

Standing up for Hertfordshire's countryside

Ms. Chenge Taruvinga
Planning and Development
Broxbourne Borough Council
Bishop's College
Churchgate
Cheshunt
EN8 9XQ

Our Ref:

Your Ref:

1st May 2019 (by email)

Dear Ms. Taruvinga,

Application No. 07/19/0306/O
Outline Planning for demolition of existing building and erection of 26 dwellings and provision of 66 car parking spaces with means of access and layout, appearance, landscaping and scale being reserved matters
At Brookwall Nursery and Woodham Nursery, St James Road, Goffs Oak, Hertfordshire EN7 6TR

As stated in the Design and Access Statement accompanying the application, this is an extension of Applications 07/18/0147/F and 07/18/0798/F for the Brookwall Nursery site which the council refused in 2018. The proposed site has now extended to include the former Woodham Nursery adjoining.

Neither of the two parts of the combined site have been included in the sites proposed for housing in the submission Local Plan which is currently subject to Examination in Public and are clearly outside the settlement boundary of St. James village as shown on Inset Map 2. Consequently both sites remain within the Green Belt.

It is claimed that the site constitutes previously developed land. This view is based on the bullet points in paragraph 145 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 provided that they would not have a greater impact on the openness of the Green Belt.

Both sites have been clear of development for many years. In the case of the Brookwall part of the site, 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 NPPF 2018, it can no longer be considered as previously developed land. It is fatuous to say that removing the existing vegetation would reveal a "stark hard scarred surface". (para 6.20 of the Design an Access Statement).

Any development of the site would have significantly greater impact on the openness of the Green Belt than the existing uses. In our view the site does not sit within the village of St. James. *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 Farm. 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 proposal needs to be considered as a 'windfall' site 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.

Two very special circumstances are put forward. One is the provision of affordable housing, but the Council will have to consider whether this is sufficient to outweigh the substantial harm to the openness of the Green Belt.

The other argument is that the Council is unable to demonstrate a 5 year housing supply. 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 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.

Consequently, on balance, we consider that this proposal does represent inappropriate development in the Green Belt and urge the Council to reject it.

Yours sincerely,

David Irving