



The countryside charity  
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Standing up for Hertfordshire's countryside

Peter Quaile  
Planning and Development  
Broxbourne Borough Council  
Bishop's College  
Churchgate  
Cheshunt  
EN8 9XQ

Our Ref:

Your Ref:

26th May 2020 (by email)

Dear Mr. Quaile,

**Application No. 07/20/0345/O**

**Outline application for the demolition of buildings and provision of 17 residential self build plots with a new footpath to the village centre.**

**At Springfield & Westgate Nursery, Crouch Lane, Goffs Oak, Hertfordshire EN7 6TN**

CPRE Hertfordshire continue to oppose this proposal for inappropriate residential development in the Green Belt. This is the third submission of what is essentially the same application. 07/19/0021 was refused by the Council and 07/18/0027/O which was both refused and dismissed on appeal.

In his adjudication on appeal APP/W1905/W/19/3220009 the inspector held that the proposed development does not fall within any of the exception categories in National Planning Policy Framework para 145 and the proposal is consequently inappropriate development. He also referred to Footnote 6 to NPPF para. 11 which designates Green Belt an exception to 'tilted' balance. Consequently, the applicant is required to demonstrate very special circumstances which would outweigh the harm to the Green Belt through inappropriateness or other harm.

As with the previous applications, the applicant puts forward the following 'very special circumstances which they consider outweigh the harm due to inappropriateness. The italicised responses are those of the Inspector in APP/W1905/W/19/3220009.

**The Council cannot demonstrate a 5 year housing land supply.**

*"The Planning Practice Guidance advises however that "an unmet need for housing is unlikely to outweigh the harm to the Green Belt and any other harm to constitute the very special circumstances justifying inappropriate development on a site within the Green Belt". This limits the weight I can afford this." (para.16)*

CPRE is working nationally and locally for a beautiful and living countryside

CPRE Hertfordshire is a Charitable Incorporated Organisation

President: Sir Simon Bowes Lyon, KCVO  
Chairman: Richard Bullen

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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.

The Council, in their submission to the Appeal, held that lack of a 5-year housing supply is not a very special circumstance by reason of itself and that none of the other five matters not even uncommon individually and cumulatively do not outweigh the inappropriateness.

**The nursery is no longer viable.**

and

**There will be remediation of contaminated land.**

*“The appeal site is argued to be no longer commercially viable and a redevelopment, it is argued, would provide a more efficient and sustainable use of the land and remediate a currently contaminated site. I have not been presented with detailed evidence to support the argument that, in effect, this is the only likely productive use of the site which could address these problems.” (para. 17)*

Again, there is no detailed evidence of unviability presented with this application. The Council will have to satisfy itself on the extent of contamination and the need for remediation, bearing in mind that remediation is a requirement for any contaminated site and is not, in itself, a very special circumstance.

Recently CPRE Herts has seen proposals for a new tree / horticultural nursery on a green field site in Aston, East Hertfordshire (Ref:- 3/20/0694/FUL). That site was sensitive but this site is already established for horticultural use. With government policy aiming to significantly expand tree planting to combat climate change, with 30,000ha of new trees, it seems most unlikely that there is not a continuing role for nursery sites such as this.

**The proposal enhances the openness of the Green Belt and improves the visual amenity of the site.**

*“The appeal site is visually well contained particularly from Crouch Lane and the introduction of significantly taller, visually impermeable, structures would increase the prominence of the site as a developed entity in considering the visual aspect of openness.” (para. 8)*

*“I find however that the site is not visually prominent or harmful in its current state and that this is the kind of use which commonly occurs in the countryside in this area so I do not find it incongruous ... I do not therefore conclude that a residential redevelopment of the site will significantly improve its appearance.” (para. 18)*

As there has been no fundamental change to the proposals, these observations still stand.

**The proposal complies with Policy GB2 of the emerging local plan.**

Current Local Plan Policy “GBC2 is generally consistent with the Framework and I therefore attach significant weight to the policy despite its age.” (para 6.) “ ... policy GB2, which would allow for the redevelopment of derelict glass-house sites for low density self-build housing (in the Green Belt )...is inconsistent with the Framework.” (para 19).

Nevertheless, in his letter outlining major modifications to the Emerging Local Plan, following Examination in Public, the Inspector has accepted Policy GBC2, and lists seven criteria with which any development on former glasshouse sites must meet. This proposal does not meet the following:

- I (ii) Evidence is provided that the site is incapable of accommodating a viable horticultural business;
- I (v) Redevelopment would benefit the overall openness of the Green Belt;
- II (a) The development enhances the rural character of the countryside within which it is set;
- II (b) The proposal includes an acceptable design code that sets out the layout, servicing and landscaping of the development and coding for the dimensions, design and materials for all aspects of the development; and
- II (c) The proposal includes a delivery and management plan for the development.

**The proposal meets the demand for self build plots.**

The Inspector in Appeal APP/W1905/W/16/3164574, for another application for self build housing in the Green Belt in Broxbourne (Halstead Hill), held that “neither a demand for self build plots nor legislation with regard to self build is carte blanche for development in otherwise inappropriate locations.(para. 27)

Paragraph 49 of the National Planning Policy Framework states that if the emerging plan is at an advanced stage but is not yet a formally adopted part of the development plan for the area, then the development should be deemed premature. Approval of this application would, in effect, alter the Green Belt Boundary in advance of any decision on the quantum of housing required on Green Belt land or its location. Paragraph 136 of the National Planning Policy Framework is clear that amendments to Green Belt boundaries must be made through the Local Plan process, not by decisions made on individual planning applications. Consequently to determine this application at this stage would pre-empt the findings of the Examination in Public.



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Consequently, we urge the Council to reject this application.

Yours sincerely,

David Irving