

Standing up for Hertfordshire's countryside

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

Our Ref:

Your Ref:

14th November 2018 (by email)

Dear Mr. Stannard,

Application No. [5/2018/2402](#)

Change of use of land to community garden with office and ancillary accommodation for landscape and garden design business, educational purposes and occasional public events. New access, associated landscaping and parking and installation of solar panels. On Land opposite Serge Hill Cottages, Sergehill Lane, Bedmond, Abbots Langley, Hertfordshire

CPRE Hertfordshire have concerns regarding this application which will impact on the openness of the Green Belt.

There is a degree of ambiguity in the Planning Statement accompanying the application. The author of the Statement presents an impassioned history of the applicant and his business, clearly intending this to be a justification for giving approval for development in the Green Belt, frequently stating that what is proposed is essentially an extension of the existing uses on the site while also stating that the purpose is "*to relocate the design business from London*". While describing the change of use as being for "*a community garden*", it is stated that it will be "*an exhibition garden for the work of the practice*". Similarly it is also stated that the proposed development is not inappropriate, but elsewhere that it is "*accepted that construction of new buildings is by definition harmful.*" It is also accepted that the proposal is not an agricultural use but is "*akin to farming*" though it is "*not a general horticultural use.*" It is important that these points are clarified as they have a direct bearing on the subsequent planning balance which the Council will have to make.

What is not ambiguous is that the application is intended to facilitate the relocation of an existing the business from London into the Green Belt and that it requires the erection of new buildings in the Green Belt to do so.

We do not agree with the comment at the beginning of the Planning Statement that "*planning guidance is often misinterpreted as a set of rules against which developments must be judged.*" Planning legislation is precisely that and this application must comply with those rules. The National Planning Policy Framework is clear that development in the

Green Belt is inappropriate except for the caveats listed in paragraph 145. This proposal meets none of those caveats. In particular sub-section (a) permits agricultural development. The applicant accepts that the intended use is neither agricultural nor horticultural. Saying it is 'akin to farming' is not sufficient. Sub-section (b) permits facilities for outdoor recreation, as long as the facilities preserve the openness of the Green Belt. It is difficult to sustain an argument that education purposes and occasional public events within the curtilage of a garden design business constitutes outdoor recreation and there is well established case law to uphold the point that the erection of any inappropriate building in the Green Belt by definition harms the openness of the Green Belt.

Consequently, as inappropriate development in the Green Belt, a case must be set out sufficient to outweigh the harm by inappropriateness, or other harm to the Green Belt. The Council will have to determine whether or not the case as presented in the Planning Statement does so.

Yours sincerely,

David Irving