



Alison Hannah  
 St Albans and District Footpaths Society  
 3 Avenue Road  
 St Albans, Herts  
 AL1 3QG  
 Email: stalbansfootpaths@gmail.com  
 24<sup>th</sup> September 2023

## **St Albans, Draft Local Plan 2041, Regulation 18 Public Consultation**

### **Detailed Comments from St Albans and District Footpaths Society**

St Albans and District Footpaths Society (SADFS) is a local charity, whose objectives are to work for and assist in:

- Providing, preserving and protecting Public Rights of Way (PROW) over footpaths and other ways in St Albans and adjoining areas and
- Preserving and enhancing the beauty of the countryside for the benefit of the public

We welcome the commitments in the Plan to encourage the use of active and sustainable means of transport and to protect, maintain and enhance the natural environment. We also welcome the commitment set out in Strategic Policy SP1, setting out the role that footpaths and rights of way play in providing and improving access to the countryside. However, there are aspects of the Plan that we feel should be strengthened to ensure these commitments are implemented in reality when delivering the Plan and we set out our comments below.

#### **Priorities**

Our green spaces and network of lanes and paths are protected to a large extent because the land is designated as Green Belt. While the Plan does specify that it will protect the Green Belt by prioritising development on brownfield areas first, and to protect and enhance the Green Belt, we take the view that there should be an explicit statement in the Local Plan Objectives section to protect the Green Belt to the maximum extent possible, as this is such an important factor in making St Albans such a great place to live and work.

#### **Strategic Policy SP1:**

##### Compensation and Mitigation

We support a strategic level policy for compensatory improvements. In particular, we support better access to the countryside via new and improved rights of way, new and improved habitat connectivity and significantly improved infrastructure for walking and public transport.

#### **Strategic Policy SP2:**

With regards to requirements d) and f) the use of sustainable and active transport modes, including walking, will only be encouraged if appropriate infrastructure is provided. This infrastructure will only be implemented if it is required by more detailed policies and requirements.

#### **Strategic Policy SP3:**

- 1) The Green Belt is very important for the St Albans district. It is highly valued by its residents and is one of the major reasons why it is a “great place to live and work”. It

must be defended. This policy does not provide an adequate defence of the Green Belt, and should be strengthened. The Council should start with the policy that it will protect the Green Belt from inappropriate development and will only change the Green Belt boundaries where there is very strong evidence that this is necessary.

- 2) The supporting infrastructure, including facilities for walking is necessary. This infrastructure will only be implemented if it is required by more detailed policies and requirements being defined.

#### **Policy LG1:**

- 1) We support the masterplan approach and request the Council to include representatives of organisations representing cyclists, walkers and horse riders in the list of stakeholders who will be consulted. SADFS will be pleased to participate in any discussions, possibly through the St Albans Access Forum (SAAF<sup>1</sup>).
- 2) We support the need for excellent walking links. The policy in sub paragraph l) is weak. There is no definition within this plan of the sort of links which are required or the places which should be linked.
- 3) The policy contains no provisions that will ensure that facilities such as walking links will be available to the public in perpetuity. The new dwellings will be permanent, therefore the links should be equally permanent. In particular, there are no requirements that new links will be Public Rights of Way required to deliver the “new and improved rights of way” included in the Green Belt Compensatory Improvements Strategic Policy SL1, Spatial Strategy.

#### **Policy LG3:**

- 1) We support the masterplan approach and request the Council to include representatives of organisations as described under Policy LG1.
- 2) In Pillar 1 – Green Network, we support the need for delivery of the HGC Green Loop / Quietway, improvements to the Nickey Line, and greenways.
- 3) The eastern boundary of the Hemel Garden Communities is the M1. Much of the proposed development will be close to this boundary. The nearest open country will be east of the motorway. There are only four places where walkers can cross the motorway to access the footpath network in this area. They are from north to south:
  - The Nickey Line
  - Punch Bowl Lane
  - Hogg End Lane
  - St Michaels Rural FP03, crossing the M1 bridge at junction 8.

Punch Bowl Lane and Hogg End Lane are both very quiet roads with no footway. They provide essential links between a network of north-south Public Rights of Way. At present both lanes have very little vehicular traffic and are safe for walkers. Both lanes will inevitably become busier. The Local Plan must include policies which ensure that measures are taken to ensure that walkers can continue to use these routes safely. See also our comments on policy TRA1.

---

<sup>1</sup> The St Albans Access Forum (SAAF) comprises representatives from the Open Spaces Society, the Ramblers, SADFS, the St Albans Cycling Campaign and the British Horse Society plus officers from HCC Rights of Way Service and the Landscape Architects office of the district council

M1 junction 8 is to be modified. It is essential that the Local Plan contains policies which will safeguard the Public Rights of Way at this junction.

The future of the Nickey Line needs to be clarified.

- 4) The development will be permanent. The new infrastructure should be equally permanent. There is nothing in this policy which will ensure that the new routes will be available to the public in perpetuity. The best way to ensure that routes are permanent is for them to be either adopted by the highway authority or dedicated as Public Rights of Way. There are no policies in this draft plan to encourage these outcomes.

#### **Policy LG4:**

- 1) We support the masterplan approach for large sites and major developments and request the council to include representatives of organisations as described under Policy LG1.
- 2) We support the need for excellent walking links. There is no definition within this plan of the sort of links which are required or the places which should be linked.
- 3) The development will be permanent. The new infrastructure should be equally permanent. There is nothing in this policy which will ensure that new routes will be available to the public in perpetuity. The routes should be either adopted by the highway authority or dedicated as Public Rights of Way.

#### **Policy LG6:**

- 1) We support the need for the measures in paragraphs a) b) and c) but the following details need to be changed:
  - In paragraph a) sub paragraph v). The requirement should be for “new **and** enhanced” walking and cycling routes.
  - In paragraph a) sub paragraph vi) The requirement should be for “Improved access to new, enhanced **and** existing recreational and playing field provision”.
- 2) We support the need in paragraph d) to maintain any Rights of Way across/ through the site but the proposed guidance is unsatisfactory.

The guidance proposed by the Rights of Way Review Committee referenced by the OSS (Guidance Note 6) should be adopted in this plan. This guidance recommends that where the path is not enclosed footpaths should have a minimum width of 2m and bridleways and byways 3.5m. If the route is to be enclosed by fencing, hedging or buildings then footpaths should have a minimum width of 4m and bridleways and byways 6m. Adults with a buggy and a toddler should be able to pass each other.

The diversion conditions proposed in paragraph d) of this policy are very different from those proposed in SP8 paragraph g). The policy for the diversion of rights of way and other walking, cycling and equestrian routes should be consistent throughout the plan.

- 3) We support the requirement in paragraph e) However the policy should be amended to “Ensure access to adjacent **and nearby** Rights of Way are facilitated in a safe and direct manner and maintain linkages through good design”.

- 4) This policy should ensure that new routes will be available to the public in perpetuity and that routes are either adopted by the highway authority or dedicated as Public Rights of Way.

#### **Policy EMP2:**

If this development goes ahead, we support

- The requirement to deliver all the public benefits set out in the 2014 planning permission
- The intention to leave the Green Belt boundaries unchanged until the development is complete.

#### **Policy EMP4:**

This policy provides open ended unqualified support for any development on these sites and provides no protection for any existing public access. This is unacceptable.

- The public right of way Harpenden FP10 crosses the Rothamsted Research site.
- The Building Research Establishment (BRE) is committed to provide public access through conditions and obligations arising from the recent housing development on its land (Permission 5/2017/1550).
- There is a public right of way St Michaels Rural FP03 which crosses the proposed new Hemel Hempstead employment area.

This policy needs to be amended to protect the existing public access and provide appropriate mitigation if this access is impaired. These measures need to be similar to those proposed in other policies in this plan. See policies LG6 and SP8.

#### **Policy TCR4:**

Paragraph 6.17 recognises that the villages, rural areas and natural environment bring visitors to the district and that these visitors contribute to the local rural economy and support local businesses and jobs.

The Public Rights of Way network is an important factor in attracting walkers from London and the South East and provides valuable income to local pubs, shops and cafes. To retain these visitors, it is important that the network of safe routes is maintained and where possible enhanced. This is particularly important where narrow lanes become too busy for non-motorised users. Improvements will be needed to ensure walkers can safely use the carriageway and there are safe crossing points where these routes cross busy roads.

#### **Policy COM1:**

New schools, extensions to existing schools and new and extended school playing fields may be on sites crossed by Public Rights of Way, or close to them. It is important that these routes should be retained and enhanced and that any diversions are acceptable. The sites for these facilities may not be removed from the Green Belt by this plan in which case the provisions of policy LG6 will not apply.

To ensure that the rights of way network is protected this policy should include measures similar to those proposed in other policies in this plan. See comments on policies LG6 and SP8.

### Strategic Policy SP8:

- 1) We support the intention to prioritise the use of active and sustainable transport modes and deliver accessibility improvements to the transport and highways network.
- 2) It is important that these improvements include not only utility journeys to schools, shops, transport hubs and places of work but also leisure journeys to parks, open spaces and into the wider open countryside.
- 3) Paragraph a) states that the Council will take account of the County Council Local Transport Plan and “supporting documents as relevant”. One of these supporting documents is the County Council’s Rights of Way Improvement Plan (ROWIP) which is a statutory requirement of the Countryside and Rights of Way Act 2000. The plan should include specific reference to this document.  
There should be a reference to the ROWIP in paragraph 8.7 and, in paragraph a) of this strategic policy, after “supporting documents as relevant” add “including the Rights of Way Improvement Plan (ROWIP)”.
- 4) Paragraph g) recognises the fact that there are many important walking routes which are not recorded as Public Rights of Way. This would be made clearer by adding the words “and other” before “walking and cycling networks and equestrian routes”.
- 5) Paragraph g) also includes a requirement that diversions should satisfy “the council and the relevant highway authority”. Neither the planning authority nor the highway authority have powers to confirm a diversion when there are outstanding objections and the order must be referred to the planning inspectorate for resolution. Any diversion of a Public Right of Way for development reasons must also be likely to avoid reasonable objections from the general public.
- 6) The diversion conditions proposed in paragraph g) are very different from those proposed in paragraph d) of policy LG6. The policy for the diversion of rights of way and other walking routes should be consistent throughout the plan.
- 7) In paragraph h) we support the need to safeguard inter-settlement connectivity for active modes and identifying and delivering new routes. This statement should be strengthened to **Protecting** existing inter-settlement connectivity.
- 8) There are a number of routes which are not recorded as Public Rights of Way but which the Council undertakes to safeguard. These should be listed in this plan, including (but not restricted to):
  - All the former railway routes
    - The Alban Way
    - The Nickey Line
    - The Ayot Greenway
    - The Lea Valley Line
  - The non-definitive sections of the River Ver Walk, such as
    - Between Holywell Hill and Cottonmill Lane
    - Riverside Walk between Smug Oak Lane and Drop Lane
  - The Camp footpath and cycleway

**Policy TRA1:**

- 1) In paragraph a) i) safe and suitable access must include walkers.
- 2) Paragraph a) ii) requires a demonstration that the development will “not lead to highway safety problems or cause unacceptable impacts on the transport network”. This should include the impact of increased traffic on narrow lanes with no footway which are essential links for non-motorised users of the highway network.
- 3) Paragraph b) iv) calls for safe, direct and convenient routes for active journeys. It is important that these routes are continuous and include safe crossings where they cross busy roads.
- 4) In paragraph b) x) schemes in the ROWIP should be added to the Local Cycling and Walking Infrastructure Plan (LCWIP), to ensure consistency.
- 5) The new routes which are provided to key destinations must be available to the public in perpetuity. This will only be guaranteed if they are adopted by the highway authority or dedicated as Public Rights of Way.

**Policy TRA2:**

- 1) Paragraph a) i) - Schemes identified in the ROWIP should be added to those in the LCWIP.
- 2) Paragraph a) ii) – Enhancements to junction 8 of the M1 must maintain an active travel route across the M1 and should include improvements to the Public Rights of Way network immediately to the east of the junction.
- 3) Paragraph b) – The overall Strategic Rail Freight Interchange (SRFI) scheme including its country park provides some strategic multi-user routes which are important for sustainable travel. It will be necessary to make some enhancements to the surrounding network if the full benefit of these multi-user routes is to be realised.

**Green Infrastructure**

We welcome the recognition in paragraph 10.4 that the natural environment is fundamental to people’s health through its everyday use for recreation, sports and leisure.

**Strategic Policy SP10:**

We support the requirement in paragraph a) to connect and enhance connections to green infrastructure including footpaths, bridleways and other rights of way. The “where appropriate “condition is weak and it should be “where practicable”. To ensure that these connections are permanent they should be dedicated as Public Rights of Way.

**Policy NEB4:**

The Ayot Greenway and Lea Valley Lines need adding to the list of Key Linear Green Spaces.

**Policy DEB 5:**

We support the policy in paragraph g) to improve public access to watercourses and waterbodies where feasible. This may require new Public Rights of Way.

**Strategic Policy SP11:**

Most of the district's network of rights of way and country lanes have existed on their current routes for centuries. They represent the routes by which people went to work, to school, to church and to market. They can be found on some of the earliest maps. They are as much an element of our heritage as the items listed in paragraph 11.4. They should be given a similar level of protection as the designated heritage assets and there should be a presumption in favour of their retention conservation and enhancement whenever practicable.

**Policy DES2:**

We support the requirement in sub paragraphs a) and b) for:

- Legible and easily navigated routes designed for all users and make appropriate links to existing movement routes
- Priority for pedestrian and bicycle movements.

**Strategic Policy SP13:**

We support the requirements in sub paragraphs a) and g) for improved walking infrastructure, as above.

**Glossary:**

The ROWIP should be referenced in the Glossary.

Alison Hannah  
Chair  
St Albans and District Footpath Society