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Tracy Harvey
Head of Planning & Building Control
St Albans City & District Council
Civic Centre
St Peter's Street
St Albans, AL1 3JE

Our Ref:

Your Ref:

11th May 2022 (by email)

tracy.harvey@stalbans.gov.uk

Dear Ms Harvey,

Application no. 5/2021/5194

St Stephens Green Farm, Chiswell Green Lane, St Albans

Outline application (access sought) for demolition of existing buildings, and the building of up to 330 discounted affordable homes for Key Workers, including military personnel, the creation of open space and the construction of new accesses and highway

I write following our initial representation (letter dated 17th December 2021) regarding the above application as we note that further correspondence has been received from the planning consultants to the Applicant, and from Neil Stinchcombe QC. We note that both the consultants and Learned Counsel take issue with the planning officer's report on the application which was withdrawn from consideration by Planning Committee in April.

We have reviewed the officer's report and regard it as a thorough examination of the issues affecting the application which leads appropriately to a recommendation for refusal. The Applicant's consultants appear, with gratuitously unnecessary personal remarks regarding the officer's position, to address issues which are not relevant to the determination of the application.

The rebuttal misrepresents what the officer is saying, that is, to suggest that he opposes 'key worker' housing, and infer that he has some sort of 'ranking' which he has applied to downgrade the significance of certain occupations. This is wilfully to misread the Local Plan and national policies relating to affordable housing which do not refer to specific occupations or even allocations, as McPartland Planning must know when they state that the officer has not quoted a particular policy to support his position.

This is because they do not exist in the form which the consultants would need to support their assertions. The constant references to key workers, military personnel and the like quoted in the application may be intended to be the recipients of the proposed housing but planning legislation and technical guidance is quite clear on the basis on which decisions should be made.

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The officer's report concentrates, quite rightly in our view, on the harm to the Green Belt which exists to prevent inappropriate development, and the only way that affordable housing issues could reasonably affect a decision would be if a Section 106 agreement is concluded with an appropriate provider and enforced. There is no indication in this outline application that such an agreement is imminent, or even feasible, and the Council would need to secure such an agreement in advance for this to influence the planning decision in any way.

Surprisingly it seems that the QC has followed a similar approach in concentrating his advice on definitions relating to the affordable housing and subsidiary issues. The overall matter of housing land supply of course remains as a factor in planning decisions, but as we noted in our initial submission, Green Belt protections are critical (as noted in paragraph 11 of the National Planning Policy Framework) and should influence decisions and Local Plan allocations for housing.

The lack of clarity in technical guidance on the relative significance of housing need and designated protected land is central to our concerns, particularly when Ministers constantly insist that Green Belt protections must remain, and their statements carry policy weight. We would urge the Council to reject the rebuttals of the Applicant in this matter and determine this application in line with the officer's recommendation.

Yours sincerely,

Chris Berry
Planning Manager

cc: Andrew Wright, Case Officer, St Albans City & District Council
planningcomments@stalbans.gov.uk