

**Standing up for Hertfordshire's countryside**

Ms. J. Ansell  
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> November 2018 (by email)

Dear Ms. Ansell,

**Application No. [5/2018/2774](#)**  
**Construction of 5 dwellings**  
**On Land r/o 261 Lower Luton Road, Wheathampstead, Hertfordshire AL4 8HW**

CPRE Hertfordshire object to this application for residential development on a Green Belt site which will have significant impact on the openness of the Green Belt.

We note that the application is for stage one of a PIP (Permission in Principle) and as such is limited to location, land use, and amount of development only.

This site was put forward for consideration under the Strategic Housing Land Availability Assessment and rejected by the Council because: *"This site is clearly rural in nature and whilst substantially screened by mature trees and hedgerows around its perimeter, residential development would still result in encroachment into open countryside. Development here would also create further development pressure to the open fields to the south and west."* That assessment still maintains.

The applicant argues that the national need for new housing is a material change in circumstances. However the Government has been clear that that need does not override Green Belt policies. In a statement to parliament the Minister of State for housing has emphasised that "We have been repeatedly clear that demand for housing alone will not change Green Belt policies." National Planning Practice Guidance states that "Unmet housing need in a particular area is unlikely to meet the "very special circumstances" test to justify Green Belt revisions". In rejecting an appeal following refusal of a previous application for housing on this site (5/2002/1190), the Inspector held that "a general demand for housing in the area ... is a widespread phenomenon which does not justify developing a site which at present fulfils a green belt function by contributing to the openness of the area."

It is the applicant's opinion that this land should be considered as brownfield because of its association with the Cherry Tree Restaurant (261 Lower Luton Road). Part of the proposed

development would be on the current car park, the remainder on what was a play area which has fallen into dereliction. The current National Planning Policy Framework definition of brownfield land is “Land which is or was occupied by a permanent structure, including the curtilage of the developed land”, but includes the caveat “although it should not be assumed that the whole of the curtilage should be developed”. It is our view that the 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.

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

Yours sincerely,

David Irving