

Standing up for Hertfordshire's countryside

Marie Laidler
Planning and Development
Broxbourne Borough Council
Bishop's College
Churchgate
Cheshunt
EN8 9XQ

Our Ref:

Your Ref:

21st March 2018 (by email)

Dear Ms. Laidler,

Application No. [07/18/0147/F](#)
Erection of 6 new four bedroomed detached dwellings
At Brookwall Nursery, St James Road, Goffs Oak, Hertfordshire EN7 6TR

CPRE Hertfordshire opposes this proposal for inappropriate residential development in the Green Belt.

In the Design and Access Statement accompanying the application the applicant justifies the development by claiming that the proposal is for infilling within the village of St. James and, by implication, that the site is previously developed land. This view is based on the bullet points in paragraph 89 of the National Planning Policy Framework which state that limited infilling in villages or the partial or complete development of previously developed sites is not inappropriate. However, the applicant omits the last part of the paragraph which states " which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development."

This site has been clear of development for many years. As the documentation accompanying the application makes clear the remains of the permanent structures or fixed surface structures have blended into the landscape in the process of time. This is apparent from even a cursory look at the site. Consequently, under the definitions included in the NPPF, it can no longer be considered as previously developed land. Any development of the site would have significantly greater impact on the openness of the Green Belt than the existing use.

In our view the site does not sit within the village of St. James. As the applicant rightly states in the Design and Access Statement (para.5.3), *Wood v. Secretary of State (EWCA Civ.195)* determined that it is the boundary of the village **on the ground** which must be assessed in determining whether or not the site would constitute infilling within the village. In this case it is clearly not. When exiting the village on St James Road, heading west, the last visible dwellings on the left are those in The Asters and to the right the three large gated houses beyond the access road to Laurel Bank Farm. Pedestrian footways on either side of the road cease at this junction. Once past it, the buildings used for the hand car wash business on the left appear to be outside the village and the entire right hand side

consists of hedgerow. The mobile homes on the site adjacent to the application site cannot be seen from the road. The impression is of a country lane. Consequently, the proposed development would appear as an enclave of housing beyond the perceived boundary of the village and would have the effect of pushing the built environment further into the Green Belt.

The applicant recognises that the site is within the Green Belt and, as such, 'very special circumstances' need to be demonstrated which outweigh the resulting harm which the development will cause to the openness and other harm to the Green Belt. However the applicant puts forward only one 'very special circumstance': The Council's inability to demonstrate a 5 year housing supply.

In earlier consideration of the Council's subsequently withdrawn Core Strategy the Inspector concluded that: *"At present sufficient urban sites have been identified to meet housing needs without the release of Green Belt land in the first five year period."*

Para. 044 of National Planning Practice Guidance makes it clear that Green Belt policies take precedence over housing and economic needs and that lack of a 5 year housing supply is not, in itself, a very special circumstance. In addition the recent Supreme Court judgement (Suffolk Coastal DC v Hopkins Homes Ltd. (2017 UKSC 37)) has clarified that existing Local Plan policies which are designed to protect the Green Belt retain substantial weight despite lack of a 5 year housing land supply.

As mentioned above, the existing pedestrian footways currently cease at the junction with the Laurel Bank Farm access. Consequently it would be impossible for pedestrians, the disabled or the elderly to safely access the village. Because of the lack of verge, and other land ownerships on the same side of the road as the proposed development, it would be necessary for any footway to be constructed on the other side of St. James Road, necessitating those users to cross the road, which is not ideal. Should the Council be minded to approve the application, this issue will need to be resolved.

We urge the Council to reject this application.

Yours sincerely,



David Irving