

Standing up for Hertfordshire's countryside

Lucy Hale
Development Control
Welwyn Hatfield Borough Council
Campus East
Welwyn Garden City
Herts. AL10 6AE

Our Ref:

Your Ref:

14th August 2019 (by email)

Dear Ms. Hale,

Application No. 6/2019/1582/FULL
Erection of 1 detached dwelling and 2 replacement bridges following the demolition of
existing buildings and bridges
On Land to rear of Nos. 10 - 18 Mymms Drive, Brookmans Park, Hatfield, AL9 7AF

CPRE Hertfordshire continue to object to this proposal for inappropriate development in the Green Belt, contrary to the Green Belt policies in the National Planning Policy Framework, the current Welwyn Hatfield Local Plan and the Submission Local Plan currently under Examination in Public. With modifications, this is essentially a resubmission of Application no. 6/2018/2242/FULL which was refused by the Council.

The current proposal is smaller in both footprint and volume when compared to the earlier application. However, it remains larger than the existing equestrian buildings on the site. Paragraph 145(g) of the National Planning Policy Framework is clear that, even though the site can be considered as previously developed land, any development on it should not have a greater impact on the openness of the Green Belt than the existing development. The current proposal would have a greater impact.

In the Planning Statement accompanying the application, the applicant correctly refers to case law which holds that the test of openness should not merely be based on the comparison of footprint and volume, but also how the effect on openness could be influenced by matters such as the visual perception of the development.

In our view, what is there at the moment is a heterogenous collection of structures associated with equine activities, as is clearly shown in the photographs included in Appendix 3. These structures are entirely in keeping with their rural surroundings. As the applicant says in para. 7.1.10 of the Planning Statement, they have had '*an effect on the character of the land, the way in which it is used and perceived*'. In other words the land is used for equestrian purposes and the buildings reflect that. The average person would not find them out of place in that location.

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President:
Sir Simon Bowes Lyon, KCVO
Chairman: Richard Bullen
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The proposed building, however, is a single domestic structure within a residential curtilage, and will be perceived as such. By its very nature it will impact on the character of its surroundings and be perceived as an intrusion into the Green Belt. On the ground, it would be visible from all three sides. An 8% increase in footprint and an 8.5% increase in volume are not insubstantial. Consequently both in volumetric and visual terms it would have an impact on the openness of the Green Belt. As we have pointed out before, *Woods v. Secretary of State* (2015 EWCA Civ 195.) holds that the impact of development should be considered by how it appears to be on the ground. This site is enclosed on three sides by the Green Belt, in the form of the Grade II listed Gobions Park and would consequently adversely impact on it.

We urge the Council to reject this application.

Yours sincerely,

David Irving