



James Kenyon
Planning and Development
Broxbourne Borough Council
Bishop's College
Churchgate
Cheshunt
EN8 9XQ

Our Ref:

Your Ref:

3rd July 2020 (by email)

Dear Mr. Kenyon,

Application No. 07/20/0429/F
Erection of residential dwelling house
On Land To The East Of Stanford House,
Burnt Farm Ride, Goffs Oak, Hertfordshire EN7 5JA

In his letter dated 26 June 2020 on behalf of English Architectural, Mr. McGarr says that the comments made by me on behalf of the CPRE Hertfordshire, regarding this application, are inaccurate and incorrect in numerous areas. Consequently, I believe that it is incumbent on me to explain why I made those comments.

Before I do so, I must point out that CPRE are not a statutory consultee and were not commenting in that capacity.

Mr McGarr is correct that I misnamed the Class designation in the General Permitted Development Order. I apologise if that caused any confusion, but our points regarding the requirements of Class Q remain pertinent.

We note that Mr. McGarr says he is not in any way suggesting that by having the Class Q approval permits the applicant to create a new dwelling. If we misinterpreted the applicant's intentions it was because, in the Design and Access Statement they clearly linked the new building to the permitted development approval viz: *"We are looking to engage with the LPA over the creation of a new dwelling, utilising the already approved precedent that a new substantial dwelling has been approved, albeit by way of permitted development under part Q."* (DAS page 8).

In response to my comment on the application at Small Farm, Uttlesford (UTT/15/2910/FUL), it is said that I was factually incorrect in stating that application was for a dwelling with a smaller footprint than the existing property it replaced. Paragraph 12 of the Design and Access Statement for that application states *"The replacement dwelling will have a footprint of 280sqm and an internal floor area (over both floors) of 495sqm. The new garage building*



has a footprint of 55sqm with some 40sqm of storage over. ... Overall this proposal shows a reduction of 400sqm or approximately 40% of the building footprint on the site."

In relation to NPPF paragraph 79 my response is described as both inaccurate and misleading. Mr. McGarr rightly says that the interpretation of this paragraph has been tested in the High Court. I could cite a number of cases, but that of Braintree District Council v SSCLG [2018] EWCA Civ 610 is succinct. The Court of Appeal held the policy simply connotes a dwelling that is physically separate or remote from a settlement. Whether, in a particular case, a group of dwellings constitutes a settlement for the purposes of the policy will be a matter of fact and planning judgment for the decision-maker.

NPPF 79e requires the building to be of exceptional quality, *"truly outstanding or innovative, reflecting the highest standards in architecture."* My comments make it clear that aesthetic quality is a matter of individual judgement. It remains my professional opinion that the design of this building is not 'exceptional' under the meaning of NPPF 79e.

We are pleased that Mr. McGarr took the time to look at the CPRE website. If he had read further he would have seen that our aim is to reduce the pressure of development on the countryside and that we agree with the Government that planning is intended to ensure that the right development happens in the right place at the right time.

Yours sincerely,

David Irving