

# **North Hertfordshire Local Plan Examination – Statement to Matter 22**

**On behalf of Vastint Land B.V.**

Land west A1(M) Stevenage

26<sup>th</sup> February 2020

**Turley**

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**Client**

Vastint Land B.V.

**Our reference**

VASR3003

26<sup>th</sup> February 2020

# 1. Introduction

- 1.1 This Statement has been prepared on behalf of Vastint Land B.V. (herein referred to as Vastint) in response to Matter 22 of the Examination into the emerging North Hertfordshire Local Plan 2011 – 2031.
- 1.2 Vastint are promoting the land to the west of the A1(M) Stevenage, which is currently earmarked for safeguarding through the emerging Local Plan for future release under Policy SP8.
- 1.3 Vastint Land B.V. is part of the Vastint Group, an international real estate owner and developer with more than 25 years' experience. Vastint aim to deliver vibrant schemes with animated public spaces that are a delight to live and work in, with the spaces between buildings considered just as important as the buildings themselves.
- 1.4 The Local Plan was submitted prior to the implementation of the transitional arrangements, and is therefore examined under the National Planning Policy Framework 2012 ('NPPF'). It is under this that this Statement is prepared and all references to NPPF refer to this iteration of the document, unless stated otherwise.
- 1.5 Vastint are committed to the delivery of their land interests at west Stevenage as set out in the Statement of Common Ground dated January 2018 (Examination Document ED71). The site has been in the planning system for nearly 20 years, with landowners and developers actively participating at the Structure Plan, Regional Plan and Local Plan levels as well as through planning applications and a Call-in public inquiry.
- 1.6 It is imperative that the 2011-2031 North Hertfordshire Local Plan sets a policy framework for land to the west of the A1(M) Stevenage that will ensure the timely delivery of this key housing allocation on non-green belt land, whilst recognising the complexities of delivering such large-scale development that the developers are being required to balance. Its current identification as safeguarded land will provide further certainty to the developers and landowner to achieve this prior to a future Local Plan Review and is in the interests of good and proper planning and in line with the NPPF.
- 1.7 This Statement should be read in the context that land within the jurisdiction of Stevenage Borough Council, under Policy HO2 (Stevenage West) has been allocated for 1,350 dwellings. We are that the developers are actively working on the submission of a planning application, with an Environmental Impact Scoping Opinion sought in September 2019<sup>1</sup>.

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<sup>1</sup> Reference Number 19/00552/SCO

## 2. Response to Matter 22: The supply of land for housing

**22.1 To ensure that the overall housing requirement in Policy SP8 can be delivered, the Council proposes a main modification to reduce that requirement to 14,000 dwellings, to align it with the level of housing the Council considers deliverable from sources previously identified (ie sites proposed for allocation in the Local Plan, windfall sites etc). This is coupled with a commitment to an early review of the Local Plan. In arriving at this position, the Council has considered a number of alternative options, which are set out in its aforementioned note.**

**a) Is reducing the overall housing requirement, and undertaking an early review of the Local Plan, the most appropriate way forward? If not, why not?**

- 2.1 As set out in the Statement of Common Ground between the landowners of land at west of the A1(M) Stevenage at paragraph 24 (Examination Document ED71) *“in the event that the examination of the NHDC plan identifies an unmet housing need or housing shortfall necessitating the identification of additional land for allocation, the landowners reserved the right to make further representation regarding the status of this land.”*
- 2.2 Rather than the reduction in the housing requirement, a reasonable alternative would be to allocate land at the west of the A1(M) Stevenage for development in this Local Plan iteration rather than identify it solely for safeguarding. This would ensure that the Council can meet their housing requirement, as well as provide an additional buffer.
- 2.3 The site has a long history of being identified through the statutory plan-making process as a suitable location for future development, including the Hertfordshire Structure Plan Review 1991 – 2011 (1998) and the East of England Plan 2001 – 2021 (2008).
- 2.4 Planning Permission was granted by the Secretary of State for 3,600 houses in 2009. Our clients acknowledge that this also included land within Stevenage Borough. The permission was the subject of a Judicial Review and remitted back to the Secretary of State on two technical issues; relating to the wording of the section 106 and the absence of a planning condition ensuring compliance with the East of England Plan.
- 2.5 Subsequently, North Hertfordshire District Council and Hertfordshire County Council challenged the Secretary of State’s decision under section 288 of the Town and Country Planning Act 1990. The case was heard before Mr Justice Ouseley at the High Court, with hearing sessions on 22nd, 23rd and 24th March 2011, with the judgment handed down on 20th June 2011. Mr Justice Ouseley quashed the decision, finding the following grounds of challenge sufficient to overturn the decision:
  - Renewable Energy - The East of England Plan contains Policy ENG1, requiring new developments to secure at least 10% of their energy from decentralised / renewable / low-carbon sources. The Councils contended that this had been

ignored by the Secretary of State in reaching his decision. The judge agreed and quashed the decision on this ground.

- Temporary Schools Provision - The unilateral undertaking included provisions for the developers to provide temporary schools provision to serve the development in advance of permanent facilities being built. However, these were subject to a procedure which commenced on the grant of planning permission. Within a fixed time from that date, the County Council had to have carried out certain processes, but these were entirely dependent on submissions from the developers. No such submissions were lodged and hence by the end of the time period stipulated in the undertaking, the County Council had been unable to comply with its obligations. The judge concluded that the Secretary of State had interpreted the undertaking wrongly, and hence the decision was quashed on this ground as well.

2.6 The applications were subsequently referred back to the Secretary of State for reconsideration with the Rt Hon Eric Pickles, the then Secretary of State, confirming in June 2013 that there would be a new public inquiry. However, before this the applications were withdrawn by the applicant, owing to changes in planning regime which would have resulted in substantial amendments to ensure proposals complied with the latest guidance and also developer and landowner agreement had expired together with the financial crises.

2.7 It is clear that there were no technical reasons, such as site access, which prevented the delivery of the site at that time. The site is therefore considered to remain a deliverable site as required by paragraph 159 of the NPPF.

2.8 The adjacent site, which falls within the jurisdiction of Stevenage Borough Council (SBC) has been allocated for development under Policy HO2 of the SBC Local Plan 2011 – 2031. An extract of the Policy HO2 and the proposals map is provided at **Appendix 1**. Policy HO2, allocates the site for 1,350 homes and requires at point (a) that:

*“(a) The applicant can demonstrate that development can be expanded beyond the Borough boundary in the future, into safeguarded land within North Hertfordshire;”*

2.9 Furthermore, previous investigative works and planning applications identified a route from Gunnels Wood Road across the Meadway Playing Fields and is likely to remain the preferred means of achieving this access.

2.10 Our clients note that Policy IT2 of the Stevenage Local Plan 2011-2031 safeguards an access corridor in this vicinity. A feasible access strategy can therefore be delivered.

2.11 In relation to the land parcels within Stevenage Borough Council, our client would bring the Inspectors attention to the following:

- 19/00552/SCO – Persimmon and Taylor Wimpey submitted a request for a Scoping Opinion in September 2019. The Scoping Opinion was for the following development:

*“EIA Scoping Opinion Request in respect of development comprising the construction of approximately 1,350 dwellings in addition to 10,000m<sup>2</sup> of*

*commercial floorspace, a local centre, a primary school, community facilities, open space and associated highway and drainage infrastructure.”*

- 19/00123/FPM – Taylor Wimpey submitted a detailed planning application in February 2019 for the:

*“Erection of 133 dwellings with associated amenity and open space provision, landscaping and access”*

The scheme was presented to committee in December 2019, and granted subject to conditions as per the recommendation of the report.

The application site is allocated in the SBC Local Plan (2019) as forming part of the West of Stevenage Safeguarded Corridor under Policy IT2. This policy states that the areas around Meadway and south of Todd’s Green, as shown on the policies map, are safeguarded. The development has been designed to ensure it accords with Policy IT2 through the provision of a main spine road which could link to a wider development of the area.

- 2.12 It is plain to see that the development of land to the west of the A1(M) is progressing and that it is being prepared in a manner to facilitate the wider delivery of land to the west of the A1(M).
- 2.13 Furthermore, the safeguarded site has already been assessed through the evidence base for the Local Plan. The Sustainability Appraisal considered the site under reference WS1: Stevenage West and identifies at Appendix 8 a series of mitigation options to address the site’s constraints and opportunities.
- 2.14 The assessment of key potential planning constraints and the suitability of the site for development is identified within the Strategic Housing Land Availability Assessment (SHLAA). The SHLAA finds the site suitable, available and achievable.
- 2.15 In terms of the sites proximity to Stevenage and its sustainability. Stevenage itself is a new town, originally developed mainly during the 1950s and 1960s and lying wholly to the east of A1(M). It has now grown to become one of the largest settlements in Hertfordshire and due to the way it has organically grown the majority of the settlements services are located to its west, with the settlements housing provision comprising a semi-circle to the east.
- 2.16 The pedestrianised town centre includes a wide range of modern shops, together with a large modern arts centre, a police station, fire station, bus station and library and all of the other facilities and services that would be expected of a town of this size.
- 2.17 The railway station is to the west side of the town centre, and this is served by the main north-south London-Cambridge railway line. Further to the west of the town centre, between the railway line and the A1(M), are the main industrial and employment areas. These are arranged largely in a long, narrow corridor to the west side of Gunnels Wood Road, south of Meadway and continuing southwards beyond Six Hills Way. On the northern edge of the town, just to the east of Junction 8 on the A1(M) is the Lister Hospital. This is a sizeable and modern General Hospital.

- 2.18 The Site is in proximity to a number of key services and is a sustainable extension.
- 2.19 In a spatial planning sense, the development of land to the west of Stevenage offers the opportunity to balance out the settlement, with residential development circling the entire centre. As a result and in Vastint's considerable experience, it is highly likely that the industrial and offices immediately west of the Railway Station would offer an attractive redevelopment opportunity for a mix of uses, more akin to a town centre location. Policy SP4 (A Vital Town Centre) of the Stevenage Local Plan 2011-2031, promotes the comprehensive and coordinated regeneration of Stevenage Central noting: "...This will provide for in the order of 4,700m<sup>2</sup> of additional comparison retail floorspace, 3,000 new homes and an improved range of shopping, bars, restaurants, leisure, community, civic and cultural facilities. An extended and regenerated train station will be the focus of an enlarged Stevenage Central area, within which six Major Opportunity Areas will be designated to promote distinct mixed-use redevelopment schemes." The rebalancing of the settlement will allow this to become more viable and ensure the policy aspirations are achieved.
- 2.20 Furthermore, and as indicated by the scoping request, 19/00552/SCO the proposals are likely to include provision for up to 10,000sqm of commercial floorspace, a local centre, a primary school and ancillary community facilities. The land west of the A1(M) within the jurisdiction of NHDC would undoubtedly, given the quantum of development, provide the necessary social infrastructure to ensure it is also sustainable in its own right. Vastint will actively look for opportunities to include commercial provision within their proposals to ensure a balanced and sustainable community, which in turn would also support the Council in meeting the unmet employment needs as identified in the Stevenage Borough Council Local Plan.
- 2.21 The NPPF is clear at paragraph 52 noting that:
- "The supply of new homes can sometimes be best achieved through planning for larger scale development, such as new settlements or extensions to existing villages and towns that follow the principles of Garden Cities.*
- Working with the support of their communities, local planning authorities should consider whether such opportunities provide the best way of achieving sustainable development..."*
- 2.22 Our clients submit that the most reasonable alternative to the identification of additional sites would be to identify land at west of the A1(M) for allocation and delivery through this Local Plan, rather than through a subsequent Local Plan Review.

***b) Is the selection of additional land for housing from previously identified sources the most appropriate way forward? If so, why?***

- 2.23 Answered above.
- 2.24 It is our clients view that the most appropriate approach would be to identify land at the west of the A1(M) Stevenage for allocation and green belt release within this Local Plan. This is a clear reasonable alternative and as noted above the site has been

assessed through the evidence base since the commencement of the Local Plan preparation.

***d) Are there any other possible options that would be more appropriate? If so, what are they and why would they be more appropriate than the path suggested by the Council?***

2.25 Answered above.

2.26 It is our clients view that the most appropriate approach would be to identify land at the west of the A1(M) Stevenage for allocation and green belt release within this Local Plan. This is a clear reasonable alternative and as noted above the site has been assessed through the evidence base since the commencement of the Local Plan preparation.

**Appendix 1: Extract of Policy HO2 and Proposals  
Map – Stevenage Local Plan 2011 -  
2031**

Site name	Site specific considerations
The Oval neighbourhood centre	<ul style="list-style-type: none"> <li>● Archaeological and transport assessments will be required.</li> <li>● Flood Risk Assessment required for any development of 1 hectare or more.</li> <li>● Investigate whether previous uses have led to any contamination of site.</li> <li>● Community facilities to be retained or reprovided, or their loss justified.</li> <li>● Open space, including the children's playground, should be retained or reprovided.</li> <li>● No loss in overall levels of parking provision, unless it can be demonstrated that a lower level will still meet the needs of the centre.</li> </ul>

**Table 3 Site specific considerations for housing allocations identified in Policy HO1**

## Policy HO2: Stevenage West

Land to the west of Stevenage, as defined by the policies map, is allocated for the development of approximately 1,350 dwellings.

A Masterplan for the whole site will be required as part of any planning application. The Masterplan must be approved prior to the submission of detailed development proposals for the site.

Development proposals will be permitted where the following criteria are met:

- a. The applicant can demonstrate that development can be expanded beyond the Borough boundary in the future, into safeguarded land within North Hertfordshire;
- b. The development incorporates employment floorspace of 10,000m<sup>2</sup>, in accordance with Policy EC1;
- c. Improvements to existing access routes across the A1(M), via Bessemer Drive and Meadway, are provided, which link effectively into the existing road, cycleway and pedestrian networks;
- d. The scheme is designed to encourage the use of sustainable modes of transport;
- e. An appropriate buffer to mitigate against noise impacts from A1(M) is included;
- f. At least 5% aspirational homes are provided in line with Policy HO9;
- g. Plots to accommodate at least 1% new homes are made available for self-build purposes;
- h. 30% affordable housing is provided in line with Policy HO7;
- i. Provision for supported or sheltered housing is made in line with Policy HO10;
- j. A primary school is provided in line with the most up-to-date evidence of need;
- k. Local facilities to serve the community are incorporated, including a GP surgery, subject to demand;
- l. Sports facilities are provided on-site, in line with Policy HC8, including, but not limited to:
  - i. A skate park or MUGA for children; and
  - ii. Land to accommodate a new cricket facility;
- m. A full archaeological assessment is undertaken;
- n. A full flood risk assessment is undertaken;

- o. The scheme incorporates a network of green infrastructure, with an emphasis on high quality landscaping within and around the development to reduce the impact of the development on the surrounding greenfield / Green Belt land;
- p. Existing Public Rights of Way retained and incorporated, where possible;
- q. The impact of noise pollution from London Luton Airport is mitigated; and
- r. Electric car charging points are provided at an easily accessible location within the site.

It is recognised that the site may be delivered by a number of different developers. In this case, any phase of development would be required to demonstrate that it would enable the delivery of the policy objectives for the development as a whole and those relevant to that phase, and enable an expanded scheme within North Hertfordshire District Council. Community facilities should be provided in a location that allows them to be expanded to meet the needs of the site as a whole.

**9.10** The development site known as Stevenage West was originally released from the Green Belt in the District Plan<sup>(75)</sup> to allow for a large-scale residential-led scheme. This formed part of a wider cross-boundary allocation, which extended into North Hertfordshire. However, the land within North Hertfordshire was never released from the Green Belt.

**9.11** Development on this site has been subject to a long planning history, resulting in the most recent application being withdrawn in 2013. Notwithstanding this, Stevenage West still provides a significant opportunity for development within both Stevenage and North Hertfordshire.

**9.12** The allocation of Stevenage West provides the only opportunity within the Borough to accommodate a new urban extension, without compromising Green Belt land. As such it is crucial in terms of meeting our housing target.

**9.13** The site's close proximity to Gunnels Wood Employment Area also means it offers an ideal opportunity to meet some of our employment needs. A mixed use scheme will be required, incorporating around 10,000m<sup>2</sup> of new employment land. This should be located towards the eastern edge of the site, adjacent to the main access point at Bessemer Drive.

**9.14** A scheme is now being pursued to bring forward this part of the site within the Borough boundary independently from the North Hertfordshire land. This will allow it to be developed at an earlier stage within the plan period and using the existing access points across the A1(M). Further land is likely to be safeguarded by North Hertfordshire to enable the scheme to be expanded beyond the Borough boundary, to provide another 3,000 homes after 2026. Any development proposal will be required to demonstrate that it can be fully integrated with this wider scheme in the future. The approval of a Masterplan will be required prior to the submission of detailed development proposals for the site.

**9.15** Two access points already exist to serve the site, allowing movement under the A1(M) at Meadway and Bessemer Drive. The entrance to the site at Meadway will require enhancements to provide satisfactory vehicular access, but no additional access points will be required at this

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75 District Plan Second Review, 1991 - 2011 (as amended)

POLICIES  
**MAP**  
ADOPTED

2019

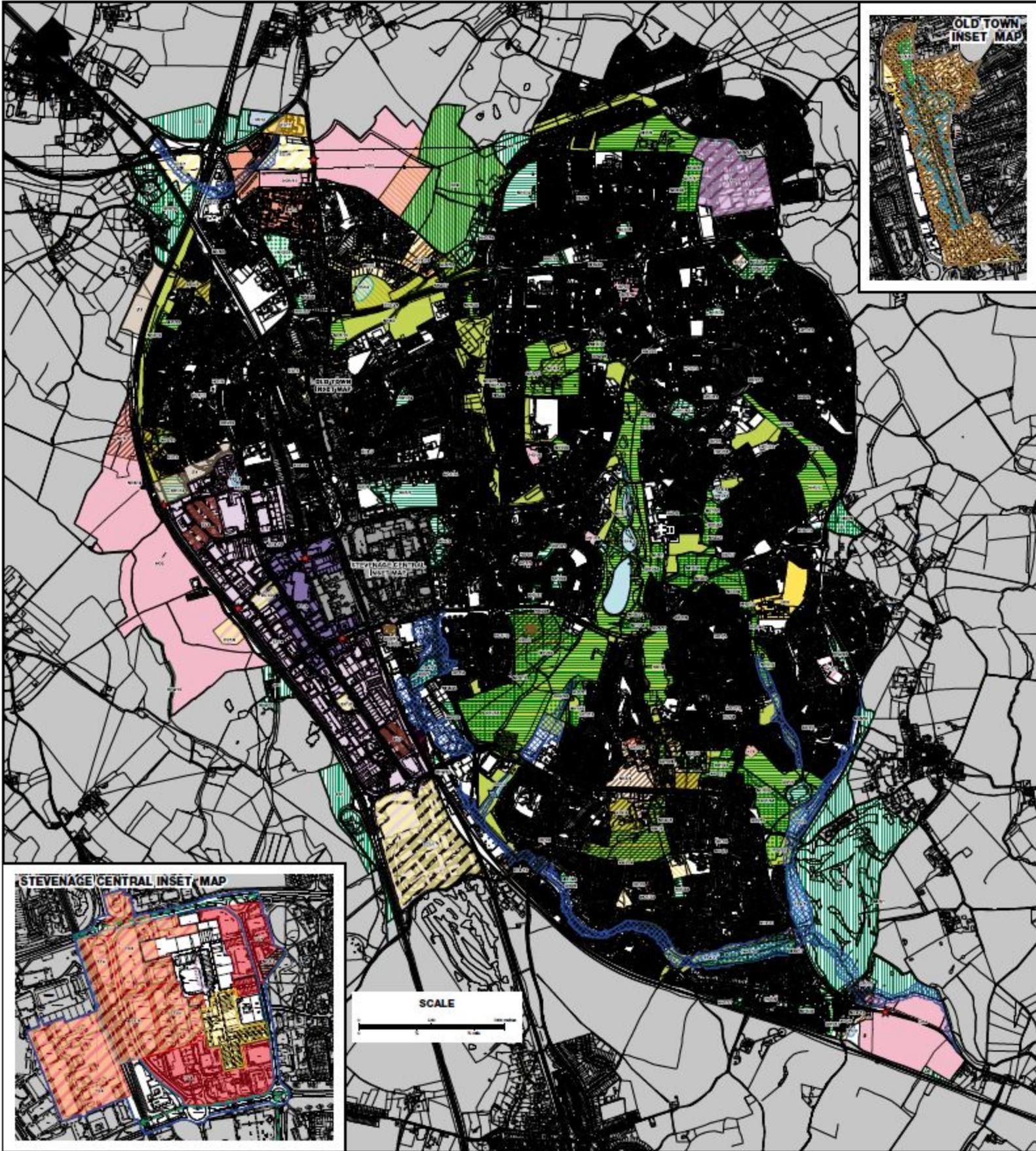
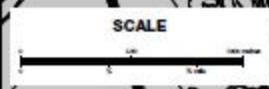
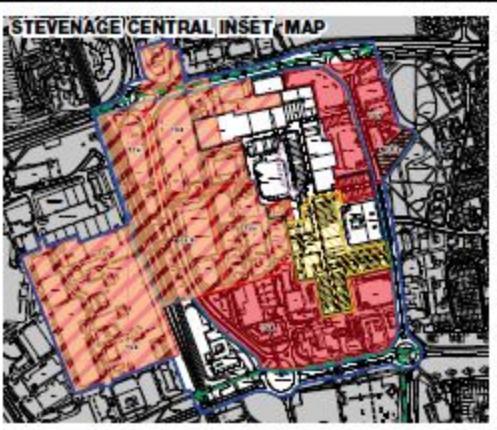
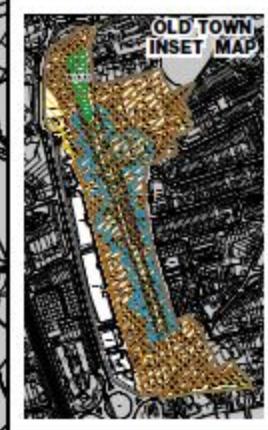
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Denwell House  
Denwell  
Stevenage  
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**LEGEND**

- Chapter 6: A strong, competitive economy**
- EC1 Allocated sites for employment development
  - EC2a Gurnells Wood Employment Area
  - EC2b Gurnells Wood Edge of Centre Zone
  - EC3 Gurnells Wood Industrial Zone
  - EC6 The Green Employment Area
- Chapter 7: A vital town centre**
- TC1x Major Opportunity Areas (TC2 - TC7)
  - TC1 Town Centre
  - TC6 Town Centre Shopping Area
  - TC8 & TC10 Primary Frontages
  - TC8 & TC10 Secondary Frontages
  - TC9 High Street shopping area
  - TC11 New convenience retail provision
- Chapter 8: Infrastructure and transport**
- IT1 Strategic development access point
  - IT2 West of Stevenage safeguarded corridor
- Chapter 9: High quality homes**
- HO1 Housing allocations
  - HO2 Stevenage West
  - HO3 North of Stevenage
  - HO4 South East of Stevenage
  - HO12 Gypsy & Traveller provision
- Chapter 11: Healthy communities**
- HC1 District, local and neighbourhood centres
  - HC5 The Health Campus
  - HC6 New health, social and community facilities
  - HC9 Former Denwell East secondary school
- Chapter 12: The Green Belt**
- GB1 Green Belt
- Chapter 13: Climate change, flooding and pollution**
- FP4 Flood storage reservoirs
- Chapter 14: The natural and historic environments**
- NH1 Principle Open Space
  - NH2 Wildlife Sites
  - NH3 Green Corridors
  - NH4 Green Links
  - NH5 North Stevenage Country Park
  - NH9 Areas of archaeological significance
  - NH10 Conservation area
- Other relevant designations**
- SAM (Scheduled Ancient Monument)
  - Largely Siting's rail depot (HCC Minerals Local Plan Review 2002 - 2010)
  - Flood risk areas (Strategic Flood Risk Assessment)



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