



# **Leverstock Green Village Association Representations**

**St Albans Local Plan  
Proposed Submission (Regulation 19)**

**November 2024**

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***These Representations are prepared and submitted on behalf of Leverstock Green Village Association.***

Leverstock Green Village Association (LGVA) confirms that it wishes to participate in the Local Plan Examination hearing sessions. Given the scale of strategic development proposed at Hemel Hempstead LGVA considers it critical that it has the opportunity to provide further input into the Local Plan Examination process including the hearing sessions to elaborate on its representations, respond to other evidence and arguments put forward as part of the hearings and Examination.

## **1. Introduction**

- 1.1. Leverstock Green Village Association CIO (LGVA) is a registered Charity (Charity No.1172784) whose geographical area of benefit is the ecclesiastical parish of Leverstock Green, a substantial portion of which is on Crown Estate land within the area of St Albans City and District Council. Formed in 1974 the Charity is governed by a Board of Trustees including both democratically elected representatives and nominated representatives of village organisations. The Association's Constitution includes responsibility for the provision and maintenance of a Village Hall, the provision of educational, recreational and leisure time facilities, and the promotion of the benefits and the protection of the interests of village residents, including, inter alia, environmental matters. Arising from this latter responsibility, since there is no civil parish for the area, the LGVA undertakes most planning matters which would normally be carried out by a Parish Council. The Charity converted from an unincorporated association to a Charitable Incorporated Organisation in 2017.
- 1.2. Leverstock Green is an historic and characterful village on the eastern edge of the Hemel Hempstead urban area with open countryside to the east and south. There is documented and archaeological evidence that people lived and worked in the immediate area of Leverstock Green from the time of Roman occupation onwards. Recent research indicates that settlement along Westwick Row may well date back even further to the Iron Age and perhaps the Bronze Age.
- 1.3. In 1949, the Masterplan for the development of Hemel Hempstead New Town stated that 'Leverstock Green should, as far as possible, retain its village character'. Over the last 70 years the village has expanded with a number of housing developments to its present size of about 2,700 dwellings.
- 1.4. Today, Leverstock Green is a dynamic community which has retained its strong village identity, and the residents take great pride in maintaining the character of the village. The Leverstock Green Village Association runs a highly successful and well-appointed Village Hall. The Hall is used by over 40 village and community groups including a playgroup and a theatrical group. The LGVA produces a quarterly newsletter, which is

delivered to all homes, and runs an annual summer fete and winter fayre as well as regular events in the Hall such as quizzes and concerts.

- 1.5. Holy Trinity Church located in the centre of the village is a warm, vibrant and well attended church which is at the centre of village life, and the well-regarded village C of E primary school is rated 'Good' by OFSTED. There is a co-located Day Nursery and Preschool.
- 1.6. The village centre has a parade of quality shops and a Post Office which are well patronised by the community. A community library is located adjacent to the Hall. The LGVA arranges for a display of Christmas lights which is sponsored by local businesses.
- 1.7. Leverstock Green has a number of successful and well supported sports clubs. The Football Club was founded in 1895. The Cricket Club adjacent to the village green was founded in 1908 and the Tennis Club in 1961. All three have thriving club houses. The village has three public houses/restaurants including the historic 'Olde Leather Bottle'. The village has a Scout Group with its own premises and two Women's Institutes.
- 1.8. The proposal to build 2,400 dwellings would almost double the size of Leverstock Green and would subsume the village in an expansion of the Hemel Hempstead urban area. Consequently, the village character of Leverstock Green would be lost.
- 1.9. The community is concerned that St Albans CDC is dismissive of the village character of Leverstock Green and the impact that such a large expansion would have on the village.
- 1.10. LGVA submits the following representations to the Regulation 19 Local Plan consultation.
- 1.11. **LGVA has reviewed the representations prepared by Redbourn Parish Council (RPC) and we endorse these representations as most of the points in RPC makes also apply to Leverstock Green.**
- 1.12. For the purposes of clarification, it is the Association's considered view that the Local Plan is unsound, and the Council has failed to discharge its Duty to Cooperate. The proposed scale and distribution of growth has not been justified, it has not been positively prepared, and the policies are ineffective. LGVA considers that the delivery of growth at the Hemel Garden Communities has not been demonstrated through technical evidence including the Council's Green Belt Review, Infrastructure Delivery Plan (IDP), Viability evidence and Transport evidence.

<b>Policies/ Sections to which this sub-heading relates:</b>			<ul style="list-style-type: none"> <li>- Policy SP1 (A Spatial Strategy for St Albans District)</li> <li>- Policy LG2 (Support for Transformation of Hemel Hempstead)</li> <li>- Site Allocation H4 (East Hemel Hempstead (South))</li> <li>- Policy LG3 (Hemel Garden Communities Growth Areas Place Principles)</li> <li>- Policy HOU6 (Gypsies, Travellers and Travelling Showpeople)</li> <li>- Policy TRA2 (Major Transport Schemes)</li> <li>- Policy LG5 (Green Belt)</li> <li>-</li> </ul>		
<b>Legal Compliance and Duty to Cooperate</b>			<b>Soundness</b>	<b>Yes</b>	<b>No</b>
	<b>Yes</b>	<b>No</b>	Justified		X
Legally Compliant?		X	Effective		X
Satisfies Duty to Cooperate?		X	Consistent with National policy		X
			Positively prepared		X

## 2. Consultation

- 2.1. LGVA is concerned Leverstock Green was not included in the exhibition programme for the new Local Plan. An exhibition was subsequently added after intervention by our local DBC councillors. The event was extremely useful and was well attended by village residents.
- 2.2. We are grateful to the St Albans City and District Council (SADC), Dacorum Borough Council (DBC) and Hemel Garden Communities (HGC) staff for their hard work in setting up and manning the exhibition. The high level of interest shown by local residents indicated there is a great deal of concern and in some cases anger over SADC proposals to build large numbers of dwellings adjacent to Leverstock Green. This concern must not be ignored, and it is vital Leverstock Green residents are kept involved in SADC's proposals.

## 3. Duty to Cooperate

- 3.1. Despite SACDC's attempt to evidence that it has discharged the duty in its Statement of Common Ground (Overarching) (Autumn 2024), there is lack of substantive and up to date evidence that 'active', 'ongoing' and 'constructive' cooperation took place from the start of the preparation of the Local Plan. If further evidence of cooperation were to be submitted by SACDC in the lead up to, or after submission of the Local Plan then this would clearly demonstrate that the Local Plan and its policies were not informed by this engagement – which is, after all, the entire reason for the Duty to Cooperate as explained in the NPPF: *“effective and on-going joint working between strategic policy-*

*making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy”<sup>1</sup>.*

3.2. The SOCG only establishes as common ground with SACDC’s strategic partners: the strategic geography and what comprises the strategic cross-boundary matters. Unfortunately, **the SOCG does not contain any substance on what constitutes the material cooperation between parties on the agreed strategic matters.**

3.3. Furthermore, we would like to highlight the fact that whilst the housing provision proposed at Hemel East will count towards SACDC’s housing requirements, services and infrastructure will be provided DBC within the exiting town of Hemel Hempstead. Therefore, the taxes generated at Hemel East will go to SACDC rather than to DBC. It is our understanding that Hemel East landowners have approach the Boundary Commission about this matter suggesting that the boundary should be redrawn so that the new growth at Hemel East falls within DBC. This would clearly have significant implications for the housing land available for both Councils.

## 4. Sustainability Appraisal

4.1. We have a number of points regarding the Sustainability Appraisal (SA) which are in line with those made by Redbourn Parish Council. The SA is clearly These are summarised below:

- Without a clear understanding about what infrastructure will be delivered, its cost and how it will be funded for the largest growth area of the Local Plan at HGC, how can the SA prepare reasonable alternatives and draw meaningful conclusions to inform decisions in the Local Plan.
- By assuming that the HGC is going to be delivered under all ‘reasonable alternatives’ in the SA, the Plan is placing the entirety of its strategy and plan on the delivery of the HGC. If the Local Plan is found unsound and / or the HGC does not deliver as SACDC predicts (which is very likely) then SACDC and its communities will find itself in the very position it is seeking to avoid – that of unable to defend itself against planning applications due to a lack of housing supply.
- Particularly important for Leverstock Green the SA concludes at Paragraph 5.4.25 that the scale and extent of growth should really be reduced at the southern extent of the allocation, yet they fear the risk of delaying the plan-making timetable. This is clearer a case of SACDC ignoring its own technical evidence in favour of seeking to pursue a quicker plan-making timetable even if this means the Plan will not be found sound.

*“There is feasibly the possibility of reducing the scale/extent of growth somewhat at the southern extent of the area and possibly also at the northeast extent (less clear/significant), but there is no clear case for doing*

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<sup>1</sup> NPPF paragraph 26

*so, and even fairly modest adjustments could lead to a risk of delay to the plan-making timetable”*

- As we set out in our response to Policy LG2 below there are serious concerns regarding the existing air and noise pollution in the area including east of Hemel. The Sustainability Appraisal is very dismissive of this serious threat to human health and what the potential impact is of proposing development closer to the main source of the air and noise pollution – the M1. The SA states the following about this topic which demonstrates that the SA and the Local Plan has not really taken this key matter into consideration writing it off saying that air quality concerns are decreasing over time and focusing on the modal shift assumptions in the transport evidence.
  - *“Hemel Garden Communities – there are two AQMAs at Hemel Hempstead, but these are relatively distant from HGC (associated with north-south road corridors close to the western edge of the town). HGC is considered to be associated with a considerable opportunity in respect of masterplanning in support of trip internalisation and modal shift away from the private car (albeit this remains a focus of ongoing work), plus the A414 strategy / HERT represents a considerable opportunity to address air quality hotspots across the sub-region (for example, Hertford is constrained). However, benefits would be felt in the long term, and air quality concerns are decreasing nationally over time (albeit concerns will remain, particularly in respect of particulates from roads, brakes and tires given the weight of EVs).”* (Paragraph 9.3.2)
  - *“In conclusion, a broadly neutral effect is predicted on the baseline, as per the conclusion in 2023. There is little reason to suggest that the proposed growth strategy will conflict with air quality objectives, particularly noting the location of AQMAs within the District and in surrounding areas. HGC is supported, but there is inherently an element of uncertainty and risk around achieving the high levels of modal shift (away from use of the private car) that are being assumed for the purposes of traffic modelling.”* (Paragraph 9.3.4)

## 5. Overall Timing and Housing Needs

- 5.1. LGVA is concerned that the Regulation 19 Local Plan has been prepared in haste in order to avoid higher housing need / requirements through the proposed NPPF consultation.
- 5.2. We question whether SACDC has used the South West Hertfordshire Local Housing Needs Assessment (September 2020) to arrive at its housing need figure? This study was undertaken four years ago (2020) which is a considerable time ago and should be considered by SACDC to be an out-of-date evidence base document. Policy HOU2 (Affordable Housing) refers to a Local Housing Needs Assessment (LHNA) dated 2019 however this does not appear in the Draft Local Plan Evidence Base on SACDC's website
- 5.3. As we set out in our representations the Local Plan and particularly the Hemel Garden Communities allocations are not backed by sufficient or sound evidence to justify their inclusion in the Plan. Given that HGC is by far the most strategic development in the Local Plan and requires a very significant proposed release of Green Belt, the Local Plan should not be rushed through the way it has. This will only lead to the Local Plan either the Plan being at Examination for an extended period of time due to it requiring quite fundamental modifications to make it sound or it will be found unsound with no potential for its fundamental flaws to be modified leading to its withdrawal and SACDC will need to go back to the start of the process once again.

## 6. Exceptional Circumstances and Green Belt

- 6.1. Leverstock Green is defined by its semi-rural environment with Green Belt to the east, south and southwest of the built-up area. These areas are prime agricultural land which creates a green buffer around Leverstock Green and which needs to be protected wherever possible. The loss locally of such a significant amount of prime agricultural land is considered foolhardy in the current climate.
- 6.2. The Draft Local Plan (both Reg. 18 and Reg. 19 versions) fail to state what 'exceptional circumstances' there are for proposing the Draft Local Plan sites in the Green Belt.
- 6.3. The Green Belt Exceptional Circumstances Evidence Paper gives no evidence of discussions between SACDC and neighbouring authorities regarding meeting development need. It does not include demonstrated evidence of making as much use of brownfield and underutilised land, and there is a lack of demonstration of density optimisation. LGVA contests that the Council has demonstrated examining fully all reasonable options for meeting its identified need for development before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries.
- 6.4. The site was considered as part of the 2014 Green Belt Review which looked at this area in the assessment of Site S2. Figure 1 shows the entirety of the site and highlights Site 2b in yellow as an area recommended as potentially suitable for release.
- 6.5. This area of the site infills development from the built-up boundary of the adjacent urban area up to the M1. The remainder of Policy S6 iii site 'East Hemel Hempstead



(South)' is not recommended for Green Belt release in the Green Belt Review, as a result of the area being constrained by having an open landscape character which would make development visually prominent from both a local level but also from some mid-range views from land to the east of the M1 motorway. The study instead recommends that landscape features, planting and hedgerows should be retained in this area, in order to 'reduce the visibility of any future development from the key transport corridor and wider countryside' (para 4.6.10, Green Belt Review, 2014).



*Figure 1: The yellow area indicates the area of East Hemel Hempstead (South) considered appropriate for Green Belt release with the rest of the site retained as recommended by the Green Belt Review (2014)*

6.6. The Green Belt Review Methodology (Section 4) includes an assessment of settlement area buffer zones. We suspect strongly the Green Belt Review was influenced by SADC to suit the purposes of the draft Plan. Despite Hemel Hempstead qualifying as a 'highest order settlement' with 400m buffer zones, the review uses the presence of the M1 to conveniently justify the removal of the buffer zones from the whole of the East Hemel area. If the buffer zones had stayed in place, the number of dwellings which could be accommodated in East Hemel would be reduced considerably. This would also significantly reduce the HGC ambition to build 11,000 homes. We consider the 400m buffer zone should be applied to the whole of the Site H4 East Hemel (South) (Green Belt Review Sub-Area SA165).

6.7. The 2023 Part 2 Green Belt Review determines that the southern parcels (SA-162, 164 and 165) that all of the parcels perform 'strongly' against the NPPF purposes.

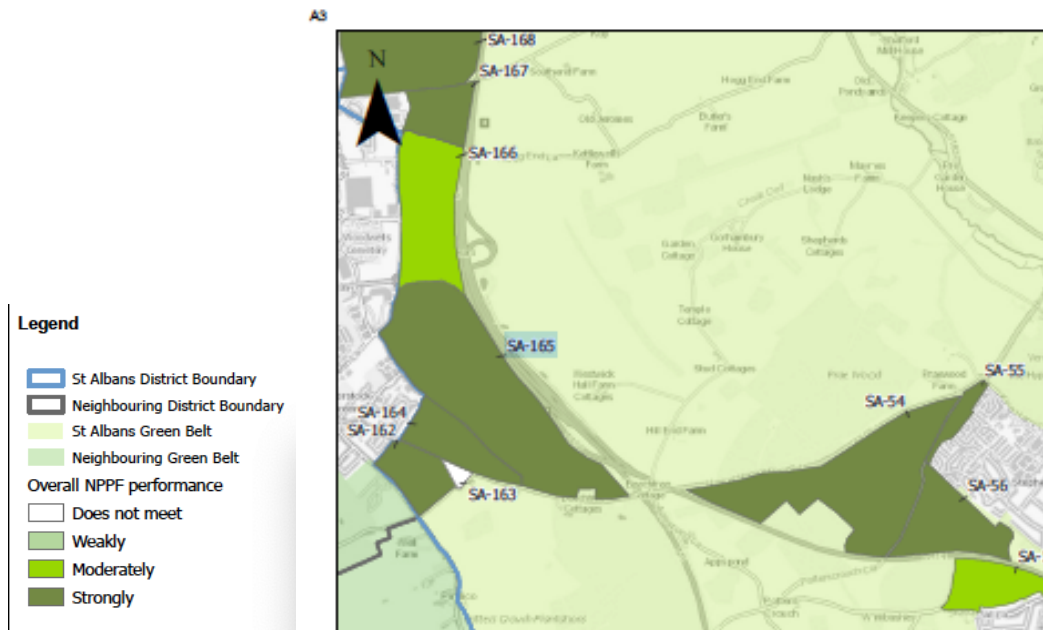


Figure 2: Part 2 Green Belt Review (2023) Figure 5.12 Overall performance against NPPF purposes – South

6.8. The Part 2 Green Belt Review ultimately concludes the majority of the parcels are not considered any further.

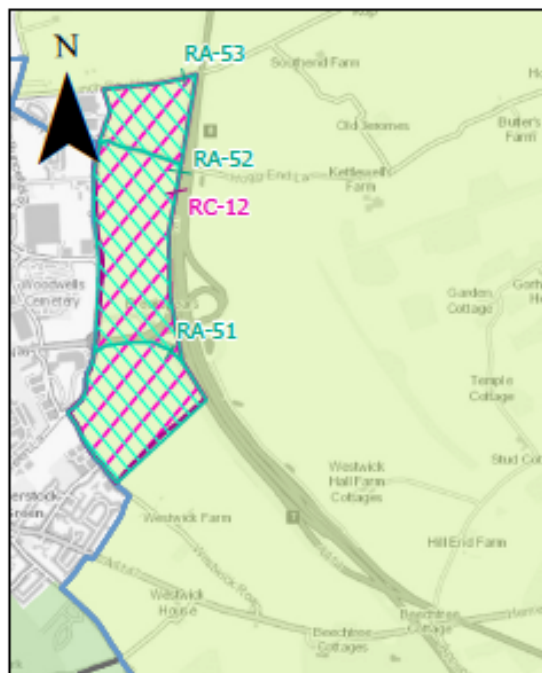


Figure 3: Part 2 Green Belt Review (2023) Figure 5.18 Recommendations - South

6.9. It is therefore perplexing to then see the Local Plan’s allocation proposal to allocate (H4 – see below) the entirety of SA-164 and SA-165 and release the whole of the Green Belt within these parcels apart from the very southern tip.

H4 - East Hemel Hempstead (South), HP2 4PA		
Parish / Ward	St Michael / Verulam	Allocated site boundary
Hectares	142.0	
Proposed use	Primarily residential 2,400 units (indicative) in total (1,940 in Plan period)	
Proforma Ref	Part of M-033	
HELAA Ref	Part of SMR-01-21	
Green Belt Sub Area Ref	SA-162 / SA-164 & SA-165 / RA-51 / RC- 12 (partially)	

Figure 4: Local Plan Part B H4 - East Hemel Hempstead (South), HP2 4PA

6.10. Therefore, exceptional circumstances have not been set out or justified by SCDC and its own Green Belt evidence since 2014 does not support the allocation of the East Hemel South yet SACDC has proposed it for allocation and Green Belt release in any case despite there being a lack of justification to do so.

6.11. **Green Belt Policy LG5:** We question part b) of this policy. It seems to be attempting to open the door for 'New state schools' in the Green Belt and we do not see where this is supported in the NPPF. It also includes "The creation of new transport infrastructure" in the Green Belt yet the wording in the NPPF is in relation to "local transport infrastructure which can demonstrate a requirement for a Green Belt location" and is only 'not inappropriate' in the Green Belt provided that it preserves its openness and does not conflict with the purposes of including land within it. **Policy LG5 is not consistent with national planning policy for the reasons explained above, therefore it is not a sound policy.**

## **7. Policy SP1 (A Spatial Strategy for St Albans District) Policy LG2 (Support for Transformation of Hemel Hempstead) Site Allocation H4 (East Hemel Hempstead (South) Policy LG3 (Hemel Garden Communities Growth Areas Place Principles) Policy HOU6 (Gypsies, Travellers and Travelling Showpeople) Policy TRA2 (Major Transport Schemes)**

7.1. LGVA recognises some additional housing is required and supports modest and proportionate development. However, we object strongly to the sheer scale of the SADC proposals which would envelope and overwhelm Leverstock Green. Despite being part of the Hemel Hempstead urban area since the construction of the new town from the 1940s, Leverstock Green retains a distinct and proud village character and a strong sense of community. Under the proposals, Leverstock Green would nearly double in size and would lose much of the surrounding Green Belt which defines its identity. The character of the village would be changed out of all proportion, and the necessary infrastructure requirements would be unsustainable in a village environment.

### **Hemel Garden Communities**

7.2. We recognise the vision of HGC, but we are concerned there is no comprehensive infrastructure and transport plan to support the proposals. We also have misgivings that such a large-scale project involving two local authorities and multiple other agencies over such a protracted period is deliverable.

7.3. We appreciate the planning is at an early stage, but the task of coordinating all aspects of the HGC will be a major challenge. The timely delivery of infrastructure and particularly roads will be essential.

### **Scale of Housing**

7.4. The plan envisages 2,400 dwellings in the East Hemel South area adjacent to Leverstock Green. This represents 18% of SADC's total requirement. The proposed allocation extends from J8 of the M1 to the point where the A414 and A4147 cross the M1. We believe this area of 142 hectares is inadequate to accommodate over 2,000 dwellings at an acceptable level of density. Moreover, as already explained, the Green Belt Reviews recommends that only the smaller area adjacent to Junction 8 of the M1 should be considered for possible release. This equates to a gross housing density of 17 dwellings per hectare (dph) which does not even factor in the southern tip of the site which is within the allocation site yet is proposed to be retained as Green Belt. We have done a rough calculation of the amount of Green Belt appears to be retained at the southern

tip of the allocation which is approximately 15.3 hectares. The potential developable area of the allocation is reduced from 142 hectares to 126.7 hectares as a result. The gross housing density is then increased to 19 dph.

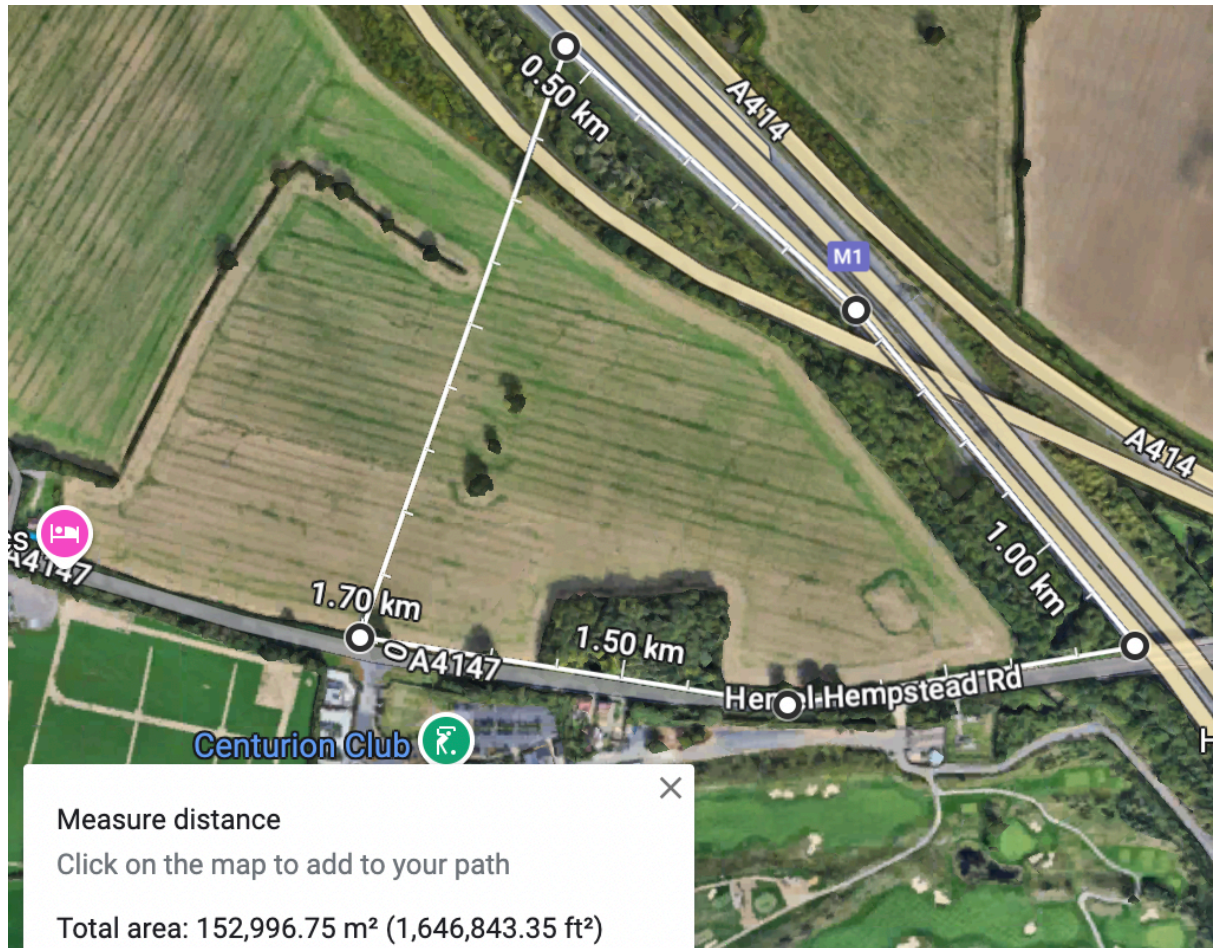


Figure 5: Measurement of Green Belt retained in Allocation H4 - East Hemel Hempstead (South). Source: Google Maps

7.5. As already set out in relation to the Sustainability Appraisal the matter of noise and air quality have not been properly assessed as part of the plan making process. The above gross housing density calculations do not take account of the other parts of the site that will need to be 'netted off' due to other constraints with a key constraint being the M1 which clearly has an air and noise pollution factor that requires considerable mitigation. We have reviewed Defra's 2019 Road Traffic Noise Levels mapping to see what this means for the Local Plan Area given the heavy traffic and congestion in the area including the presence of the M1.

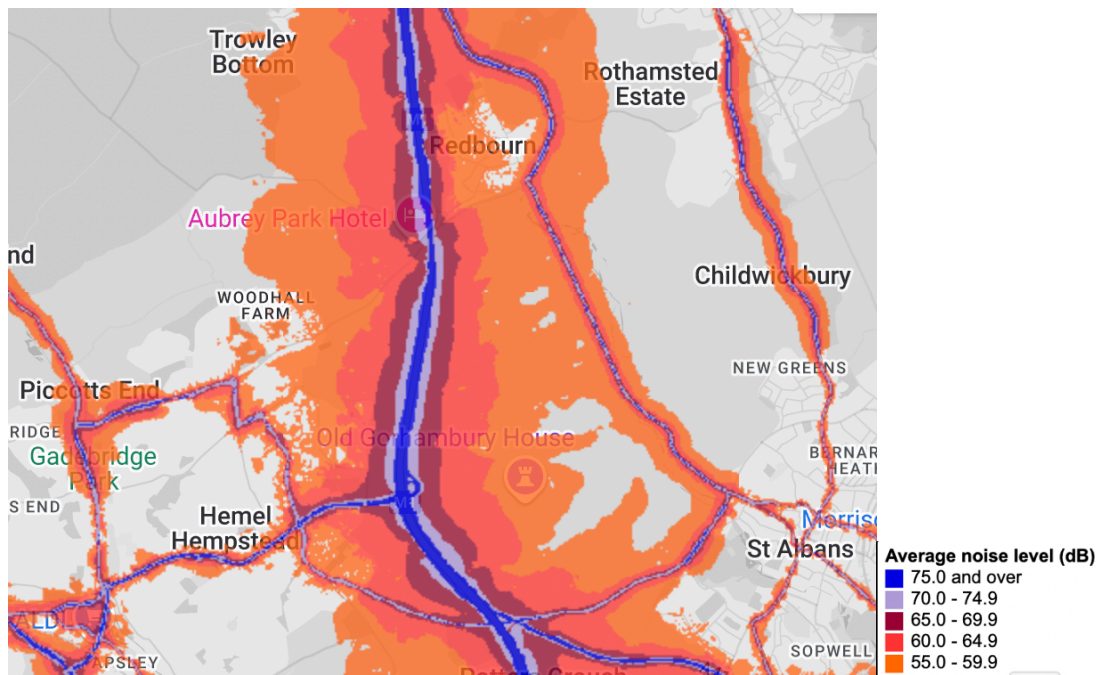


Figure 6: Defra (2019) Road Traffic Noise Levels Lden (day-evening-night) 24 hour annual average noise level in decibels with weightings applied for the evening and night periods Accessed: <http://www.extrium.co.uk/noiseviewer.html>

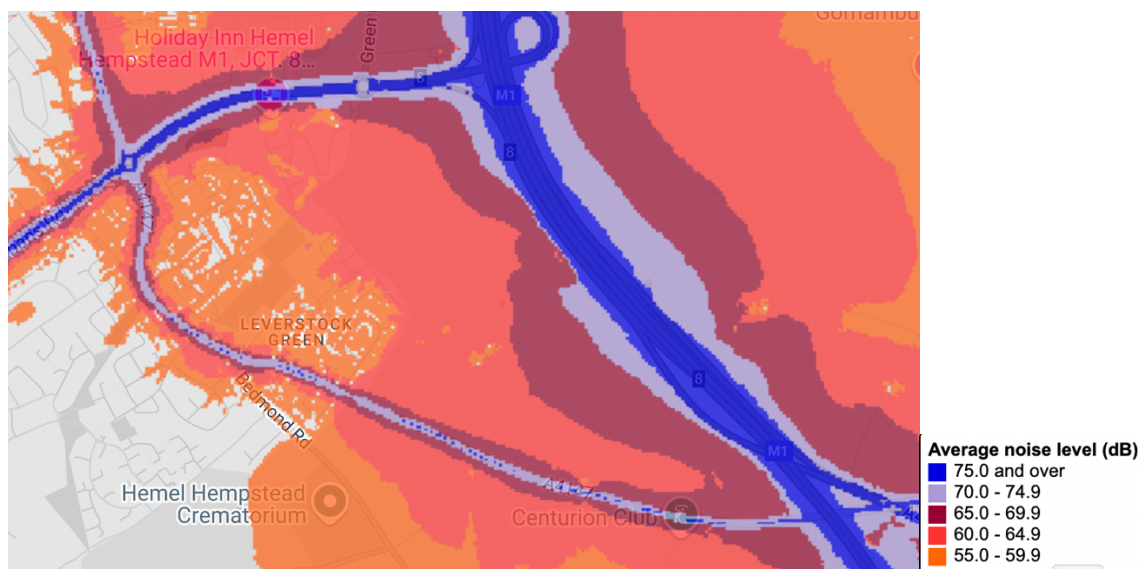


Figure 7: Defra (2019) Road Traffic Noise Levels Lden (day-evening-night) 24 hour annual average noise level in decibels with weightings applied for the evening and night periods. Source: <http://www.extrium.co.uk/noiseviewer.html>

7.6. As one can clearly see from the above mapping the noise levels east of Hemel do not appear to be safe and high density housing and employment in the area is going to further exacerbate this issue. It is very difficult to see how mitigation measures could greatly impact the noise and air pollution from the M1. In any case this area appears to be an unsafe and unsuitable location to allocate strategic housing that is meant to be 'sustainable' when its future residents will be exposed to unhealthy levels of pollution.

7.7. As a consequence of these strategic issues alone, as outlined above, the number of residential units in the H4 area should be drastically reduced, probably to less than 1,000 dwellings.

7.8. The Local Plan Part B Allocation for site H4 includes a number of development requirements which we list below. We seriously question how all of these requirements can fit onto a site when its strategic constraints are considered. We list a number of these requirements below:

- SANG Requirements
- BNG Requirements (aims to exceed 10% minimum target)
- High quality design and buffer zones to mitigate adverse impacts from motorway noise and air pollution and address the Buncefield oil depot and pipelines
- There is a major surface water flow path across the centre of the broad location, and three associated smaller flow paths
- Three extra-care facilities comprising of 70-80 self-contained units in each facility, two 70-80 bed nursing homes and 9 supported living units for people with disabilities.
- One new 3FE and one new 2FE primary schools
- 15-20 pitches for Gypsy and Travellers using best practice on location and design
- Land will be safeguarded for access improvements associated with Junction 8 of the M1 motorway, in case it is required to come forward for junction improvements
- The layout and design of development should minimise any harm to the setting and significance of listed buildings
- Recreation space and other community facilities
- Take appropriate account of these Environmental Constraints: Source Protection Zone (SPZ) 1; Bedrock Aquifer.

7.9. Whilst one could suggest that it will 'all be solved' in the masterplanning work, this is setting the Local Plan up for failure and the delivery of 'over development' on previous Green Belt land.

7.10. Furthermore, LGVA has serious doubts about the sound planning of infrastructure of HGC in terms of SACDC and on cross boundary infrastructure with neighbouring authorities. The Infrastructure Delivery Plan, Housing Trajectory and Viability Evidence provide us with no confidence that there is a coherent and sound plan for the coordination and delivery of the infrastructure to deliver the HGC and the quality of place-making set out in Policy LG3 (Hemel Garden Communities Growth Area Place Principles).

**7.11. LGVA has reviewed the representations prepared by Redbourn Parish Council (RPC) and we endorse these representations as most of the points which RPC make also apply to Leverstock Green.**