

Standing up for Hertfordshire's countryside

Tom Donovan
Planning and Building Control
North Hertfordshire District Council
Council Offices
Gernon Road
Letchworth Garden City
Herts SG6 3JF

Our Ref:

Your Ref:

14th March 2018 (by email)

Dear Mr. Donovan,

Application No. 17/04382/FP

Erection of five x 3 bed and one x 2 bed detached dwellings and associated road, paths and landscaping on land at 1A High Street Graveley Hitchin Hertfordshire SG4 7LE

CPRE Hertfordshire objects to this application for inappropriate development in the Green Belt. Despite minor modification to the number of houses and consequently the layout, in principle this application is a resubmission of Application 17/01332/1 which was subsequently withdrawn.

In our response to 17/01332/1 we argued that this site was not, as claimed by the applicant, a previously developed site and consequently needs to be considered against the Green Belt policies in the National Planning Policy Framework, the current North Herts Local Plan and the Submission Local Plan. We are pleased to note that at para 5.2 of the Planning, Design and Access Statement the applicant now acknowledges that the site is not previously developed land and that Green Belt policies apply.

As a consequence the applicant puts forward a case for very special circumstances sufficient to overcome the harm to the openness and other harm to the Green Belt. Unfortunately, in our view that case is invalid. They state at para. 5.41 of the PD&A statement that "*The proposed residential development of the site, in this instance, would represent 'very special circumstances'.*" In other words, the application itself represents its own very special circumstances, which is a nonsense.

It is premised on the fact that the existing, lawful use of the land is unsightly and its replacement with 6 housing units would improve the view. The aesthetics of the existing use compared to the proposed dwelling is not a relevant planning consideration.

The statement in para. 6.3 of the PD&A statement is that "*The proposal will effect a marked improvement to the character and appearance of the site and reduce the impact of the site on the openness of the Green Belt.*" This is not true. The existing use involves no permanent structures on the site and the current use (storage of scaffolding) is itself temporary in nature. The erection of six dwellings would result in permanent harm to the

openness of the Green Belt. As was found in the case of Lee Valley Regional Park Authority v. Epping Forest D.C. (EWCA Civ 404) : “The concept of ‘openness’ here means the state of being free from built development, the absence of buildings - as distinct from the absence of visual impact.”

The Applicant cites two precedents. Neither is directly comparable to this application. The case north of Jacks Hill presented a valid case for very special circumstances. The fact that it was approved does not then make it a precedent for this case. The storage buildings at the Codicote site were permanent structures, making the site legitimately previously developed land, which this site is not.

In our response to the previous application we pointed out that development of this site, taken together with the proposals for development in the emerging Stevenage Local Plan would result in the merging of Stevenage and Graveley, contrary to the purposes of Green Belt policy and, in a purely local context, result in ribbon development along Graveley Road.

We consider that this application should consequently be refused.

Yours sincerely,

David Irving