

**Standing up for Hertfordshire's countryside**

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

Our Ref:

Your Ref:

12<sup>th</sup> June 2019 (by email)

Dear Ms. Anstell,

**Application No. 5/2019/0975 - Construction of one dwelling  
on Land r/o 261 Lower Luton Road, Wheathampstead, Hertfordshire AL4 8HW**

CPRE Hertfordshire object to this application for stage one of a PIP (Permission in Principle) for residential development on a Green Belt site which will have significant impact on the openness of the Green Belt.

In November 2018 the Council refused Application No. 5/2018/2774 for 5 dwellings on this site. The reduction in the number of dwellings does not reduce the weight which should be given to the harm caused to the openness of the Green Belt.

When this site was put forward for consideration under the Strategic Housing Land Availability Assessment it was 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 irrespective of the quantum of housing proposed.

Under both the National Planning Policy Framework and the Green Belt policies in the current St Albans Local Plan, the applicant is required to demonstrate very special circumstances sufficient to outweigh the harm to the openness of the Green Belt. No very special circumstances are presented.

The applicant continues to claim that this land should be considered as brownfield because of its association with the Cherry Tree Restaurant (261 Lower Luton Road). Access to the proposed development would cross the current restaurant car park, the actual development being on what was a play area which has fallen into dereliction. The current National Planning Policy Framework definition of brownfield land includes the caveat *"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.

Similarly the applicant continues to argue 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.”*

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