

JOANNE WHITEHEAD

RESPONSE TO STRATEGIC LOCAL PLAN CONSULTATION

Question 1 – Economic Development

Disagree.

I agree with aspects of this question, for example I agree that Rothamsted Research and the Building Research Establishment, as key innovation centres in the District, should be supported.

However, I do not agree that the changes which the draft SLP proposes to the Green Belt are justified by the aim of economic growth. Indeed I am very doubtful that a desire for economic growth could ever, as a matter of law, constitute an “exceptional circumstance” justifying a change to Green Belt boundaries and I note that the legal advice obtained by SADC from Counsel does not say it could. The fact that the Council did not ask its legal advisers whether economic growth could constitute an exceptional circumstance when seeking advice on the issue rather indicates that the particular emphasis now placed on economic growth is an afterthought, put forward to dress up a decision made in fact on other grounds.

Even if it is possible, as a matter of law, to rely upon a desire for economic growth as an “exceptional circumstance”, I do not consider that building new housing will in fact support economic growth. In that respect I am supported by the views of the Council’s own Sustainability Appraisal consultants, who in their Working Note in relation to this plan at Appendix B specifically say of the NW Harpenden site that “*the potential contribution to economic growth through the development of this site is limited.*” It is not at all clear how, contrary to this advice, the Council is contending that new housing in Harpenden will contribute to economic growth. Profits from construction projects are not likely to be retained in the District and do not provide long term sustainable growth; any new jobs (which may well go to those out of the District in any event) will be temporary. Harpenden is already a very popular place to live, so it does not need to increase its population in order to make local businesses viable. And building thousands of new homes without adequate infrastructure to support them is likely to detract from, rather than enhance, economic growth. For example, making our roads more congested is likely to detrimentally affect, rather than improve, local businesses.

Question 2 – Housing Need

Agree.

My understanding is that, by this question, SADC is asking for views as to whether 436 dwellings per annum represents its "objectively assessed need" for housing, not whether it should meet all of that need. The Council has not sufficiently explained to residents that Government policy requires it to measure this so-called "need", but it is a quite separate question whether it should enable all these homes to be built.

I am agreeing to this question because I accept that, in so far as projections of the future population of the District (including those who move here from elsewhere) are made by looking at what has happened in the past, it would seem to be sensible to take a 10 year period rather than the 5 year period recommended by the consultant.

However, I very strongly disagree that this measure of "need" is at all useful in guiding St Albans' decisions as to whether to release land from Green Belt. In the local circumstances of St Albans District, the figure is meaningless. "Need" and "demand" are different things. The 436 dwellings per annum is not a measure of need, because it includes those who merely wish or desire to live here. Equally, it is not a measure of demand, which in the case of St Albans District is certainly insatiable and probably infinite. It is a mish-mash - in part a measure of local population growth and in part a measure of future demand from migrants, based on past supply. Building this number of houses simply creates a self-reinforcing cycle in which past supply of housing is treated as present "need", leading to present supply treated as future "need".

Having measured this "objectively assessed need" because the Government tells it to, the Council should move on from the figure and make sound and sensible planning policy decisions based on something more rational, like the real benefit provided by retaining the Green Belt.

Question 3 – Affordable Housing and Housing Mix/Type

Agree.

I agree with the aim of providing 40% affordable housing and with the proposal to provide more small and medium sized housing. Policies should be implemented to ensure that the right housing mix is achieved on brownfield sites and not just in the Broad Locations. Furthermore, to the extent possible within existing law and policy, constraints should be placed on redevelopment which might prejudice these policies. For example, I would be in favour of a policy which requires bungalows to be retained as single-storey dwellings rather than enabling them to be converted into two storeys, so as to retain properties in the housing stock which are attractive to older people wishing to downsize. This in turn will free up family-sized housing for others.

However, I do not consider that sufficient thought has gone into the question of the location of affordable housing. Affordable housing should, as far as possible, be located in urban centres where people can walk to schools, doctors' surgeries, libraries, shops etc. The Broad Locations which the Council proposes to take out of Green Belt are not good places for affordable housing, as they are on the edges of towns.

The Council has wrongly concluded that NW Harpenden and NE Harpenden are within walking distance of Harpenden town centre and the railway station only because it has used "as the crow flies" distances rather than properly measuring walking routes. Furthermore, the topography of Harpenden, which lies on a series of ridges, has not properly been taken into account in considering the likelihood of journeys on foot. Because it is on a steeply sloping site, occupants of new housing in NW Harpenden will have a trek uphill at the end of any journey, which is hard work with young children or when carrying heavy shopping, and not easy for an elderly or disabled person. Crossing the valley through which the A1081 Luton Road runs -for example to get from the NW Harpenden site to the Roundwood Schools or Wood End School - involves steep uphill and downhill climbs. As somebody who lives close to the proposed NW Harpenden site, I can say that it is unrealistic to think that the occupants of a new housing estate will routinely walk to the Town Centre or the Railway Station; and there are no safe cycle routes either - the Luton Road is only for the most confident cyclist. Plans should be based on realistic expectations about people's likely behaviour, not pretence.

If the Council would only be more imaginative about its planning for the next 20 years, good quality affordable housing could be provided much closer to Harpenden Town Centre, for example by decking one or more of the town centre/railway station car parks or, if technology permits, relocating the Harpenden Telephone Exchange. These sites would provide excellent locations for affordable housing, very close to the town centre, railway station and, now the new primary school.

It speaks volumes about the Council's approach to planning that it has spent thousands of pounds on a report reviewing possible development sites in the Green Belt, but has not commissioned an independent study looking for innovative ways of providing more housing, including affordable housing, in a sustainable way within our urban centres.

Question 4 – Housing Development Options

Option 1.

I am very strongly in favour of Option 1 - to keep Green Belt boundaries where they are.

At presentations in Harpenden, Redbourn and possibly elsewhere during this consultation, Cllr Daly and officers have been telling residents that the effect of Planning Practice Guidance para. 44 is that Green Belt can only be preserved if residents provide evidence that the "adverse impacts" of meeting objectively assessed need by building 9,000 homes would "significantly and demonstrably outweigh the benefits" of doing so. The slides produced at these presentations underline these words. This is a clear misinterpretation of the Guidance and I think it is shocking that the Council is proceeding with this consultation on the basis of such an obvious legal error. PPG para. 44 replicates NPPF para. 14 - which makes clear that there are two separate circumstances in which the Council should refuse to meet objectively assessed need in full: one is where there are specific policies indicating that development should be restricted, such as where land is designated Green Belt. The other is where there are no such policies, but the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. As the vast majority of the land in the District is Green Belt, we clearly fall within the first category. I cannot understand how the Council could have reached the conclusion that Green Belt is so difficult to protect when the new Guidance was issued with a Government press release telling Councils to protect precious Green Belt land, a goal Eric Pickles said was "paramount".

Unfortunately it appears that in St Albans, as elsewhere, the myth is being promulgated that a plan cannot be found sound if it does not surrender Green Belt: this is quite wrong. Other authorities have had inspectors in to advise them, who say that they will never impose Green Belt boundary change on a Council: see

http://www.echo-news.co.uk/news/11454612.You_don_t_have_to_build_on_green_belt/

Councils have a duty to protect Green Belt, and Green belt boundaries are not to be changed unless the circumstances are "exceptional". This, as *Gallagher Homes v Solihull* (2014) EWHC 1283 makes clear, is a very stringent test, and is not to be confused with general planning merits.

However, if councillors want evidence that the adverse impact of building 9,000 homes would significantly and demonstrably outweigh the benefits of doing so, they need look no further than the Council's own website. There they will find a detailed and comprehensive report entitled "Environmental Capacity of St Albans City and District: Defining a Sustainable Level of Development". This lengthy review convincingly demonstrates that development of the Green Belt will cause irreparable harm. It seems surprising to be asked, as residents and council tax payers, to come up with evidence of the adverse impacts of building on Green Belt when we have already funded the provision of such evidence. It is even more surprising to find the draft plan at paragraph 2.22 claim that the study was conducted "to develop an appropriate evidence base and inform decision-making", when it is quite clear that it has not been used to inform decision-making and the plan is actually proposing to do the opposite of what the study recommends. This is sadly typical of the Council's approach to evidence-based decision-making: ignore any evidence that doesn't suit the outcomes you wish to achieve, then pretend that very evidence supports those outcomes.

Other options the Council should be exploring?

- Conduct a proper independent study of its urban areas to see whether there are opportunities for sustainable development which have been missed, like those I have referred to in section 3 above.
- Be bold and imaginative! Can we sensibly build higher or more densely in urban areas? Why does every house in Harpenden seem to be redeveloped as a huge "executive"

home - aren't there policies which could be used to ensure more smaller family housing on brownfield sites, if that's what we need? Are there mixed-use development options in our town centres which could be explored?

- Think about the long term, not short term political manoeuvring, which is what this plan clearly is. I don't believe my children and grandchildren have a right to live in Harpenden or the District, and I certainly don't aspire to a future for them which involves a sprawling, spoiled Harpenden, permanently full of traffic and without school places. But I do believe they have the right to live in well-designed homes supported by proper infrastructure, built to minimise car use and protect against climate change. Once we really have, as a country, exhausted our brownfield options (see e.g. Lord Rogers' views on Croydon), new towns/garden cities are the obvious answer (see e.g. Wolfson Prize). This is the future the Council should be working with other authorities to deliver, not taking the lazy option of concreting over the Green Belt.

Question 5 – Exceptional Circumstances for Change to Green Belt Boundaries

I strongly disagree that there are exceptional circumstances in St Albans District justifying a change to Green Belt boundaries to accommodate 4,500 homes.

The Oxford English Dictionary gives the meaning of "exceptional" as "of the nature of or forming an exception; out of the ordinary course, unusual, special", and it is clear from numerous Court cases, including *Gallagher Homes v Solihull* (2014) EWHC 1283 that when the word is used in the context of Green Belt policy, it bears this ordinary meaning. It is not enough that a local authority thinks it would have drawn Green Belt boundaries in a different place if it was starting afresh; nor that it considers, on the basis of general planning principles, that a Green Belt site would be a good place for development: the circumstances must truly be exceptional before Green Belt boundary changes may be made.

As every plan must be "justified" to be found sound, i.e. rationally based on evidence, what is the evidence that shows that exceptional circumstances exist In St Albans District? There is none. Those who suggest that Green Belt boundaries must be altered point to the difference between the "objectively assessed need" figure of 8,720 and the brownfield supply figure of 4,500. But

since the 8,720 figure includes an unknown number of homes for those who would wish to live or stay in the District but have no need to do so, that simply tells us that demand outstrips supply. Yet as the Housing Needs Assessment quite clearly says, we are in a District where "the exercise of demand will always outstrip supply". So how can that fact be "out of the ordinary course, unusual, special"?

Moreover, the concept of "objectively assessed need" is, as I understand it, a new one, introduced by the NPPF. So presumably it measures something which has never previously been measured before. How do we know that the figure would not have been the same, or greater, if it had previously been measured? What can we compare it with to show that, this time, the figure is somehow in a different league?

The Council has been keen to tell residents that many of them live on land that was previously Green Belt, and the summary booklet contains a plan showing "major residential developments since 1950". However, my understanding is that many of these developments were planned in the 1950s at the same time that Green Belt boundaries were first set, including those at Batford, Roundwood Park, The Grove and West Common in Harpenden: see the Harpenden Development Plan for 1957 at

http://www.harpenden-history.org.uk/page_id__141.aspx?path=0p2p70p.

I also understand from the Green Belt Review summary of the history of the Green Belt that the "exceptional circumstances" test came into policy only during the 1980s. We cannot therefore necessarily assume that such Green Belt releases as have taken place - and the map does not say that all the sites were formerly Green Belt - were made on the basis that "exceptional circumstances" then existed.

The truth is that the Council is scared to say that there are no exceptional circumstances because it sees other authorities releasing Green Belt land and does not want to be different. This herd mentality is an unacceptable basis for policy making with long term effects on the District and the people who live in it. The Council should have the courage to do what is right. Based properly on evidence, the only rational decision is that there are no exceptional circumstances justifying a change to Green Belt boundaries.

Question 6 – Green Belt Review and Development Strategy

Strongly Disagree.

The Green Belt Review is patently flawed in its approach and provides no sound basis on which to take decisions.

Large areas of land were identified and assessed in Part 1 of the Review. The consultants then divided up those larger areas into parts, to identify 8 so-called "strategic" areas and 8 "sub-scale" areas. The 8 "strategic" areas were subject to further assessment in Part 2: the 8 "sub-scale" areas were not. However, in Part 2 the 8 "strategic" areas were again broken down, into 2 or 3 parts, and the landscape/visual characteristics of those parts compared with one another, with one part being selected: these are the 8 areas of land shown on the Key Diagram. In respect of 1 of those areas, NW Harpenden, it is suggested by the plan that there should be a yet further sub-division, with the exclusion of that part north of Cooters End Lane.

This approach has the following problematic consequences:

- The sub-division of the "strategic" sites in Part 2 has resulted in a blurring of the distinction between the "strategic" sites and the "sub-scale" sites. Some of the "sub-scale" sites are not substantially smaller, or may even be larger, than the "strategic" sites. Yet the sub-scale sites are not being subjected to the same evaluation or sustainability appraisal as the "strategic" sites.
- Some of the so-called "strategic" sites are no longer of a scale to be properly described as "strategic". For example, NW Harpenden, along with others, is not of a size to provide any strategic infrastructure, as shown by the zero score for "strategic infrastructure provision" in the evaluation matrix. The assertion in the summary booklet that all 8 sites coming out of the Part 2 process "are of a strategic scale with the potential for hundreds or thousands of homes and significant public infrastructure" is simply not true, as the evaluation matrix shows.

- Moreover, the comparison made in Part 2 was not between one strategic area and the other strategic areas, but just between different parts of the same area. The underlying assumption was that the Council had to release part of every site from the Green Belt, but could not release the whole of any site. This means that the Council has not considered all reasonable alternatives: in particular it has not been given the opportunity to consider whether development of one or two of the "strategic" sites identified in Part 1, which would all have been of a scale likely to provide strategic public infrastructure, would have been preferable to development of a larger number of smaller areas, some of which are not.
- The proposed further reduction of NW Harpenden exacerbates these flaws, because it alone has been singled out for further sub-division. The Council has not considered whether it might be more appropriate to choose a part of another site or one of the sub-scale sites instead. The political imperative to ensure that NW Harpenden is selected for development has distorted the process.
- Moreover, the parts of the sites selected in Part 2 have been chosen on landscape/visual characteristics, not by reference to Green Belt purposes. This is to confuse different concepts. It also has the consequence that a number of the sites identified as a consequence of the Part 2 process do not have sufficiently robust Green Belt boundaries, contrary to NPPF para. 85.

The Green Belt Review did, despite its flaws, do one thing. It identified the extent to which each of the sub-areas coming out of the Part 2 process fulfils Green Belt purposes. Of course by this stage the parcels of land were sufficiently small that no area of Green Belt could be expected to fulfil all 5 national and one local purpose to the fullest extent. The irony is that the Council has ignored that one piece of information, because it gave no weight at all to Green Belt purposes when scoring the sites for selection: see section 7 below.

Question 7 – Development Sites

Strongly Disagree.

Sites Evaluation Matrix

The way in which the Council has come to the conclusion as to which of the strategic sites to select for release from Green Belt is patently unsound. The scoring is often illogical, internally inconsistent or irrationally inconsistent with other assessments and evidence, including statutory documents such as the Sustainability Appraisal prepared in 2012 in relation to the pre-submission draft plan.

The process by which the Council has approached this task – which includes jettisoning key findings of the Green Belt Review in favour of its own in-house evaluation; reaching conclusions which no reasonable local authority could reach on the evidence available to it; inviting submissions on the evaluation in draft but refusing to correct even the most obvious factual errors pointed out by those submissions; and doggedly defending the scoring despite highly pertinent public questions – is strongly suggestive of a decision-making process in which the outcome is pre-determined and the evidence “adjusted” to fit that pre-determined outcome.

Examples of flaws in the reasoning and approach of the evaluation include:

- Failing to give any weight in the evaluation to the extent to which sites fulfil Green Belt purposes
- Failing to adhere to the methodology for the evaluation originally agreed
- Internal inconsistency – scoring different parcels of land for the purposes of different criteria and failing to carry through conclusions reached in one score over to another
- Failing to adjust the scoring in light of the Sustainability Appraisal Working Note
- Reaching conclusions inconsistent with, and sometimes the opposite, of, the statutory Sustainability Appraisal 2012
- Reaching conclusions inconsistent with, and sometimes the opposite of, previous evaluations of the same sites
- Failing to have regard to Sustainable Community Strategies, in breach of statutory duty
- Misunderstanding or misapplying Green Belt policy

- Drawing irrational conclusions unjustified by the evidence purportedly relied upon
- Disregarding cogent evidence supplied to SADC with submissions at the time the evaluation was in draft
- Scoring the sites inconsistently with the evaluation commentary.

For full details in relation to these bulletpoints, please see the Harpenden Green Belt Association's consultation response, with which I entirely agree.

Sustainability Appraisal Working Note :

The Sustainability Appraisal Working Note Appendix B is inaccurate in several respects:

- In assessing against the SA objectives “greenhouse gas emissions”, “air quality”, it uses erroneous “as the crow flies” measurements of distance to justify its conclusions about NW Harpenden and NE Harpenden: the true walking distances are significantly longer.
- The 2012 statutory Sustainability Appraisal for Area of Search 8 (SE part) – ie. the southern part of the NW Harpenden site – graded the site as “unsustainable” for “historic and cultural assets” given the proximity of Cooters End Farm, a listed building. The NW Harpenden site now is not merely next to, but includes the site of, the listed building: the impact on this heritage asset is worse, not better. Despite that, the scoring in the Working Note against this SA objective is merely “uncertain”.
- The 2012 Sustainability Appraisal graded Area of Search 8 (SE part) as “unsustainable” on health grounds because the topography could discourage walking and cycling. The topography of the land has not changed. Despite that, the Working Note grades NW Harpenden as “sustainable” on health grounds.
- The 2012 Sustainability Appraisal graded Area of Search 8 (SE part) as “unsustainable” against “equality and social exclusion” because of the lack of places in local schools. The position has got worse since 2012, not better. Despite that, the Working Note grades the NW Harpenden site as “sustainable” against this objective on the grounds that “there may be some potential to create new small scale local community facilities and improved open space”. This is inconsistent with the scoring of 0 for strategic infrastructure in the evaluation.

These unjustified differences between a previous statutory Sustainability Appraisal and the current Working Note suggest that the sustainability consultants are not fully independent of their client, the Council.

“Revised” Evaluation Matrix, October 2014

I note that officers prepared a revision to the evaluation matrix in October 2014. The circumstances in which this revision came to be prepared and put into the public domain are the subject of a complaint by me, complaint number 225199, to which a response has not yet been received. My comments on its content are as follows:

- The report demonstrates that the Council’s evaluation of the sites, and in particular the extent to which they are within walking distance of various facilities and services, was based on incorrect measurements of distance “as the crow flies” rather than as actually walked on the ground.
- It nevertheless continues to include significant errors. For example, the route measured from the NW Harpenden site to the Harpenden Railway Station patently falls short of the actual station itself.
- The October report does not use the methodology agreed in March 2014. Paragraphs 5.7 and 5.21 of the agreed methodology gave distances that people are likely to walk as 800m or 800m-1km. Paragraph 5.21 indicated that 400m represented a 5 minute walk, 800-1,000m a 10-15 minute walk and that the recommended walking distance reduces by 10m for every 1m rise or fall. Instead of using its own sophisticated interactive mapping system to measure distances accurately, to which the agreed methodology could be applied, officers have instead chosen to use “Google Maps” which has much more optimistic walking times and which does not take account of topography

Officers seek to argue in the report that the corrected measurements do not change the evaluation scoring or overall conclusions. I strongly disagree. It was a key element of the scoring of the NW Harpenden site in July 2014 that “*a wide range of facilities including those in the town centre are accessible within walking and cycling distance*”, and this justification appears in the draft plan. Now it is clear beyond doubt that many of the facilities identified as being within walking distance are not within walking distance, the original scoring manifestly cannot be maintained.

Question 8 – Housing Density

Disagree.

I accept that as a country we cannot build at the densities which were common in the 1930s, for example, otherwise we will need to build to a much greater extent on green field sites than I

would wish to see. I also accept that good design has a major role to play in ensuring that densely-built housing is attractive. 40 dph and higher densities are completely appropriate in urban locations.

However, the figure of 40 dph appears to have been chosen across the board without any real consideration of how well it would work in the particular locations selected for development. The NW Harpenden site will be adjacent to housing of about 17 dph on two sides and countryside on the others. I am concerned that a housing estate at a net density of 40 dph will not work at all well here: it will be out of keeping with its surroundings. I understand that other new developments have had planning permission refused because they were too dense at net densities lower than 40 dph.

This question in the summary booklet appears to threaten residents with more Green Belt release if they do not sign up to the suggested density figure. This is misleading. It is entirely open to the Council to choose a lower housing figure and build at an appropriate density: this would not involve the sacrifice of other Green Belt land.

I am very concerned that the Council is proposing that the NW Harpenden site in fact be developed at a much higher density than 40 dph, because it cannot fit 500 homes on the site at that net density: see my comments on Policy SLP 13c of the draft Plan.

Question 9 – Infrastructure

Strongly Disagree.

It is of course absolutely vital that the Council plans for infrastructure to support new housing and also to remedy gaps in existing infrastructure for current residents. When I have spoken to planning officers about infrastructure issues, they shrug their shoulders: their attitude is that we are obliged to take new housing but can do nothing about infrastructure constraints.

That is not what the NPPF says: it says at para. 162 that local authorities must assess the quality and capacity of infrastructure; at para. 156 that a plan must set out the authority's strategic priorities for infrastructure and at para. 157 that it must plan positively for the infrastructure required in the area.

I have said "strongly disagree" in answer to this question because it seems to me that there is an utterly woeful failure to comply with these NPPF requirements.

As regards assessing the quality and capacity of infrastructure, this has simply not taken place to any meaningful degree. For example,

- a major issue in Harpenden is traffic congestion: the Harpenden Urban Transport Plan recognises it as a "congestion town" and the particular stretch of the A1081 running into the town from the north, alongside the NW Harpenden site, is a recognised "congestion hotspot".
- When SADC consulted Herts CC as Highways Authority in 2009 about a proposal for about 300 homes on the southern field in NW Harpenden - then called "Area of Search 8 (SE part)" - HCC raised concerns about traffic congestion and use of the country lanes around the site and said that their policy to oppose new junctions on A roads unless "very special circumstances" exist would be applied. HCC continued "*This Area of Search represents a large site that will have a significant impact on the road network in the area. Issues surrounding network capacity, access and sustainability must be fully investigated at the earliest opportunity. To date the highways authority are not aware of any work that has taken place to support these proposals*".
- A methodology for the evaluation of "strategic" sites agreed in March 2014 included at paragraph 5.18 the commitment by officers to have "*detailed discussions with Hertfordshire County Council*" before scoring the sites on traffic/access grounds. SADC did not have those discussions. Nor did it have regard to a highways consultant's report prepared on the instructions of Herts CC as education authority, which looked at the access issues associated with use of the NW Harpenden site as a potential secondary school and which SADC had been sent by HCC in 2011 and again by me and others in June 2014.
- Instead, officers irrationally concluded that, in relation to the proposal to build 500 homes on the NW Harpenden site, "*traffic impact would be acceptable*" and the access position is "*relatively straightforward*". In the comments on the evaluation matrix, the 2009 consultation response from HCC is summarised, but in a misleading way, so as to make HCC's attitude appear more positive than it in fact was.
- There is no possible justification of these conclusions in the evidence SADC had available to it. HCC had not said in 2009 that the impact on traffic flow would be "acceptable" - on the contrary, it had expressed serious concerns about the impact on congestion and had advised that issues surrounding network capacity must be fully

investigated. Moreover the proposal in 2009 involved the building of only 300 homes, not the 500 now being considered. Equally in 2009 HCC had not said that access would be "relatively straightforward": on the contrary it had asserted its policy of not permitting new accesses onto A roads and said that access issues must be fully investigated. Moreover, the proposal in 2009 involved the use of only the southern field in NW Harpenden and it is obvious that the addition of the northern field would exacerbate the access issues. The 2011 report also raised serious issues as regards access to the site.

- At a consultation meeting in Harpenden on 20 October 2014 in Harpenden, Cllr Daly showed slides purporting to bust some "urban myths". One of the so-called "urban myths" was the absence of any detailed discussions with HCC highways before the sites were scored. Cllr Daly claimed, through the slides, that SADC "*had spoken to HCC highways*". This statement was utterly disingenuous. Officers had not had any relevant discussions with HCC highways before the sites were chosen in July 2014. They had a meeting on 8 October 2014, just before the consultation was about to start and after all the documentation had gone to print, at which very preliminary discussions took place about the traffic aspects of the 4 chosen Broad Locations. No discussion took place about the other strategic sites which do not appear in the draft plan and the meeting clearly came too late to influence the choice of sites.
- Cllr Daly also sought to suggest, contrary to the evidence from HCC highways and the Harpenden Urban Transport Plan, that traffic on the A1081 Luton Road was less congested in the past because he had "googled" some traffic statistics. This is clearly no substitute for proper traffic modelling and in any event I understand there may be some doubt as to whether his "googled" statistics came from the correct traffic counter.

It is obvious to any reasonable observer that, far from complying with its duties to assess the capacity and quality of infrastructure, the Council has been so determined to ensure that the NW Harpenden site is one of the Broad Locations put forward in the draft plan, in accordance with its pre-determined strategy, that it is prepared to make assertions about the quality and capacity of infrastructure which are contrary to all evidence and which no reasonable planning authority would make.

As for "planning positively" for infrastructure for the future, one look at Appendix 5 to the draft plan shows how badly the Council has fallen short in this respect. The Infrastructure Delivery Schedule is almost entirely devoid of content and in respect of the NW Harpenden site, all

entries on the Schedule read "unknown at this stage". It has ignored even the evidence in its own evidence base, such as the Water Cycle Study - Scoping Report, which said that at the proposed rate of building, we will need to upgrade Harpenden's waste water treatment plant and sewerage network and that issues will need to be resolved as regards the risk of sewer flooding, with significant upgrades being required throughout the town.

**What infrastructure do you think the District will need over the next 20 years?
Comments?**

This is obviously a matter which requires serious and comprehensive review by the Council, however as a a starter I would suggest:

A bypass for Harpenden.

Schools for the existing population of the District, let alone those in new housing.

Cycle routes and pedestrianised areas to encourage a step-change in our use of the motor vehicle. Cycle routes need to be attractive and safe for children cycling to school, older people cycling to the shops, etc. It is not enough to have a few markings on the roads which are only safely negotiable by men in lycra.

A walking/cycling route which connects all of the main settlements in the District, including Harpenden and Wheathampstead, and not just the "Green Ring" around St Albans.

The sewerage upgrades advised by the Water Cycle Study - Scoping Report.

A hospital for Harpenden.

An upgrade to the children's play facilities in Rothamsted Park, particularly by the provision of equipment for older children; a cafe in the Park.

The redevelopment of Harpenden Public Halls.

A cinema in St Albans.

Question 10 – Other Policies

I would like to point out how difficult and user unfriendly this consultation portal is.

For previous consultation exercises there has been an alternative "survey monkey" type online questionnaire, with clear and simple questions, which can be clicked through easily, each question appearing once the previous one has been answered.

This portal requires detailed and complex navigation - not only do you have to register and log in, but you then have to scroll down a lot of detailed material before getting to "read and comment on document". Then you have to find the tab "add comments". At the end of each question there is a very misleading piece of text telling you "there are no further questions" - no wonder many people don't get beyond question 1! Even for those who realise that there are indeed further questions, it is not at all obvious how to get from Q1 to Q2 - "view consultation point" hardly being the clearest way to signal how to get to the next question. Moreover the questions are obscure, with a long preamble and often a very generalised question.

It is fair enough to expect developers, sophisticated organisations and statutory consultees to make their way through this labyrinth, and fine to offer others the opportunity to try their luck at it. It is unacceptable that this should be the only way of giving online responses to such an important consultation. The commitment of SADC to offering residents of the District - of all ages, educational backgrounds and with whatever level of IT skills - appears seriously in doubt.

Draft Strategic Local Plan - Box 1 Chapter 1 comments

This chapter is full of claims that have no basis in reality, and stem from the fact that the Council has simply cut and pasted sections from the 2012 pre-submission draft plan without bothering to consider whether the statements made in relation to that plan (which proposed very limited Green Belt release and a housing target of 250 homes per year) remain true in relation to this one (which proposes very extensive Green Belt release and a housing target of 450 homes per year).

Paras 1.17-1.21 claim that this plan is in accordance with the Sustainable Communities Strategies: in fact these have been completely ignored in the decision to increase the housing target to 450 dpa, and in the selection of sites. It is not enough, under s.19 of the Planning and Compulsory Purchase Act 2004, simply to assert that regard has been had to these strategies: the Council must genuinely have regard to them to comply with its statutory obligations.

Para. 1.22 claims that responses to previous consultation exercises have been "key" in shaping this plan. In fact, by proposing much more significant Green Belt release than ever previously provided for, and by putting back into the plan sites which had previously been taken out of it (and, in the case of the NW Harpenden site, also making the site larger and bringing release forward in time rather than "safeguarding" for post-2021 needs), the Council is doing the opposite of what the public clearly and overwhelmingly showed it wanted in previous consultations. That SADC could include this statement in its plan when it is so manifestly untrue merely goes to show its contempt for the public consultation process.

Para 1.23 claims influence of Sustainability Appraisal work and Working Notes: in fact the Council has sought to justify this plan by assertions which are the opposite to previous Sustainability Appraisals, and inconsistent with the current Working Note: see answer to Q7.

Draft Strategic Local Plan – Policy SLP 13c – North West Harpenden Broad Location – Principally Housing comments

The selection of the NW Harpenden site is not justified by the evidence and the assertions made in para. 6.73 are unsound. The judgment that sites and facilities are within walking distance is wrong and arises because officers erroneously used "as the crow flies" distances lifted from the Green Belt Review instead of measuring distances themselves and applying their own agreed methodology: see answer to Q7.

The judgment that topography is favourable for walking and cycling is the opposite of that reached in the 2012 Sustainability Appraisal, and ignores the fact that the site is on one side of a steep-sided valley, with the Luton Road running along the valley floor.

Education capacity issues are said to be "capable of resolution", but there is no proper planning to show how these issues, which are very significant, are capable of resolution. Part of the "resolution" appears to be the possible development of an onsite primary school on land retained in the Green Belt, which is not permitted by Green Belt policy and has been determined by an inspector in the case of the Three Rivers Site Allocations DPD to be unsound. As the site is not flat and there are significant traffic and access issues, it is not suitable for a primary school.

No reasonable or objective planning authority could have come to the conclusion, in relation to the NW Harpenden site, on the available evidence, that the impact on traffic would be "acceptable" or that access is "relatively straightforward": see answer to Q7 and Q9.

Policy SLP 13c also assumes the impossible, namely that 500 homes can be fitted onto this site at a net density of 40 dph whilst still retaining the listed building at Cooters End Farm, the "remnant" woodland and (presumably) the roadway of Cooters End Lane which runs through it. See the Harpenden Green Belt Association's response for a detailed critique, with which I entirely agree, of the explanation given in answer to public questions as to how this is possible.