

**Standing up for Hertfordshire's countryside**

Dipanwita Chatterjee  
Planning and Building Control  
St. Albans City and District Council  
St. Peter's Street  
St. Albans  
Herts AL1 3JE

Our Ref:

Your Ref:

8<sup>th</sup> May 2019 (by email)

Dear Ms Chatterjee,

**Application No. 5/2019/0520**  
**Outline Application (all matters reserved) Construction of three, three bedroom dwellings. (Resubmission following withdrawal of 5/2018/2171)**  
**On land at Woodbury Manor, Lye Lane, Bricket Wood, Hertfordshire AL2 3TW**

CPRE Hertfordshire continues to object to this application for inappropriate development in the Green Belt, which is contrary to the Green Belt policies in the National Planning Policy Framework and saved Policies 1 and 8 of the current St. Albans Local Plan. These policies require the applicant to demonstrate very special circumstances sufficient to outweigh the harm to the Green Belt by inappropriateness or other harm.

We have reviewed the case law referred to in the Design and Access Statement and conclude that this does not impact on the points which we made in our objection letter to application no. 5/2018/2171.

On page 3 of the Design and Access Statement it is stated that "*The site is beyond the village boundary*" The applicant later argues that as the site is not in a built-up area, then it does not fall into the exclusions regarding previously developed land contained in Annex 2 of the NPPF. However, in the conclusions on page 9 it is stated that "*We feel that the site is within the settlement area of Bricket Wood*". The applicant cannot have it both ways. On Local Plan proposals map 3 the site is clearly shown as being outside the settlement boundary.

The DAS also refers to the case of Woods vs. Secretary of State (2015 EWCA Civ 195) and the need to assess on the ground whether or not the site appears to be part of the village and/or is an infill site. We have done so: the site does not appear to be an integral part of the village, is concealed behind the properties on Meadow Close and cannot be seen at all from Lye Lane or Black Green recreation ground.

Reference is made on page 5 of the DAS that the Council's adopted planning policies are not up to date under the terms of the NPPF. However 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 even if the

Plan is out of date. 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.

We acknowledge the intention to design the development to high environmental standards, but on the information provided do not consider that the proposals are “*truly outstanding or innovative.*” The quality of the buildings is an aesthetic point on which the Council will have to make a judgement.

The site is currently heavily wooded. The DAS repeatedly states that no trees will be lost to the development. However the proposed site plan shows only four trees adjacent to the properties and none at all in the rear gardens or along the boundary. Again, the applicant cannot have it both ways.

The introduction to the DAS says that “*the site currently contributes little to the value of the townscape, being almost completely screened by trees, shrubs and fencing.*” We do not agree. It is precisely the dense tree belt which acts as a buffer between the site and the properties in Meadow Close and also screens it from the recreation ground to the south-east. Assuming the site layout plans to be correct, the development will be opened up to the rear of the single storey bungalows in Meadow Close. The proposed dwellings are larger than the bungalows in Meadow Close and with substantially higher roof ridges. Consequently the proposed development would be clearly visible from both Meadow Close and the recreation ground. As a result, it would have an adverse impact on the openness of the Green Belt.

We urge the council to reject this application.

Yours sincerely,

David Irving