



The countryside charity
Hertfordshire

31a Church Street
Welwyn
HERTS AL6 9LW
www.cpreherts.org.uk
office@cpreherts.org.uk
01438 717587

Standing up for Hertfordshire's countryside

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

Our Ref:

Your Ref:

5th June 2020 (by email)

Dear Ms. Ruddock,

Application No. 5/2020/0919

Outline application (access and layout) for construction of 14 semi detached affordable dwellings (resubmission following withdrawal of 5/2019/2925 on Land Between Hopkins Crescent & The Baptist Chapel, St Albans Road, Sandridge, Herts

CPRE Hertfordshire continue to object to this application which is for inappropriate development in the Green Belt. We note the Applicant's reasons for withdrawing the previous application, but these are essentially a procedural dispute between the applicant and the Council and in all relevant respects this application is identical to 5/2019/2925.

This is the latest in a series of applications for development on this site which have either been withdrawn or refused by the Council and dismissed on appeal. (Nos. 5/2015/0476; 5/2016/0950; 5/2017/0441; 5/17/1471 and 5/2019/2925. The grounds for dismissal in APP/B1930/W/15/3019436; APP/B1930/W/16/3152521 and APP/B1930/W/17/3186701 were that the site was not a limited development site in a village; development would cause harm to the openness and other harm to the Green Belt; the development would cause harm to the character of the village; there was no detailed justification for the need for these houses and that unmet housing need does not outweigh harm to the Green Belt. With the exception of the detailed justification of need, all of those grounds apply to this application.

In APP/B1930/W/17/3186701 the Inspector held that it had not been satisfactorily demonstrated by robust evidence that the proposal would meet local community needs.(paragraph 11). Consequently, to support this application, the applicant has carried out their own affordable housing needs assessment for Sandridge in which the figures are at variance with the Council's own. It is not for us to question the methodology in either assessment, but, given the dispute between the Council and the applicant, it would be prudent for the Council to obtain an independent view on this.

NPPF para 145g includes a provision for affordable housing to be accepted on previously developed land in the Green Belt. This site is not previously developed land. In any event we could see no mechanism to deliver genuinely affordable housing (a shared ownership description is applied)

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

Registered Charity 1162419



Notwithstanding the outcome of any review into affordable housing need, as the previous appeal decisions have stated, 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 and (Crane v. SoS (EWHC 425)). Hunston Properties Ltd EWCA Civ 1610 held that *“the weight to be given to such a housing shortfall (and whether it constituted ‘very special circumstances’ for the purposes of the National Planning Policy Framework) was a matter of planning judgment. The weight to be attached to the shortfall may, as a matter of planning judgment, be reduced where a shortfall is inevitable due to a district being subject to policies which restrict development”* (such as Green Belts).

The Council’s policy is clear that small scale infilling will only be allowed within the Green Belt settlement envelopes. (Policy DLP1). The site is clearly outside the settlement envelope of Sandridge. In Woods v. Secretary of State the courts held that the fact that a site lies outside the village boundary as designated in the development plan is not determinative of the point, but whether, as a matter of fact on the ground, the site appears to be in the village or not. On the ground this site is manifestly not part of the village. From the edge of St Albans to Hopkins Crescent, the western side of the B651 (including this site) is open countryside with occasional agricultural buildings concealed behind dense hedgerows.

Policy DLP1 lays down a number of criteria:

The land should be previously developed or part of a developed property curtilage area. This site is neither;

The development should be small scale (which will be taken as development consisting of a maximum of 10 dwellings). This proposal is for 14 dwellings;

The site must be an infill site, defined as a gap in an otherwise continuously built up road frontage. This site is not infill under that definition, being beyond the current built up road frontage which ends at Hopkins Crescent.

This development would result in considerable harm to the openness of the Green Belt, create urban sprawl on the edge of the village and contribute to coalescence between the village and St. Albans.

For all of the above reasons we urge the Council to reject this application.

Yours sincerely,

David Irving