

Standing up for Hertfordshire's countryside

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

Our Ref:

Your Ref:

26th June 2019 (by email)

Dear Ms. Sexton,

Application No. 5/2019/0981

**Construction of two, five bedroom, one, three bedroom and one two bedroom dwellings
with associated parking, landscaping and engineering works
On Land at Fairshot Court, Woodcock Hill, Sandridge, Hertfordshire**

CPRE Hertfordshire object to this application for inappropriate residential development which will impact on the openness of the Green Belt contrary to the Green Belt policies in the current and emerging St Albans Local Plans, and the National Planning Policy Framework. We concur with the views expressed by the Applicant regarding the weight which can currently be placed on the existing and emerging Local Plans, but that does not negate the principles embodied in them.

Under both the National Planning Policy Framework and the Green Belt policies in the current St Albans Local Plan, the applicant is required to demonstrate very special circumstances sufficient to outweigh the harm to the openness of the Green Belt. No very special circumstances are presented.

We do not agree with the conclusion in the Planning Statement accompanying the application that “ *the application site is unequivocally within the village of Sandridge, represents infill development and is of an appropriate ‘limited’ scale.*” (para 6.6)

The case of *Woods vs. Secretary of State* (2015 EWCA Civ 195.) determined 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. Entering Sandridge along Woodcock Hill, the appearance is that of a rural lane with hedgerow on one side and open fields on the other. The site is concealed behind an embankment and the dense hedgerow. The traffic speed demarcation signs are beyond the entrance to Fairshot Court. The site does not give the impression of being part of the village.

The question of whether a particular proposed development is to be regarded as ‘limited infilling’ in a village for the purposes of the policy in paragraph 145 of the NPPF will always be essentially a question of planning judgment for the planning authority. While the

applicant is correct to say that there is no formal definition of what constitutes an infill site, the one usually adopted by planning authorities is '*the infilling of a small gap within an otherwise built-up frontage or group of houses.*' Similarly 'Openness' is not defined, but it is commonly taken to be the absence of built development. A lack of visibility does not, in itself, mean that there would be no loss of openness and even a limited adverse impact on openness means that openness is not preserved.

The applicant claims that the site should be considered as previously developed land because it is within the curtilage of Fairshot Court, the actual development being on what was formerly an orchard which the applicant has felled. The current National Planning Policy Framework definition of previously developed land includes the caveat "*it should not be assumed that the whole of the curtilage should be developed*". It is our view that caveat is intended to cover situations where the development would be contrary to other national and local policies, in this case those protecting the openness of the Green Belt.

As the Council point out in their pre-submission advice letter, in the officer's view, the site is not in the village, does not constitute previously developed land and its development would result in loss of openness by reason of the structures being erected on it. We agree.

Consequently, we consider this site to be inappropriate for residential development in both location and land use and that permission should not be granted.

Yours sincerely,

David Irving