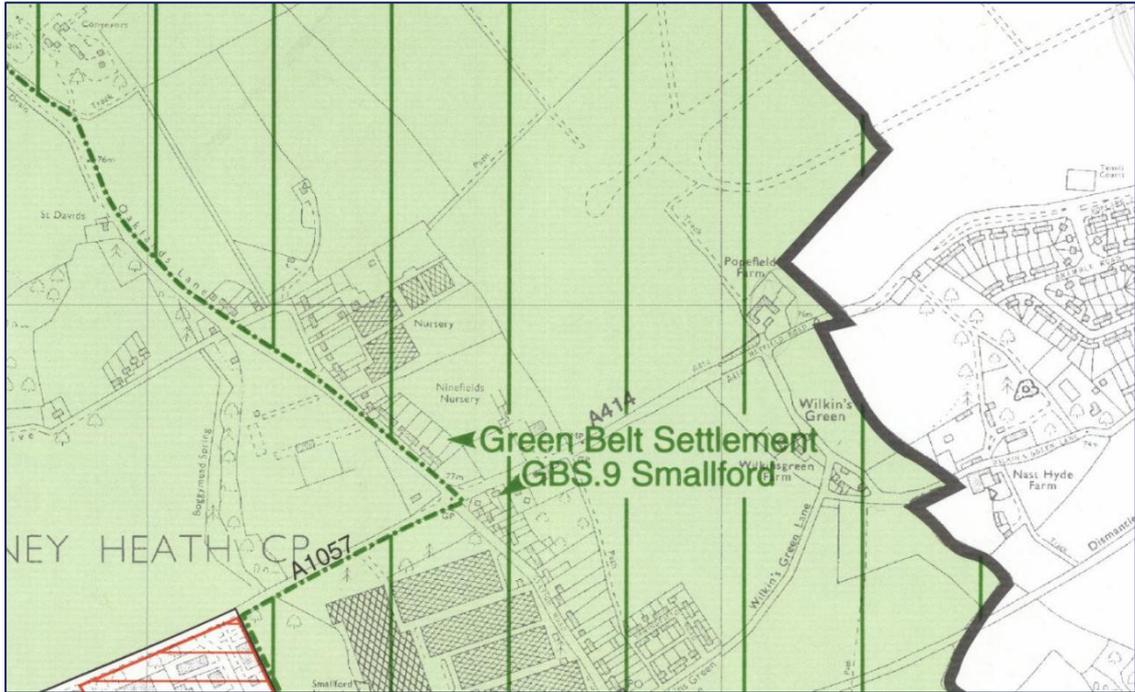


Figure 3: Extract from Local Plan Policies Map (Proposals Map 4)

5.8 The following policies from the Local Plan have been identified as relevant in the context of the proposal:

- Policy 1: Metropolitan Green Belt
- Policy 34: Highways Considerations in Development Control
- Policy 39: Parking Standards, General Requirements
- Policy 40: Residential Development Parking Standards
- Policy 56: Loss of Retail Floorspace
- Policy 69: General Design and Layout
- Policy 70: Design and Layout of New Housing
- Policy 74: Landscaping and Tree Preservation
- Policy 84: Flooding and River Catchment Management
- Policy 84A: Drainage Infrastructure
- Policy 104: Landscape Conservation

5.9 **Policy 1 'Metropolitan Green Belt'** states that *"within the Green Belt, except for development in Green Belt settlement referred to in Policy 2 or in Very Special Circumstances, permission will not be given for development for purposes other than that required for:*

- *Mineral extraction;*
- *Agriculture;*
- *Small scale facilities for participatory sport and recreation;*
- *Other uses appropriate to a rural area;*

- *Conversion of existing buildings to appropriate new uses where this can be achieved without substantial rebuilding works or harm to the character and appearance of the countryside.”*

5.10 **Policy 2 ‘Settlement Strategy’** identifies Smallford as a Green Belt settlement. Aside from the exceptions in Policy 1, development will not normally be permitted except:

- The local housing needs described in Policy 6 (albeit Policy 6 has been deleted);
- The local facilities and service needs of the settlement in which the development is proposed.

Development must not detract from the character and setting of these settlements within the Green Belt.

5.11 **Policy 34 ‘Highways Consideration in Development Control’** states that *“Development will not be generally permitted if it’s likely to generate a significant amount of traffic or which involve the creation or improvement of an access unless acceptable in terms of highways considerations including: road safety, road capacity, car parking provision and local rural roads.”*

5.12 **Policy 39 ‘Parking Standards, General Requirements’** states that *“Developments shall include off-street parking provision in accordance with Policy 40. All parking areas must be clearly marked out in bays. Parking spaces shall be a minimum of 2.4 x 4.8 metres. At least 6 metres is required between rows of spaces, or 7.3 metres in the case of garages or car ports.”*

5.13 **Policy 40 ‘Residential Development Parking Standards’** notes that in terms of parking for affordable housing, the policy outlines that *“a lower parking requirement will be applied to affordable housing schemes if secure arrangements are made to ensure that the housing will remain “affordable” in perpetuity, rather than just for the initial occupants”*. Where possible, visitors parking spaces shall be provided in lay-bys adjoining a new highway in a form to be adopted by the highway authority. The SPD (extract below) outlines that these standards are relevant currently.

DWELLING SIZE (BEDROOMS)		NUMBER OF SPACES REQUIRED PER DWELLING		
		ALLOCATED <sup>(1)</sup>	UNALLOCATED <sup>(2)</sup>	TOTAL
1 (including bedsits)	either <sup>(3)</sup>	0	1.5	1.5
	or	1	0.5	1.5
2	either <sup>(3)</sup>	0	2	2
	or	1	1	2
	or	2	0.5	2.5
3		2	0.5	2.5
4 or more		3	0.5	3.5

5.14 **Policy 56 ‘Loss of Retail Floorspace’** seeks to retain the vitality and viability of Primary and Secondary Shopping Frontages. Although part of the Site is in retail use, the site does not form part of a Primary or Secondary Shopping Frontage therefore is not applicable.

5.15 **Policy 69 ‘General Design and Layout’** notes that Development shall have an adequately high standard of design taking into account context, materials and other policies (specifically highways (34), parking (39-50), design and environment (70-84), conservation/historic buildings (85-90)).

- 5.16 **Policy 70 ‘Design and Layout of New Housing’** requires new housing to have regard to its setting and character of its surroundings meeting the policies objectives:
- Design and layout – appropriate massing and siting of buildings to ensure a human scale.
  - Dwelling mix – variety and mix required.
  - Roads and footpaths – minimise pedestrian and pedestrian conflict.
  - Parking and Garaging – do not let car dominate (meet Policy 43).
  - Landscape – Policy 74 compliance.
  - Privacy between dwellings. Window to Window distance is 27 metres, with rear boundary being 1.8 metres high. 18 metres may be permitted if the proposed dwelling has no overlooking rear windows on upper floors and will not be overlooked by neighbouring dwellings with such windows. Use of screening will normally be acceptable to achieve a tolerable level of privacy.
  - Privacy between dwelling and rear boundary – half above distances required if the adjacent site has development potential (*unlikely an issue here*).
  - Orientation – regard to good practice for sunlight/daylight.
  - Amenity space around dwellings. The size of a private garden should reflect the number of persons for which the dwelling has been designed. Gardens may be smaller where there is public open space nearby.
  - Defensive Spaces – 3m offset from habitable rooms to areas that are publicly accessible.
  - Open Space. Developments with more than 30 dwellings each with 2 or more bedrooms shall normally be provided with toddlers play areas on the basis of 3m<sup>2</sup> for every 5 such dwellings. Increased requirements for developments over 100 dwellings.
- 5.17 **Policy 74 ‘Landscaping and Tree Preservation’** considers both the retention of existing and provision of new landscaping. Requirements to keep important landscape features unless they would be incompatible with overall design quality.
- 5.18 **Policy 84 ‘Flooding and River Catchment Management’** requires proposals to demonstrate they do not increase flood risk in areas downstream due to additional surface water runoff.
- 5.19 **Policy 84A ‘Drainage Infrastructure’** notes that planning permission will not normally be granted for new development in areas which are considered presently at risk of sewerage flooding; or where development would result in an unacceptable increase in sewerage flood risk there or elsewhere.
- 5.20 **Policy 104 ‘Landscape Conservation’** notes that the Council seeks to preserve and enhance the quality of the District’s landscape.
- 5.21 **Policy 143B ‘Implementation’** requires proposals to include the provision for the infrastructure consequences and should include on/off site provisions.

## St. Albans District Draft Local Plan 2041 (as submitted under Regulation 22)

- 5.22 The Council is in the process of replacing the adopted Plan with a new Local Plan. The Draft Local Plan was submitted on 29th November 2024 to the Planning Inspectorate for independent examination (Regulation 22). The Stage 1 Hearing Sessions took place between 29th April 2025 and 1st May 2025, and Stage 2 Hearing Sessions took place between 14<sup>th</sup> October 2025 to 14<sup>th</sup> November 2025. An additional Hearing Session is scheduled for 11<sup>th</sup> December 2025.
- 5.23 The Local Development Scheme anticipates Examination to finish by February 2026, with Adoption proposed by March 2026.
- 5.24 Given that the emerging Plan is still at Examination stage, it is considered reasonable that limited weight be attached to the policies and proposals with this plan. The emerging Plan will gain further weight as it progresses through Examination, and on adoption; full weight will given to the plan once it forms part of the development plan. However, officers consider that more weight can be afforded to the evidence base underpinning the preparation of the new Local Plan.
- 5.25 **Policy SP2 ‘Responding to the Climate Emergency’** states there are a number of matters that the Council will support that help combat climate change including providing on-site renewables, high standards of energy efficient and low carbon energy, delivering biodiversity net gain and encouraging walking, cycling and use of public transport.
- 5.26 **Policy CE1 ‘Promoting Sustainable Design, Construction and Building Efficiency’** requires new buildings to be designed and constructed to ensure efficient use of energy, water and materials. Proposals should demonstrate sustainable design and construction and a high degree of resource efficiency in supporting application documentation.
- 5.27 **Policy CE2 ‘Renewable and Low Carbon Energy’** notes the Council are seeking to increase the use of renewable and low carbon energy. Major proposals need to set out how they will make use of renewable or low carbon technologies and submit (and agree) an Energy Statement.
- 5.28 **Policy LG4 ‘Large, Medium and Small Sites’** states proposals on these sites, or unallocated windfall development at this scale, must accord with the following requirements including:
- On Sites of 10 or more homes, 40% Affordable Housing should be provided and the housing size, type and mix should be in accordance with Local Plan policy.
  - Minimum overall net density of 40 dwellings per hectare, taking account of adjacent character, uses and identity.
  - Plant at least 1 semi-mature tree for each dwelling.
- 5.29 **Policy LG5 ‘Green Belt’** will assess proposals in accordance with national policy, with the proposals that the Council support in principle being outlined. These include infrastructure provision and opportunities to proactively manage Green Belt land.

5.30 **Policy HOU1 ‘Housing Mix’** requires new residential development should provide the following housing mix and tenure:

Tenure	Home Size			
	1-Bed	2-Bed	3-Bed	4+ Beds
Market Housing	5%	20%	45%	30%
Affordable Housing (Home Ownership)	20%	50%	30%	
Affordable Housing (Rent)	20%	30%	45%	5%
Acceptable Size in persons for affordable homes	2p	4p		

5.31 **Policy HOU2 ‘Affordable Housing’** notes that development with a gain of 10 or more homes needs to provide:

- 40% of homes as on-site affordable housing.
- A tenure mix of 30% social rented, 30% affordable rented and 40% affordable home ownership, which includes 25% of all affordable housing for any nationally-mandated First Homes requirement, with shared ownership preferred for the remainder.
- A design approach where affordable housing is indistinguishable in appearance from market housing on site and distributed across the site with affordable housing dwellings to be clustered in groups.
- Affordable housing to meet required standards and be of a size and type which meets the requirements of those in housing need.

5.32 **Policy HOU4 ‘Accessible and Adaptable Housing’** supports development proposals which:

- Provide new accessible and adaptable housing which meets the changing lifetime needs of the occupants.
- For all residential development (Use Class C3) achieve compliance with the required Building Regulations (Part M4(2)) except where this is not possible for viability or other reasons such as built form, topography and flooding.
- For residential development proposals for 10 homes or more (Use Class C3) 5% of market dwellings comply with Part M4(3)(a) of the Building Regulations and 10% of affordable (rent and home ownership) dwellings comply with Part M4(3)(b) (wheelchair user dwellings) of the Building Regulations; and
- For M4(2) and M4(3) housing are located, where possible, with good access to public transport and local facilities.

5.33 **Policy HOU5 ‘Self-Build and Custom Housebuilding’** notes that the Council encourages Self-build and Custom housebuilding for residential development proposals of 10 homes or more (Use Class C3) in suitable, sustainable locations.

5.34 **Policy TRC2 'Retail Uses outside Existing Centres'** notes that outside of the Town Centre Hierarchy the Council will:

- a) Resist proposals for new town centre uses unless they are within isolated rural areas that meet the definition of Local Community Shop under Use Class F2(a); and
- b) Refuse proposals that result in the loss of retail use under Use Class E(a) unless the following can be demonstrated:
  - i. The unit has been proactively and appropriately marketed for at least 12 months, and it has been demonstrated that there is no longer a realistic prospect of the unit being used for E(a) or F2(a) uses in the foreseeable future; and
  - ii. The unit is no longer needed to meet the needs of the community within the local area.

*N.b - The supporting text for this policy explicitly says it is designed to protect 'local shops, sometimes referred to as corner shops', outside the main centres. Therefore this policy is not considered to relate to Garden Centres and the application proposal.*

5.35 **Policy TRA1 'Transport Considerations for New Development'** states that

- a) proposals must demonstrate:
  - i. That safe and suitable access can be provided for walking, cycling and vehicles, accommodating equestrians where appropriate;
  - ii. That development would not lead to highway safety problems or cause unacceptable impacts upon the transport network; and
  - iii. Suitable evidence in relation to i. and ii, including the provision of suitable Transport Statements or Transport Assessments along with other appropriate evidence where required.
- b) Major proposals must demonstrate as appropriate how:
  - iii. Measures to reduce the need to travel by private car are identified and implemented;
  - iv. Active and sustainable connections to key destinations are deliverable at an early stage of development;
  - v. The proposed scheme would be served by public transport and would not have a detrimental impact to any existing or planned public transport provision;
  - vi. Safe, direct and convenient routes for active journeys to key destinations are provided and prioritised in their design;
  - vii. Comprehensive and coherent integration into the existing pedestrian and cycle, Rights of Way, public transport and road networks will be secured;
  - viii. Adequate servicing arrangements will be provided;
  - ix. The needs of people with disabilities and reduced mobility will be addressed;
  - x. The charging of plug-in and other ultra-low emission vehicles will be enabled in safe, accessible and convenient locations;
  - xi. Suitable travel plans will be provided and appropriate measures for implementation will be secured. Such plans will set out measures to encourage people to use alternative modes of travel to single occupancy car use; and

- xii. Suitable mechanisms will be provided to secure sustainable transport measures, including delivery of schemes identified in the LCWIP, Bus Service Improvement Plan, Growth & Transport Plan and IDP and improvements to the existing highway network and other appropriate transport mitigations, including as identified in Supporting Documents to the Local Transport Plan.

5.36 **Policy TRA4 ‘Parking’** notes that Appendix 1 of the Local Plan includes the vehicle and cycle parking standards. Housing should provide 1 long-term cycle parking space per bedroom. Cycle parking spaces should be delivered as set out below:

Use	Description	Car parking standards
Residential Within Use Class C3	a) General housing (including retirement and sheltered elderly persons accommodation, and similar non-C2 uses)	1 bedroom dwellings (including studios): 1.5 spaces (either 1.5 unallocated, or 1 allocated and 0.5 unallocated)  2 bedroom dwellings: either 2 spaces (either 2 unallocated or 1 allocated and 1 unallocated) or 2.5 spaces (2 allocated and 0.5 unallocated)  3+ bedroom dwellings 2.5 spaces (2 allocated and 0.5 unallocated)
	b) Not more than six residents living together as a single household	0.5 spaces per tenancy unit
Houses in multiple occupation Within Use Class C4	Small shared houses or flats occupied by between 3 and 6 unrelated individuals who share basic amenities	0.5 spaces per tenancy unit
Car parking for disabled motorists, to be included in the overall parking provision	(i) General	1 space for every dwelling built to mobility standards
	(ii) Elderly persons dwellings	3 spaces
	Up to 10 spaces (demand-based as calculated from above standards)  More than 10 spaces (demand-based as calculated from above standards)	1 space per 4 spaces  Consideration should also be given to the provision of space and charging points for mobility scooters

5.37 **Policy UIN1 ‘Broadband’** requires development to demonstrate that appropriate infrastructure will be provided during construction, enabling all development to be connected to full fibre broadband.

5.38 **Policy NEB1 ‘Woodlands, Trees and Landscape Features’** states that significant healthy trees and other important landscape features shall normally be retained.

5.39 **Policy NEB6 ‘Biodiversity and Biodiversity Net Gain’** outlines steps to be undertaken if proposals are likely to impact on protected designated areas and species of national and local importance. Additionally, in line with national guidance, development should provide a net gain in biodiversity. Proposals need to meet a minimum 10% net gain in biodiversity and secure long-term management and maintenance.

- 5.40 **Policy NEB7 ‘Biodiversity Provision in the Design of New Buildings and Open Spaces’** notes that amongst the measures outlined in the policy, all new housing developments need to provide at least one swift brick per dwelling, on average for the development, installed in groups in optimal locations and at least one integrated bat box and one integrated insect box per dwelling.
- 5.41 **Policy NEB8 ‘Managing Flood Risk’** states that all major developments should incorporate sustainable drainage systems in proposals, managing surface water run-off.
- 5.42 **Policy NEB10 ‘Landscape and Design’** notes that landscaping elements are essential to creating sustainable and attractive places. Proposals must demonstrate:
- i. How the landscaping contributes to delivering an attractive and sustainable place that enhances the area for new and existing residents;
  - ii. For major developments, how the existing landscape will be protected, enhanced and integrated into the development, detailed in a Landscape Strategy, along with new tree planting as part of any new green space provision;
  - iii. That the landscaping will not adversely affect the outlook and amenity of existing and future residents;
  - iv. The planting of trees along new streets, roads and public places, as appropriate;
  - v. That opportunities are taken for biodiversity net gain, and making connections to existing biodiversity and habitat networks outside of the site;
  - vi. The use of appropriate native species with all stock sourced and where possible grown entirely in the UK;
  - vii. That where changes to landscape may be required, details be provided of existing landscaping, trees and shrubs trees to be removed; the planting of new trees, shrubs and grass; alongside details of and level changes, enclosure, screening and paving; significant healthy trees and other important landscape features shall normally be retained;
  - viii. Provision for ongoing management and maintenance; and
  - ix. That opportunities are taken to provide above ground Sustainable Drainage Systems (SuDS) where appropriate.

Landscape and Visual Impact Assessments (LVIAs) will be required for all major development.

- 5.43 **Policy EB12 ‘Green Space Standards and New Green Space Provision’** notes that there are a number of standards that are needed in new developments. This includes new green space which should be provided within the development meeting the needs of the development and being multi-functional, providing varied aspects for all age groups. A development of 50 units should provide on-site provision for amenity green space and play areas.

Type of green space		Quantity standard (sqm per person)
Multi-functional green space	Amenity green space (including use as multi-functional space)	15.3
	Natural and semi-natural green spaces	34.6
	Parks and gardens (including use as multi-functional space)	7.1
Playing pitch provision & / or financial contributions		To accord with Sport England Playing Pitch Calculator
Total multi-functional green space standard		57
Allotments		4.5
Children's play areas		0.6

5.44 **Policy HE3 'Archaeology'** states that the Council seeks to protect the District's unique and significant heritage assets, and ensure that the damage to archaeological remains is minimised.

5.45 **Policy DES1 'Design of New Development'** requires new development to:

- a. Be of a layout that takes account of the character and pattern of development in the locality and avoids prejudicing the future development potential of adjacent sites (unless the adjacent sites are subject to constraints such as Green Belt that make them unsuitable for development);
- b. Respond positively to its context, taking into account the local distinctiveness of an area, in relation to its scale, form, massing, setting, height, character and building line;
- c. Demonstrate an inclusive approach that provides for a diverse community including people with disabilities, and be adaptable for changing needs over time;
- d. Be designed to minimise the likelihood of crime and antisocial behaviour;
- e. Use high quality materials with good long-term weathering characteristics;
- f. Provide high quality detailing that adds to the visual interest and distinctiveness of the building;
- g. Provide active frontages to the ground floor of buildings where appropriate, which interact with and animate the surrounding areas and are visually interesting;
- h. Be designed to provide opportunities for encouraging physical activity where appropriate; and
- i. Be set a minimum of 1m from the property / party boundary above ground floor level, where it would otherwise result in an undesirable terracing effect.

5.46 **Policy DES3 'Efficient Use of Land'** requires proposals to make efficient use of land. Development should:

- a) Where additional residential units are proposed, achieve at least the density of the existing site context or 40 net dwellings per hectare, whichever is higher; and
- b) Optimise site capacity within city and town centres and other locations that are well served by public transport. This requires development to be of the most appropriate form and land use for the site, having regard to site context and constraints

Development proposals that do not make efficient use of land will be refused.

5.47

**Policy DES5 'Residential Amenity Standards'** requires all development to achieve a high standard of amenity for existing and future occupants of both the new development and neighbouring buildings. Development proposals will be assessed in relation to the following considerations and standards:

- a) Privacy and separation – Proposals for both residential and non-residential development should provide for an appropriate degree of privacy for existing users of adjacent sites and for future users of the proposed development, and should avoid compromising the future development of adjoining land for residential uses. Privacy should be provided for habitable rooms of dwellings, and to a lesser extent for private residential gardens and other private amenity areas and to adjacent sites with potential for residential development. Impacts will be less severe where affected rooms or private amenity spaces are already overlooked to some degree, or where there is effective mitigation. The following standards and separation distances should normally be achieved:
  - i. New balconies or upper-floor windows serving habitable rooms should not lead to a harmful degree of overlooking for existing and future users of both the new development and neighbouring sites;
  - ii. A minimum distance of 22m between upper floor rear windows of habitable rooms and facing windows of habitable rooms; and
  - iii. A minimum distance of 11m between new upper floor rear windows and the rear boundary.
- b) Daylight and Sunlight – Development proposals should
  - iv. Daylight and Sunlight – Development proposals should
  - v. Maximise the provision of dual aspect dwellings; proposals for single aspect dwellings should demonstrate that they will all provide for adequate passive ventilation, daylight and privacy, and avoid overheating.
- c) Internal space standards – New residential development must meet or exceed the nationally described space standards.
- d) Private amenity space – New residential development must provide sufficient private amenity space for future occupants, and should normally achieve the following amenity space provision:
  - vi. Studios – 15m<sup>2</sup> for each room e.g. 75m<sup>2</sup> for a block of 5 x 1 bed studios.
  - vii. Flats – 20m<sup>2</sup> for the first bedroom of each flat and 10m<sup>2</sup> for each additional bedroom e.g. 180m<sup>2</sup> for a block of 6 x 2 bed flats. Communal amenity space should be provided for flatted developments, although ground floor flats may be able to benefit from private space immediately adjacent to the residential unit.

viii. Houses – 40m<sup>2</sup> for the first bedroom and 20m<sup>2</sup> for each additional bedroom e.g. 80m<sup>2</sup> for a 3 bedroom house. Private gardens should be provided for houses.

5.48 **Policy DES6 ‘Building Heights’** notes that proposals for buildings which are significantly taller than the surrounding built form must be sufficiently supported including by accurate visual representations and any relevant technical assessments, to enable proper assessment.

5.49 **Policy DES7 ‘Servicing of Development’** states that the servicing needs of development should be considered at an early stage in the design process to ensure a high level of integration with the development and to ensure overall design quality is not compromised. Proposals must demonstrate compliance with the following requirements, as appropriate to the scale and complexity of the development:

- a) Refuse Storage – Refuse and recycling storage must be accessible and should be in accordance with current local and County Council guidance unless it can be demonstrated that suitable alternative arrangements will be made. The location and design of refuse and recycling storage must not detract from the overall appearance of the development. The layout of new residential and commercial development should allow for efficient refuse collection, and should be in accordance with applicable current guidance unless it can be demonstrated that suitable alternative arrangements will be made
- b) Cycle Storage – Cycle storage must be accessible, secure and safe to use with sufficient space to enable moving of cycles within the storage facility. It should be integrated into the overall design of the development. It should be accessed externally and located close to building entrances; cycle storage in front gardens / forecourts will only be supported where it does not compromise visual amenity or access.
- c) Parcels and Deliveries – New flatted development should include secure, safe and convenient provision for parcel receipt and storage that should generally be located on the ground floor within the main building. The layout of new residential and commercial development should allow for efficient deliveries to occupants.

5.50 **Policy HW1 ‘Air and Noise Pollution’** notes that development proposals, including those for new residential dwellings, schools, nurseries and care homes and other uses which are noise and pollution sensitive, or in areas which may exceed national legislative air quality pollution limits, must carry out suitable assessments for noise / air pollution.

Proposals which are found to be affected by noise or air pollution must demonstrate suitable mitigation (measures to include outlined in the policy).

5.51 **Policy HW2 ‘Light Pollution’** notes that development must be designed to minimise or prevent any detrimental impact of external lighting on local amenity and safety, biodiversity, heritage assets, roads and woodlands and rivers.

## **Neighbourhood Plan**

5.52 There is no made Neighbourhood Plan Area or Neighbourhood Plan for Smallford.

## Material Considerations

### National Planning Policy Framework

- 5.53 The NPPF is a relevant material consideration under Section 70(2) of the Town and Country Planning Act 1990 (as amended) and Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended). The NPPF sets out the Government's planning policies for England and how these are expected to be applied.
- 5.54 The Framework is a relevant material consideration under Section 70(2) of the Town and Country Planning Act 1990 (as amended) and Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended).
- 5.55 It is considered that the following Chapters of the NPPF are of relevance to the proposed development:
- Chapter 2 – Achieving sustainable development.
  - Chapter 4 – Decision-making
  - Chapter 5 – Delivering a sufficient supply of homes.
  - Chapter 6 – Building a strong, competitive economy.
  - Chapter 8 – Promoting healthy and safe communities.
  - Chapter 9 – Promoting sustainable transport.
  - Chapter 11 – Making effective use of land.
  - Chapter 12 – Achieving well-design places.
  - Chapter 13 – Protecting Green Belt land.
  - Chapter 15 – Conserving and enhancing the natural environment.
  - Chapter 16 – Conserving and enhancing the historic environment.
- 5.56 **Paragraph 7** states *“the purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development, and supporting infrastructure in a sustainable manner. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.”*
- 5.57 **Paragraph 8** outlines that *“achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways.”* The three objectives are an economic objective, a social objective and an environmental objective.
- 5.58 **Paragraph 11** of the NPPF sets out the presumption in favour of sustainable development.  
*“...For decision-taking this means:*

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date<sup>8</sup>, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance<sup>7</sup> provides a strong reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination<sup>9</sup>.”

5.59 **Footnote 8** clarifies where that policies are considered out of date: “This includes, for applications involving the provision of housing, situations where: the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer as set out in paragraph 78); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years...”

5.60 **Paragraph 12** of the NPPF states “The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.”

5.61 **Paragraph 14** of the NPPF further adds that: “In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided the following apply:

a) the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and

b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement (see paragraphs 69-70)”

5.62 **Paragraph 61** sets out: “To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed...The overall aim should be to meet an area’s identified housing need, including with an appropriate mix of housing types for the local community”.

5.63 **Paragraph 153** states “When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness<sup>55</sup>. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”

- 5.64 **Paragraph 154** identifies exceptions to inappropriate development in the Green Belt. Further to this, **Paragraph 155** notes that “*the development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all the following apply:*”
- a) *The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;*
  - b) *There is a demonstrable unmet need for the type of development proposed<sup>56</sup>;*
  - c) *The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework<sup>57</sup>; and*
  - d) *Where applicable the development proposed meets the ‘Golden Rules’ requirements set out in paragraphs 156-157 below.”*
- 5.65 **Paragraph 156** requires major development involving the provision of housing proposed on land released from the Green Belt through plan preparation or review<sup>58</sup>, or on sites in the Green Belt subject to a planning application<sup>59</sup>, to make the following contributions (‘Golden Rules’):
- a) affordable housing which reflects either: (i) development plan policies produced in accordance with paragraphs 67-68 of this Framework; or (ii) until such policies are in place, the policy set out in paragraph 157 below;
  - b) *necessary improvements to local or national infrastructure; and*
  - c) *the provision of new, or improvements to existing, green spaces that are accessible to the public. New residents should be able to access good quality green spaces within a short walk of their home, whether through onsite provision or through access to offsite spaces.*
- 5.66 **Paragraph 164** requires that new development be planned for in ways that avoids increased vulnerability to the range of impacts arising from climate change and helps to reduce greenhouse gas emissions.
- 5.67 **Paragraph 181** notes that schemes should ensure that flood risk is not increased elsewhere and the potential need for a site-specific flood risk assessment.
- 5.68 **Paragraph 182** requires that applications which could affect drainage on or around the site should incorporate sustainable drainage systems.
- 5.69 **Paragraph 187** describes that both policies and decisions should contribute to and enhance the natural environment. It is outlined that this can be undertaken in a number of ways including minimising the impacts on and providing net gains for biodiversity.
- 5.70 **Paragraph 207** sets out that consideration should be given to the impact of development proposals on heritage assets and their setting.

### National Planning Practice Guidance (PPG)

- 5.71 In total there are 41 different guidance categories within the PPG, covering a variety of issues such as neighbourhood planning, planning appeals, environmental impact, development viability and housing and economic assessments.
- 5.72 The PPG is intended to be a live resource and is therefore actively managed by the DCLG so that any necessary updates will be made as and when they are required.

### National Design Guide

- 5.73 **Paragraph 3** notes that the “*National Planning Policy Framework makes clear that creating high quality buildings and places is fundamental to what the planning and development process should achieve. This National Design Guide, and the National Model Design Code and Guidance Notes for Design Codes illustrate how well-designed places that are beautiful, healthy, greener, enduring and successful can be achieved in practice. It forms part of the Government’s collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools.*”
- 5.74 “*In a well-designed place, an integrated design process brings the ten characteristics together in a mutually supporting way. They interact to create an overall character of place. Good design considers how a development proposal can make a contribution towards all of them. This applies to proposals of all sizes*” (**Paragraph 13**).
- 5.75 The 10 characteristics of a well-designed place are outlined in the below diagram (**Figure 4**), with these being discussed in detail within the guide. These characteristics are based on the objectives of Section 12 of the NPPF (Achieving well-designed places).



Figure 4: Extract from National Design Guide

### **Environment Act – November 2021**

- 5.76 The Environment Act, which is intended to protect and enhance our environment for future generations, was passed into law on 10th November 2021.
- 5.77 The Environment Act introduced the mandatory requirement for developments to show a 10% net gain in biodiversity.

### **Supplementary Planning Documents**

#### Design Advice Leaflet No. 1 'Design and Layout of New Housing' – November 1998.

- 5.78 This document offers a practical explanation of Policy 70 of the Local Plan Review (adopted 1994) and should be read in conjunction with this policy.

#### Revised Parking Policy and Standards, January 2002

- 5.79 This document outlines that until further notice, in Zone 1 Policy 40 applies subject to applicants being encouraged to meet existing standards, but schemes slightly below the standards may be accepted. 1 long-term cycle parking space per unit required if no garage or shed provided.

#### Affordable Housing SPG 2004

- 5.80 The Council will seek, by negotiation, a target level of 35% affordable units on suitable sites above the site size thresholds. The proportion of 35% is derived from the Housing Needs Assessment Survey 2002 (see Paragraphs 3.4-3.11 of this SPG) and takes account of the fact that the potential for affordable housing provision on land owned by the Council or housing associations is very limited. This target is essential if the Council is to achieve anywhere near the 200 affordable dwellings per annum target in the adopted Local Plan.

## 6.0 Technical Assessments

- 6.1 A number of technical assessments have been prepared and submitted as part of the application, which are summarised in this section.

### **Arboricultural Impact Assessment**

- 6.2 An Arboricultural Impact Assessment has been prepared by Sharon Hosegood Associates.
- 6.3 The application proposes to retain three of the four the early mature ash trees on the frontage and the boundary hedges on the western aspect. The oldest vegetation in the unmanaged area, identified as G48-B, will be retained and managed in accordance with an ecological management plan. The trees adjacent to the eastern part of the northern boundary and eastern boundary have sufficient room to mature and there will be no conflicts with the proposal as, apart from 3 trees, this linear landscape feature will be framing the communal open space. The best tree in this part of the site is a mature ash, T38-B, which will be retained as a focal point. All other trees and hedges will be removed.
- 6.4 The trees to be retained will be protected by a combination of tree protection fencing and ground protection, and the application of Arboricultural Method Statements, where appropriate. The tree protection measures will be inspected periodically by the Arboricultural consultant and reported to the local authority.
- 6.5 A total of 27 trees will be removed on site to provide space for development, including access into the site. None of these trees are covered by a Tree Protection Order. The removals include 4 Category B trees, 22 Category C trees and a Category U tree.
- 6.6 Furthermore, much of the natural regeneration in the unmanaged area, along with planted individuals and hedgerows, will need to be removed to facilitate the proposal. However, this area has no public access and is largely impassable. The planted area is contemporaneous with the Garden Centre and includes non-native conifers. Most of the tree removal is Category C, low value, and a significant proportion less than 25 years old. The most prominent tree to be removed is the ash on the frontage, T25-B, which will be replaced with a semi-mature field maple.
- 6.7 A total of 58 new trees will be planted. These will be located along the spine road, and small fruit trees will be provided in rear gardens to provide home grown fruit for future residents. The rear garden trees will also provide screening between gardens. The trees will be selected from a range of species, including 70% native, to add visual interest, and biodiversity.
- 6.8 The hedgerow which runs close to the western site boundary will be retained as far as possible and managed within rear gardens. Full details of retention, reinforcement planting and management can be secured via condition.

## **Archaeology**

- 6.9 An Archaeological Desk Based Assessment has been prepared by Tetra Tech which assesses the archaeological potential of the Site and the significance of heritage assets within the Site.
- 6.10 The Site does not lie within the vicinity of a World Heritage Sites, Scheduled Monuments, Registered Parks or Gardens, Conservation Areas, Listed Buildings, Historic Battlefields or Protected Wreck Site.
- 6.11 The Assessment of Significance concludes that the redevelopment proposals will have no direct archaeological impact upon relevant designated heritage assets.
- 6.12 The study site's potential for all past periods of human activity is considered to be low.
- 6.13 The Site has remained an open space throughout its documented history. Impacts arising from post-medieval agricultural activity and any impacts from the establishment of the nursery from 1937 onwards may have impacted archaeological survival across the site.
- 6.14 The report concludes that the archaeological interest of the Site does not form a constraint to the granting of planning consent for development.
- 6.15 The Emerging St Albans New Local Plan provides a 'List of Archaeological Sites for Local Preservation' and a 'List of Archaeological Sites Which May Be Subject to a Recording' Condition' The Proposed Development site does not appear in the lists in Appendix 3 or 4 of the St Albans New Local Plan.
- 6.16 As such it is considered that, the report concludes that this assessment could be the limit of the LPA's archaeological interest in this site.

## **Air Quality**

- 6.17 An Air Quality and Minerals Dust Risk Assessment has been prepared by Cass Allen to assess the potential air quality effects of, and potential dust impacts upon, the proposed development.
- 6.18 Potential construction phase dust soiling and particulate matter health effects were assessed qualitatively, resulting in Medium and Low Risk levels being identified, respectively, in the absence of mitigation. Suitable best practice mitigation measures have been recommended, and no significant residual air quality impacts are expected.
- 6.19 An appraisal of the potential exposure of future residents to elevated concentrations of nitrogen dioxide (NO<sub>2</sub>) and PM (PM<sub>10</sub> and PM<sub>2.5</sub>) was also undertaken and pollutant concentrations across the site are expected to be below the relevant Air Quality Objectives (AQOs) when operational. Furthermore, no significant impacts on local air quality are anticipated as a result of vehicle trips associated with the development, with no requirement for additional assessment or mitigation.

- 6.20 A semi-quantitative dust risk assessment was undertaken to consider the impact of the proposed sand and gravel quarry to the east, upon users of the development. The assessment included analysis of local meteorological data and the nature of the relevant dust sources. Based on the results of the assessment, as a robust worst-case, dust generated by the quarry is expected to have a slight adverse effect upon future residents, which is classified by the IAQM as not significant.
- 6.21 The Assessment concludes that that the site is suitable for the proposed residential development in terms of air quality, and there are no air quality constraints with respect to planning consent.

### **Transport Assessment**

- 6.22 A Transport Assessment has been prepared by Markides Associates which assesses the sustainability of the site's location, and proposed access and traffic impacts.
- 6.23 The Site is situated in a sustainable location with facilities within walking and cycling distance. There are high frequency bus services operating along the A1057 Hatfield Road, to St Albans and Hatfield, with bus stops located very close to the site access. These bus services also provide suitable accessibility to St Albans City and Hatfield railway stations for train services to destinations further afield, such as London. Future residents would, therefore, not have to depend on a private car to reach destinations for their day-to-day needs.
- 6.24 The proposed access to the Site will be created through a simple give way priority junction from the A1057, Hatfield Road. This section of the A1057 has a speed limit of 40mph. Visibility splays have been submitted as part of the application which demonstrate safe splays can be achieved in both directions within adopted highway. The proposed new access junctions off the A1057 is, therefore, considered suitable.
- 6.25 It is proposed to alter the existing eastbound bus stop partial layby, located west of the site access, to a full layby and implement Trief (or similar type) kerbs for pedestrian safety to avoid any potential for buses to overrun the kerb.
- 6.26 The existing access to Notcutts Garden Centre will be retained. This will have no impact on driver visibility at the proposed access, so the new access is considered suitable in addition to this existing Garden Centre access.
- 6.27 The internal layout comprises roads, footways, forward visibility and refuse swept path analysis as shown in the supporting plans. The on-site layout would not be offered for adoption.
- 6.28 The development proposes 101 allocated and 32 visitor car parking spaces, which exceeds that required by the 'Cycle and Car Parking Guidance and Standards for New Developments'.
- 6.29 Trip generation calculations forecast a total of 269 daily vehicle trips, including around 30 vehicle movements in both the AM and PM peaks. The capacity analysis for the A1057 Hatfield Road and site access priority junction conclude there will be no significant vehicular traffic impacts. Both the road and access are predicted to operate well within capacity.

6.30 The Assessment concludes that the proposed development impact in terms of highways and transport would not be 'severe' and, as such, would accord with the policies of the NPPF.

6.31 A Travel Plan Statement has also been provided. This discusses what management strategies and infrastructure are in place to support sustainable travel choices for future residents of the development and reduce reliance on travel by private car.

### **Noise Impact Assessment**

6.32 A Noise Impact Assessment has been prepared by Heyda Acoustics to assess the potential for noise impacts from existing sources on the proposed dwellings, and also the impact of the development on nearby noise sensitive receptors.

6.33 In terms of noise from nearby traffic, most of the Site experiences Low to Negligible risk. The southern boundary near Hatfield Road lies within the medium risk category but can be effectively managed through site layout, boundary fencing, and typical façade and ventilation design.

6.34 Operations within the adjacent garden-centre service yard are daytime-only and intermittent. These effects are localised and intermittent, and internal noise levels remain compliant across all dwellings due to the proposed façade and ventilation design (with windows closed where required). The 2.5m acoustic fence, garden fencing, and standard façade insulation reduce but do not eliminate these residual external effects; however, the overall acoustic environment is compatible with residential use and is not unacceptable in planning terms. If avoidance of significant external effects is required, this could be achieved through layout adjustments (e.g. orienting dwellings to screen gardens).

6.35 The proposed ventilation strategy has been developed in line with Approved Document O and ANC AVO Guidance (2020), ensuring acceptable internal noise conditions during both normal and overheating scenarios.

6.36 Regarding noise levels within private and communal garden spaces, the Assessment notes that suitable outdoor amenity will be achieved.

6.37 Impacts from the proposed Ellenbrook Fields quarry have also been assessed. The quarry currently remains unconsented, and there is no confirmed noise source at present. Should it be approved, quarry operations will be subject to enforceable planning conditions controlling noise emissions at nearby receptors.

6.38 The Assessment concludes that the development is considered to avoid unacceptable adverse effects and to achieve a reasonable and policy-compliant standard of amenity for future occupants. It, therefore, accords with the aims of the NPPF, NPSE, ProPG, and BS 8233, and noise should not represent a reason for refusal.

### **Flood Risk and Drainage**

6.39 A Flood Risk Assessment and Drainage Strategy have been prepared by Structa LLP.

- 6.40 The Site is located entirely within Flood Zone 1. The proposed residential development is classed as 'more vulnerable'. The NPPG confirms that Flood Zone 1 is appropriate for accommodating development of this classification.
- 6.41 In terms of surface water flooding, the EA Flood Depth maps suggest a very low probability (less than 0.1% annually) of flooding up to a depth of 300mm. Regarding the development proposals, this potential surface water flooding would occur within the proposed access road area, away from any planned dwellings. Dwellings will also be set a minimum of 300mm above existing ground levels to mitigate any risk of surface water flooding.
- 6.42 Owing to the site's relatively flat topography, surface water runoff from the main development area will be conveyed to the northeast and pumped at a restricted discharge rate of 1.0 l/s to the combined sewer located south of the site. Runoff from the rear access road will be collected via gullies and discharged by gravity to the same combined sewer at 1.0 l/s, this results in a total site discharge rate of 2.0 l/s before onward conveyance to the existing foul sewer in Hatfield Road.
- 6.43 The proposed foul drainage system will connect to the existing Thames Water public foul sewer located in Hatfield Road. This connection will be subject to a Section 106 Agreement with Thames Water. For dwellings located in the southern part of the proposed development, foul water will be collected via an underground piped drainage network and conveyed by gravity to a final combined water chamber on-site, before onward discharge to the existing public foul sewer. Foul water from all other dwellings will be conveyed northward via gravity and then pumped into the Site's southern gravity network, before ultimately discharging into the existing public foul sewer.
- 6.44 The Assessment concludes that that the site is suitable for residential development, and there is no reason to refuse planning permission on the grounds of flood risk.

### **Ecology Appraisal and Surveys**

- 6.45 An Ecological Appraisal, including a Phase 1 Bat Roost Scoping Survey and Badger Survey, has been carried out by Hankinson Duckett Associates.
- 6.46 No protected or notable plants were recorded during the UK Habitat Classification survey.
- 6.47 A number of habitats have been identified within the Site. These include woodland and trees, scrub, grassland, ruderal and ephemeral vegetation, hedgerows and treelines, a building of largely metal construction, a dilapidated greenhouse, and patches of gravel.
- 6.48 All buildings within the Site were inspected during the Phase 1 Bat Scoping Survey. No evidence of bats was recorded in any of the buildings. The survey found that Building B1 had potential bat roost features including holes and gaps in soffit boxes and gaps under barge boards where timber has rotted. The bat roost potential was deemed moderated for Building B1, low for Building B2, and negligible for Building B3.

- 6.49 All trees within and immediately adjacent to the Site were also inspected during the Phase 1 Bat Scoping Survey. Three trees were identified to have Moderate or higher bat roost potential. All other trees were found to have low or negligible bat roost potential.
- 6.50 The hedgerows, treelines, woodland and scrub within the Site provide suitable habitat for Dormice and the site has connectivity to larger areas of suitable habitat in the wider area. A Dormouse nest tube survey has been undertaken to determine the status of this species within the Site. No Dormice were recorded.
- 6.51 No Badger setts or any other evidence of Badger activity (e.g. latrines or foraging signs) were recorded within or adjacent to the site during the Badger survey, albeit occasional badger foraging activity was noted during other ecological surveys. The woodland, scrub, rough grassland and ruderal vegetation provide good quality Badger foraging habitat. In view of the abundance of similar and higher quality foraging habitats within the surrounding area it is considered unlikely that the Site is of importance to the local Badger population.
- 6.52 The scrub, woodland, trees and hedgerows within the site offer nesting and foraging opportunities for common and widespread bird species. No further surveys for birds are recommended in support of the application for development of the Site.
- 6.53 The Site supports suitable habitat for locally recorded reptile species. A reptile survey has been undertaken to establish the status of this group at the Site and this is subject of a separate report (HDA, 2025). No reptiles were recorded.
- 6.54 There are no permanent waterbodies within or adjacent to the Site and it is considered unlikely that either Otters or Water Vole are present on site or using the Site on a transitional basis.
- 6.55 No waterbodies suitable for use by aquatic phase Great Crested Newt are present within the site. However, the Site supports suitable terrestrial habitats in the form of grassland, hedgerow bases, woodland and scrub. A Great Crested Newt Habitat Suitability Index (HSI) and eDNA survey has been undertaken to determine the presence/likely absence of this species in waterbodies within 300m of the Site boundary and inform an assessment of the likelihood that newts are present within the Site during terrestrial phases. No Great Crested Newts were recorded.
- 6.56 A set of habitat and species mitigation measures, and opportunities for ecological enhancements have been provided.
- 6.57 The Appraisal concludes that subject to the implementation of the recommended measures for habitat retention, protection, creation and enhancement, no significant reduction in the ecological interest of the local area is likely to arise as a result of sensitive development of the Site. There are no overriding nature conservation constraints that would preclude the proposed development of the Site.

### **Biodiversity Net Gain**

- 6.58 A BNG Technical Note and Metric Calculation have been prepared by Hankinson Duckett Associates.
- 6.59 The proposed development would result in a net loss in biodiversity units for on-site broad habitats of -6.99 units (loss). This is a 62.01% decrease from the baseline value of the Site.
- 6.60 To help mitigate against this loss in biodiversity, it is proposed that an area of off-site habitat to the north-west of the Site is enhanced to compensate for a proportion of the on-site loss of broad habitat units. This is proposed in a parcel of land immediately to the west of the Site, within an area currently supporting Lowland Mixed Deciduous Woodland. It is proposed that this 'off site' area is enhanced to constitute an area of the same habitat in an improved condition, which would result in a gain in habitat units.
- 6.61 Combined with the off-site habitat enhancement, the proposed development would result in a net loss of -6.83 units, a 60.67% decrease from the baseline value of the Site. The proposed development would therefore not achieve the 10% Biodiversity Net Gain requirement on-site. The shortfall would be secured through the purchase of statutory biodiversity credits and/or delivery of off-site habitat enhancements. This will be formalised via a legal agreement.
- 6.62 Regarding linear and hedgerow habitat units, the development would result in a gain of 0.19 units. This is a 12.78% increase over the baseline value of the Site, therefore the proposals would achieve over a 10% net gain in linear habitats.

### **Climate Change**

- 6.63 An Energy and Sustainability Assessment has been prepared by Abbey Consultants (Southern) Ltd.
- 6.64 The energy strategy for the proposed development follows the energy hierarchy of 'Be Lean', 'Be Clean and 'Be Green' which incorporates the following design measures:
- The thermal performance of the proposed fabric will exceed Part L (2021) minimum requirements in terms of U-values and air tightness.
  - Orientation has been considered in the design of the façades to ensure energy use is balanced through daylight provision and thermal comfort.
  - Where applicable, the detailed design will independently assess the thermal junctions to ensure insulation continuity for minimising thermal bridging.
  - Solar control glass will be utilised to ensure solar gains are balanced to lower the heat demand but also assist in mitigating the risk of overheating.
  - Light fittings of low energy types will be specified throughout the scheme.
- 6.65 Low carbon energy will be provided throughout the development as homes are to be fitted with individual air source heat pumps. The location of these is shown on the supporting Air Source Heat Pump Location Plan.

- 6.66 Carbon reduction calculations conclude that for the proposed development achieves an overall on-site reduction of 66% in regulated carbon dioxide emissions over Part L 2021. This equates to an annual saving of an estimated 38.12 tonnes in regulated CO2 emissions.
- 6.67 In terms of water usage, proposed water saving measures will keep the water usage of each dwelling to less than 110 litres per person per day.
- 6.68 Electric vehicle charging points are proposed throughout the development. These are to be freestanding and wall mounted. The locations of these charging points are shown on the supporting EV Car Charging Plan.
- 6.69 A high quality construction and design specification will prioritise materials within 'A+', 'A' or 'B' ratings, and low embodied carbon materials selected wherever feasible using a whole life-cycle approach. The minimisation of waste and the promotion of Circular Economy Measures have been considered into the design, construction and operation of the homes.

### **Heritage Impact Assessment**

- 6.70 A Heritage Impact Assessment has been prepared by TCMS Heritage.
- 6.71 The Assessment identifies the following two heritage assets to be located within close proximity to the site:
- Three Horseshoes Public House; Grade II (NHLE 1172839)
  - Milepost approximately 70m north-east of the Three Horseshoes Public house; Grade II (NHLE 1347182).
- 6.72 The Three Horseshoes Public House is an 18<sup>th</sup> century public house that has seen numerous changes since its construction. The listed building is sited relatively prominently on Hatfield Road, with this roadside setting illustrating the historic use and interest of the listed building. This setting has also been changed through the course of the 20<sup>th</sup> century, with the extent of these changes meaning that other elements of the listed building's setting make no contribution to its significance.
- 6.73 The Site permits some views of the listed building, but forms part of the much changed context within which the listed building is now experienced. The Site makes no contribution to the significance of the Three Horseshoes.
- 6.74 The Assessment concludes that the proposed development will result in no harm to the significance of the listed building. Its special interest, including setting, will be preserved, in accordance with Section 66 of the 1990 Act, the relevant provisions of the NPPF and Local Plan Policy 86.
- 6.75 There are no other designated heritage assets within the local area that are likely to be affected by the proposed development. There are also no locally listed buildings identified by St Albans City & District Council in the local area. For the reasons set out at Paragraph 3.5, the significance of the Milepost will not be affected by the proposed development and it is also not considered in detail within this report.

### **LVIA and Landscape Strategy**

- 6.76 A LVIA and Landscape Strategy Plan have been prepared by David Jarvis Associates.
- 6.77 The Assessment considered the predicted landscape and visual effects arising from the proposed development, including short and long term (residual) effects, after mitigation measures are considered.
- 6.78 The Assessment notes the Site is lies in an area of urban character area and, due to its enclosure, makes only a limited contribution to the wider landscape character.
- 6.79 The urban influences, including the adjacent Garden Centres, and the position of the site behind Hatfield Road, means visibility is largely restricted to the users of the nearby Public Right of Way (hereafter referred to as PRow), neighbouring properties and to a lesser degree, Hatfield Road. This results in the Site contributing only limited visual value to the area.
- 6.80 The LVIA is accompanied by a Landscape Strategy Plan which shows how the proposed development will be integrated into the settlement, with restored and enhanced elements of local landscape structure, to help provide long-term visual containment of the development.
- 6.81 Overall, the LVIA concludes that there would be no more than a minor impact of visual amenity and, post construction, a negligible impact on landscape character.

### **Construction Environmental Management Plan (CEMP)**

- 6.82 A Construction Environmental Management Plan has been prepared by Stonebond.
- 6.83 The CEMP sets out a programme of works with an anticipated overall build duration of 44 months (188 weeks).
- 6.84 An appropriate site management team and compound arrangements will be put in place. A Compound Layout has been provided within the CEMP.
- 6.85 The primary vehicular access for all construction vehicles will be off Hatfield Road (A1057). This is only point where access can be obtained into the development. All traffic management, access and egress to this site will be signed and instructed to ensure that construction traffic is directed to / from the site compound and is specific to this development.
- 6.86 Details of pedestrian and sales access are also detailed within the CEMP. Safe designated pedestrian routes will be provided across the site and segregation with crowd barriers or heras fencing is to be used at all times.
- 6.87 In terms of parking for site staff, A site car parking area will be provided adjacent to the site compound for use by all subcontractors and Stonebond staff visiting the development. Sub-contractors will be instructed that off-site parking is prohibited and also within occupied roads within

the Stonebond Development unless aftercare works are taking place. Any offsite parking would be subject to separate agreement with the relevant landowners.

- 6.88 The site will be secured to ensure that access cannot be gained by unauthorised personnel to any construction areas. The perimeter boundary treatment will consist of heras fencing on timber posts except the entrance which will consist of timber hoarding with lockable gates for both pedestrians and construction vehicles. The gated access will be locked outside of working hours to minimise the risk of unauthorised entry. All perimeter fencing is checked daily as part of the Site Teams H&S procedures.
- 6.89 Mitigation against dust will be put in place, including comprehensive dust suppression methods, locating soil heaps in appropriate locations away from neighbouring properties, and using a silt trap.
- 6.90 Regarding noise impacts, work on site will aim to adhere to BS5228 Code of Practice for noise and vibration control on construction and open sites and the Control of Noise at Work Regulations 2005. Portable Noise monitor will be used to record decibel levels alongside the boundary in receptive locations which will be monitored daily/weekly.
- 6.91 Stonebond will provide occupied residents with regular updates to how the construction activities are progressing, this will be via a regular newsletter.

### **Geo-Environmental**

- 6.92 A Geo-Environmental Site Investigation has been undertaken by BRD Environmental Limited.
- 6.93 The investigation has proved dense gravels across the site that are considered to be the Kesgrave Catchment Subgroup (glacial sand and gravel) and these have been proven to 4m depth during this ground investigation.
- 6.94 The mounded soils were found to be predominantly reworked locally derived soils or concrete rubble type material, but more variable soils were identified in the north-western section. Elsewhere, no significant Made Ground was encountered.
- 6.95 The only human health risks identified relate to some of the soils in the mounded area that contains occasional asbestos fragments and some heavy metals. The mound has only been partially investigated (i.e. only around the edges) as it is not currently possible to gain access to the central area due to the overgrown nature of the mound and ecological constraints. Therefore, there is the potential to encounter further contamination within the centre of the mound. Elsewhere, no contamination risks have been identified.

## 7.0 Assessment of Proposed Development

- 7.1 This section seeks to assess the principle of development and details of the scheme against local and national policies and material considerations. Given that the policies contained in the St Albans Local Plan (Review) 1994 are relatively outdated and do not cover all aspects of the proposed development, consideration has been given to the emerging Local Plan where more up to date policies are appropriate.

### Principle of Development

- 7.2 The Site comprises both previously developed and vacant undeveloped land in the village of Smallford, within the designated Metropolitan Green Belt.
- 7.3 Under NPPF Paragraph 155, the development of homes in the Green Belt should not be considered inappropriate development where:
- the development would utilise grey belt land
  - would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan,
  - there is a demonstrable unmet need for the type of development proposed,
  - the development would be in a sustainable location, and
  - the development would meet the 'Golden Rules'.
- 7.4 It is considered that the site meets the definition of Grey Belt as described the in Planning Practice Guidance Paragraph: 005 Reference ID: 64-005-20250225. The criteria defining the site as Grey Belt are outlined below, with consideration given as to whether the site contributes strongly to the three relevant purposes of the Green Belt.

### Site's Contribution to Green Belt Purposes A, B and D

- 7.5 Purpose A – Check unrestricted sprawl of large built-up areas – The Site is located within the village of Smallford. The PPG notes that villages should not be considered large built up areas. The Site is surrounded by built form on all four sides. The pre-application response confirms that the Site is not adjacent or near to a large built-up areas and therefore it is not considered that the Site contributes strongly to this Green Belt purpose. The Site makes a weak, at best moderate contribution to Purpose A.
- 7.6 Purpose B – To prevent neighbouring towns from merging into one another - The Site lies in an area between St Albans and Hatfield, which are 'towns' for the purpose of Green Belt policy. As confirmed in the pre-application response, the Site does not form a substantial part of a gap between the two towns. Furthermore, the development of the Site would likely not result in the loss of visual separation of towns. The buildings along Hatfield Road, in the form of the Garden Centre, pub, petrol station and terrace of houses, as well as the new build development to the north, already characterise the area. Such structures are identified in the PPG as features that would weaken the

contribution to the separation of towns. Therefore, it is considered that the Site makes no more than a moderate contribution to the purpose.

- 7.7 Purpose D – to preserve the setting and special character of historic towns - The Site does not form part of the setting of a historic town, meaning it cannot contribute strongly to Purpose D. In line with the PPG, as there is no historic town in the vicinity of the Site, no assessment is required against Purpose D.
- 7.8 The Site is not covered by any of the areas of assets identified in Footnote 7 of the NPPF, such as National Landscape, nor would the development effect any such assets nearby.
- 7.9 Overall, it is considered that the Site does not perform strongly against Purpose A, B or D Green Belt purposes and therefore, in the absence of any assets of national value, should be identified as Grey Belt land.

#### Purposes of the Remaining Green Belt

- 7.10 The development would not fundamentally undermine the purposes of the remaining Green Belt across the Plan area. The scale and location of the Site, in particular its enclosure within existing built development mean that the development would not have any effect on the Green Belt beyond the site boundary. As such, it would have no impact on the wider Green Belt in continuing to perform its intended purposes.

#### Demonstrable Unmet Need for Housing

- 7.11 St Albans cannot currently demonstrate a deliverable five-year housing land supply. The latest housing land supply was 0.89 years, published March 2024. Therefore, there is a demonstrable unmet need for the type of development proposed, and the proposal would therefore comply with this criterion.

#### Sustainability of the Site

- 7.12 As noted previously, the Site lies on a main transport route between St Albans and Hatfield. The nearest bus stops to the Site are located along the southern boundary of the Site along Hatfield Road, with additional bus stops to the west of the site along Oaklands Lane. Buses from these stops run regularly providing direct services into St Albans Town Centre, Welwyn Garden City, Hatfield Business Park, Lister Hospital, New Greens and Oaklands.
- 7.13 As part of the scheme, the bus stop shelter, and part of the footway will be relocated slightly along Hatfield Road, allowing buses to stop clear of the main carriageway, improving traffic flow. All existing bus services will remain accessible. Safe pedestrian access is available between from the site to the nearest bus stops.
- 7.14 A number of local facilities are located within 2.5km of the site including Shell petrol station and convenience store, Smallford Farm Shop, Aldi supermarket, The Galleria Retail Centre, Notcutts Garden Centre, Oakland Stores convenience store. There are also a number of schools, nurseries,

leisure facilities and a pub within 2.5km of the site. Full details of these are set out in the Transport Statement.

7.15 Furthermore, St Albans City and Hatfield railway stations can be suitably accessed by cycle or bus (which run every 15 minutes).

7.16 Given that a range of everyday facilities and job opportunities can be reached within a 20-minute walk of the Site, with additional key facilities accessible within a 2km and 5km walk or cycle, it is considered that the Site is in a sustainable location, with good accessibility to a variety of everyday necessities, therefore, reducing future residents' reliance on private cars and prioritising sustainable travel.

#### Golden Rules

7.17 As the scheme is a major development, it is proposed to deliver 50% affordable housing on site in line with the NPPF requirement for sites now to be released from the Green Belt. This equates to 26 affordable dwellings (17 social rent homes and 11 shared ownership homes). The location of these dwellings are shown on the Tenure Site Plan.

7.18 Provision of new public open space, including a LAP, is proposed as shown on the Proposed Site Layout. New residents would be able to access good quality green space within a short walk of their home.

7.19 Improvements to local and national infrastructure would form part of the planning application as necessary. These are to be secured through S106 contributions.

7.20 It is considered that the proposed development would meet the Golden Rules under NPPF Paragraph 156.

#### Use of Previously Developed Land

7.21 Some areas within the site comprise Previously Developed Land, associated with the neighbouring Garden Centre use.

7.22 NPPF Paragraph 125c notes that planning decisions should *"give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused."*

7.23 The development of this part of the Site in isolation would make effective use of vacant land by contributing to the local housing need and is therefore considered favourably by the NPPF.

#### Principle of Development Summary

7.24 As set out above, the Site meets the definition of Grey Belt land, and that the proposal satisfies the associated requirements of Paragraphs 155-157 of the NPPF. There is a clear need for the

additional housing land in St Albans. The re-use of the land to provides an opportunity to contribute towards this severe need in a sustainable location, whilst bringing other benefits to the local area. The proposed development is, therefore, not considered inappropriate development in the Green Belt.

### **Housing, Design and Layout**

- 7.25 The proposed scheme will deliver a high quality and attractive development, providing a mix of housing types, sizes and tenures. The supporting plans, submitted as part of this application, show the distribution of different house types.
- 7.26 The majority of dwellings will be two storeys in height. Four single storey bungalow units are proposed. The locations of these are shown on the Storey Heights Plan.
- 7.27 A total of 52 dwellings will be delivered, with 50% of these being affordable. The proposed tenure split of the affordable housing provision is 65% affordable rent (equating to 17 affordable rent homes) and 35% shared ownership (equating to 9 affordable shared ownership homes). This provision is consistent with the requirements of the adopted Local Plan policy.
- 7.28 It is proposed that 48 of the homes will be designed to the M4(2) Accessible and Adaptable Dwellings standard, and 4 of the homes will be designed to the M4(3) Wheelchair User Dwellings standard.
- 7.29 All dwellings will have access to a private garden. Garden areas and separation distances are shown on the supporting Green Infrastructure Plan. These garden areas are all in line with the requirements of Local Plan Policy 70 with the separation distances consistent with those assessed as acceptable in previous decisions and the emerging Local Plan policy.
- 7.30 A high standard of amenity for future occupants of the new development will be achieved. All homes will have good privacy, adequate access to daylight and sunlight, meet the Nationally Described Space Standards, and have sufficient private amenity space.
- 7.31 The location and design of refuse and recycling storage must not detract from the overall appearance of the development. Details of the waste strategy, including locations of bin stores, bin collection points and pull routes are shown in the Refuse Strategy Plan.
- 7.32 Full details of the design and layout of the development are provided in the supporting plans and DAS.
- 7.33 The proposed scheme will deliver a safe and attractive development, catering for a range of needs and ensuring a high standard of private amenity. The development therefore complies with Policy 69: General Design and Layout and Policy 70: Design and Layout of New Housing.
- 7.34 The proposal also complies with emerging Policy HOU1: Housing Mix, Policy HOU2: Affordable Housing, Policy HOU4: Accessible and Adaptable Housing, Policy DES5: Residential Amenity Standards, and Policy DES7 Servicing of Development.

### **Highways, Access and Parking**

- 7.35 The Transport Assessment concludes that the proposed new access to the site off the A1057 is safe and suitable.
- 7.36 The A1057 Hatfield Road and site access priority junction are predicted to operate well within capacity. The proposed development will not have an unacceptable impact on the existing highway network.
- 7.37 The development proposes 101 allocated and 32 visitor car parking spaces, which exceeds that required by the 'Cycle and Car Parking Guidance and Standards for New Developments' in the SACDC Draft Local Plan 2041.
- 7.38 The development complies with Policy 34: Highways Considerations in Development Control, Policy 39: Parking Standards, General Requirements, Policy 40: Residential Development Parking Standards, and the Revised Parking Policies and Standards January 2002.
- 7.39 The proposal also complies with emerging Policy TRA1: Transport Considerations for New Development and Policy TRA4: Parking.

### **Heritage**

- 7.40 The Heritage Assessment concludes that the proposed development will result in no harm to the significance of the nearby listed building. Its special interest, including setting, will be preserved, in accordance with Section 66 of the 1990 Act.
- 7.41 The proposal complies with Policy 69: General Design and Layout.

### **Archaeology**

- 7.42 The Archaeology Assessment concludes that the redevelopment proposals will have no direct archaeological impact upon relevant designated heritage assets.
- 7.43 The proposal complies with Policy HE3: Archaeology

### **Noise**

- 7.44 The Acoustic Assessment concludes the proposed housing will not be subject to adverse noise effects and would achieve a reasonable and policy-compliant standard of amenity for future occupants.
- 7.45 The development complies with emerging Policy HW1: Air and Noise Pollution.

### **Air Quality**

- 7.46 The Air Quality Assessment concludes that that the Site is suitable for the proposed residential development in terms of air quality, and there are no air quality constraints with respect to planning consent. This includes consideration of the potential quarry to the east of the Site.
- 7.47 The development complies with emerging Policy HW1: Air and Noise Pollution.

### **Landscape Impacts**

- 7.48 The LVIA concludes that The Site is located within an urban character area and makes only a limited contribution to the wider landscape character. As the Site is influenced by combination of boundary vegetation, adjacent commercial development, and the position of the Site behind Hatfield Road, visibility is largely restricted to the nearby PRoW, adjoining residential areas and to a lesser degree, Hatfield Road. This results in the Site contributing only limited visual value to the area due to its enclosed, degraded condition.
- 7.49 The landscape strategy for the Site will integrate the proposed development into the settlement, restore elements of local landscape structure, and provide long-term visual containment.
- 7.50 Overall, the LVIA concludes that there would be no more than a minor impact of visual amenity and, post construction, a negligible impact on landscape character.
- 7.51 Therefore, the development complies with Policy 104: Landscape Conservation.

### **Trees and Green Infrastructure**

- 7.52 High quality green infrastructure will be provided throughout the development as shown on the Green Infrastructure Plan and Landscape Strategy.
- 7.53 A total of 1247m<sup>2</sup> of informal green spaces will be provided. This will be located around the Site access to the south of the Site, and along the spine road.
- 7.54 2955 m<sup>2</sup> of public open space will be delivered in the form of a LAP in the north-eastern corner of the site.
- 7.55 Existing trees will be retained where possible. Although there will be a loss of 27 trees on site, 58 new trees will be planted throughout the development. The trees will be selected from a range of species, including 70% native, to add visual interest, and biodiversity.
- 7.56 The proposed scheme complies with Policy 69: General Design and Layout, Policy 74: Landscaping and Tree Preservation, and Policy 104: Landscape Conservation.
- 7.57 The proposal also complies with emerging Policy NEB1: Woodlands, Trees and Landscape Features.

### **Ecology and BNG**

- 7.58 The Ecological Appraisal and Surveys confirm that subject to the implementation of the recommended measures for habitat retention, protection, creation and enhancement, no significant reduction in the ecological interest of the local area is likely to arise as a result of sensitive development of the Site.
- 7.59 With the 'off-site' habitat enhancement in the blue land, the proposed development would result in a 60.67% decrease from the baseline value of the Site. The proposed development would, therefore, not achieve the full 10% Biodiversity Net Gain requirement on-site. The shortfall would be secured through the purchase of statutory biodiversity credits and/or delivery of off-site habitat enhancements. This will be formalised via a legal agreement. The 10% net gain would, therefore, be met in accordance with the requirements of national policy.
- 7.60 Regarding linear and hedgerow habitat units, the development would result in a gain of 0.19 units. This is a 12.78% increase over the baseline value of the site thereby indicating that the proposals would achieve a 10% net gain in linear habitats.

### **Drainage**

- 7.61 The Flood Risk Assessment concludes the Site, located in Flood Zone 1, is appropriate for accommodating residential development.
- 7.62 A suitable surface water and foul sewage drainage strategy have been prepared.
- 7.63 The proposed development complies with Policy 84: Flooding and River Catchment Management and Policy 84a: Drainage Infrastructure.

### **Climate Change and Sustainability**

- 7.64 The Energy and Sustainability Statement provided discusses measures proposed to ensure the development is sustainable and responds to climate change. The development will incorporate an energy efficient with sustainable materials and low carbon energy supply.
- 7.65 All homes are to be fitted with highly efficient individual air source heat pumps. EV charging points are to be provided throughout the site. The Statement also confirms that proposed water saving measures will keep the water usage of each dwelling to less than 110 litres per person per day.
- 7.66 The proposed scheme complies with emerging Policy SP2: Responding to the Climate Emergency, Policy CE1: Promoting Sustainable Design, Construction and Building Efficiency, and Policy CE2: Renewable and Low Carbon Energy.

## 8.0 The Planning Balance

8.1 The proposals will deliver a wider range of economic, social and environmental benefits as set out in the below table. The weight that should be attributed to these benefits in the planning balance is set out in the second column.

8.2 The benefits arising from the proposed development comprise:

BENEFIT	WEIGHT ATTRIBUTED
Development complying with the Colden Rules (NPPF Paragraph 158)	Significant Weight
Provision of 52 market and affordable dwellings, ensuring the sufficient homes are built within the Local Authority Area and providing choice to local people of where they live, and contributing to the local housing land supply.	Significant Weight
Provision of 26 affordable dwellings, contributing towards both St Albans' housing land supply position and towards St Albans' affordable housing supply. These homes will provide much needed affordable properties to assist local people to find a home in their own village.	Significant Weight
Provision of high quality and sustainable dwellings. Dwellings to be fitted with air source heat pumps, water saving fixtures and electric vehicle charging units.	Significant Weight
Creation of new public open space including children's play area.	Moderate Weight
Support to local amenities and services through increased number of potential customers and visitors in the area ensuring greater vitality to the settlement.	Moderate Weight
Other social benefits through local infrastructure improvements (for example towards public transport, education and healthcare) for the use of the wider population in the locality of the site.	Moderate Weight
Creation of jobs through construction and related supplies during the construction stage.	Moderate Weight

8.3 In accordance with NPPF Paragraph 11d), it needs to be considered if any adverse impacts significantly and demonstrable outweigh the above benefits.

8.4 The analysis has identified limited impacts to which adverse weight could be attributed. The development would result in the loss of some Green Belt land, however, as discussed this land does not contribute strongly to the purposes of the Green Belt. It is considered that the benefits of the proposal significantly and demonstrably outweigh the adverse impacts.

## 9.0 Affordable Housing Statement

- 9.1 The application proposes the provision of 50% on site affordable housing in accordance with the NPPF Golden Rules for development in the Green Belt.
- 9.2 Subject to discussion with the LPA, the proposed tenure split of the affordable housing provision is 65% affordable rent (equating to 17 affordable rent homes) and 35% shared ownership (equating to 9 affordable shared ownership homes). The table below summarises the full schedule of affordable accommodation shown on the Site Layout.

SIZE OF DWELLING	RENT	SHARED OWNERSHIP	TOTAL
1 BED 2 PERSON	3		3
2 BED 3 PERSON	4		4
2 BED 4 PERSON	6	2	8
3 BED 4 PERSON	6	5	11
<b>TOTAL</b>	<b>19</b>	<b>7</b>	<b>26</b>

- 9.3 The affordable housing provision will meet nationally described space standards and will conform to relevant building regulations requirements in relation to M4(2) and M4(3) provision.
- 9.4 As noted above, the specific location and layout of affordable housing provision on site is shown on the supporting Tenure Plan, with the house types being the same range as will be provided as market housing, ensuring the development will be tenure blind.

## 10.0 Draft Heads of Terms

- 10.1 In accordance with the CIL Regulations and the National Planning Policy Framework, the Applicant is willing to hold detailed discussions with St Albans City & District Council in respect of planning obligations to be captured within a Section 106 (hereafter referred to as “S106”) Legal Agreement.
- 10.2 The following draft Heads of Terms are offered by the Applicants subject to further consideration:
- Affordable housing – 50% on-site provision.
  - Education – financial contributions towards off-site local provision where need is proven.
  - Public Transport – financial contributions towards off-site local provision where need is proven.
  - Healthcare – financial contributions towards off-site local provision where need is proven.
  - Sports Provision – financial contributions towards off-site local provision where need is proven.
  - Community Facilities – financial contributions towards off-site local provision where need is proven.
  - Offsite biodiversity net gain.
- 10.3 The above draft Heads of Terms will be accepted as planning obligations to be covered within the S106 where there is a clear quantitative and, where relevant, qualitative local need arising from the proposed development and in accordance with CIL Regulations.

## 11.0 Conclusion

- 11.1 This Planning Statement has been prepared and submitted by Bidwells on behalf of Stonebond Properties (St Albans) Limited in support of a Full Planning Application for residential development at Land off Hatfield Road and to the south of Jove Gardens, Smallford.
- 11.2 The description of development for the application is as follows:
- “Full planning permission for the demolition of an existing building and development of 52 dwellings (including 50% affordable housing) with access off Hatfield Road, associated hard and soft landscaping and open space.”*
- 11.3 In deciding planning applications, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the Development Plan unless Material Considerations indicate otherwise.
- 11.4 Given that the Council cannot currently demonstrate a five-year housing land supply, it is emphasised that this site would significantly help to boost land supply in accordance with Paragraph 61 of the NPPF. Moreover, the benefits of the proposed development in consideration of the planning balance would outweigh perceived harms including deviation from the development strategy.
- 11.5 As discussed in the Principle of Development section, the site is considered to constitute Grey Belt land as it does not perform strongly against Green Belt Purpose A, B or D. Given that the development would not fundamentally undermine the purposes of the remaining Green Belt across the Plan area, is located in a sustainable location, would meet the Golden Rules, and would contribute to a significant and demonstrable unmet housing need, it is not considered that the development would be inappropriate development in the Green Belt.
- 11.6 It has been demonstrated in this Planning Statement and the supporting technical reports, that the Site is suitable for development and that proposed development, is broadly compliant with the Development Plan, with any policy conflicts offered no more than limited adverse weight in the planning balance.
- 11.7 The proposals will bring forward a wider range of economic, social and environmental benefits as set out in this Planning Statement. The provision of new market and affordable properties to meet local need in particular should be given substantial weight in the planning balance.
- 11.8 The benefits of the proposed scheme weigh heavily in favour of granting planning permission when viewed in the context of the presumption in favour of sustainable development set out in Paragraph 11d of the NPPF.
- 11.9 For the reasons established above, it is considered that the application should be approved in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004. The Council is, therefore, respectfully urged to consider the application favourably.



BIDWELLS