

Standing up for Hertfordshire's countryside

Sangeeta Ratna
Planning and Development
Broxbourne Borough Council
Bishop's College
Churchgate
Cheshunt
EN8 9XQ

Our Ref:

Your Ref:

9th May 2018 (by email)

Dear Ms. Ratna,

Application No. [07/18/0169/O](#)
Outline Application for 6 dwellings as self-build plots
At Hope Nursery, Barrow Lane, Cheshunt, Hertfordshire EN7 5LY

CPRE Hertfordshire opposes this proposal for inappropriate residential development in the Green Belt and we have considerable concerns regarding the Design and Access Statement accompanying the application.

The development of this site for residential is contrary to the provisions of the National Planning Policy Framework and the Green Belt policies contained in the current Broxbourne Local Plan. Under both, the applicant is required to demonstrate very special circumstances sufficient to outweigh the harm to the openness and other harm to the Green Belt. No such circumstances are presented by the applicant and, throughout the documentation accompanying the application there are no references to either the current Local Plan or the NPPF.

This omission is surprising as the Design and Access Statement (incorporating the planning statement) clearly states that it has been written on behalf of the Applicant by Broxbourne Borough Council. The entire application is premised on Policy GB2 (Derelict Glass House Sites), contained in the Council's emerging Local Plan, which has not yet been found sound through Examination in Public and has only limited status.

Paragraph 216 of the NPPF sets out that policies in emerging plans can be given weight according to:

- 1) The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given)
- 2) The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given) and
- 3) The degree of consistency of the relevant policies in the emerging plan to the policies in the Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

In this case, there are significant objections to the relevant policies in the emerging Local Plan which still need to be determined at a future Examination in Public. Furthermore,

those policies are in substantial conflict with NPPF policies, in particular paragraph 14 (and footnote 9) which state that Local Plans do not need to meet objectively assessed housing needs in (inter alia) the Green Belt.

Accordingly, the emerging Local Plan policies can only be given limited weight and the application must be considered against the relevant policies of the Council's adopted Local Plan, and the NPPF with which it fails to comply.

The Design and Access Statement also states that the Council is acting in partnership with the Applicant in developing this 'pilot' scheme. In our view this represents a conflict of interest on the part of the Council, particularly as the Council has written the planning assessment on which the application must be judged. In effect the Council is sponsoring and assisting a Planning Application which subverts the emerging Local Plan process and is contrary to its own adopted Local Plan.

In our view this is open to challenge and it would be foolhardy of the Council to determine the application at this time. We urge the Council to request that the applicant withdraws it. If it is not withdrawn, the Council must consider it to be a departure from the Development Plan and consequently request the Secretary of State to consider calling it in for his determination.

Yours sincerely,

David Irving