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Standing up for Hertfordshire's countryside

Bruce O'Brien
Development Management
East Hertfordshire District Council
Wallfields
Pegs Lane
Hertford
SG13 8EQ

Our Ref:

Your Ref: 3/20/1717/FUL

21st October 2020 (by email)

Dear Mr. O'Brien,

Application No 3/20/1717/FUL: Change of use of outbuildings to create six holiday letting chalets and office space associated with the holiday letting chalets, increased roof height with new window and door openings. New internal access road, creation of 6 off street car parking spaces and proposed new vehicle access. Little Thele, Hertford Road, Great Amwell, Ware, Hertfordshire SG12 9RS

CPRE object to this proposal for residential development in the Green Belt.

There is a degree of confusion in the application documentation as to what is intended here. The description above refers to change of use from outbuildings to holiday lets, the Application Form says conversion of the outbuildings to holiday lets and the Planning Statement the complete demolition of the existing outbuildings and the construction of new chalets and office space. We would tend to agree with notes on the application and existing site plan 3133.19A1-04 which states *Existing dilapidated barn to be removed and new structure to replace*. The existing structures are beyond conversion, new building is proposed which may be inappropriate development in the Green Belt.

In Section 16 of the Application Form the applicant says that proposal includes no gain of residential units and in Section 17 lists the proposed use classes as C1 and B1(a). The units proposed are clearly residential, even if holiday lets. As self-catering units it is a moot point whether or not they fall under use class C1 which is intended for hotels, boarding houses and guesthouses. In appeals different inspectors have taken different views, with some considering any holiday let sleeping up to six people as class C3(a). The Council will have to satisfy itself which use class this proposal falls in before determining the application.

The site lies outside of the settlement of Great Amwell. Applying the test in *Tate v Northumberland County Council* [2018] EWCA Civ 1519 as to how the site appears on the ground, views along B1502 clearly show that it is not part of village. Consequently it has to be

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CPRE Hertfordshire is a Charitable Incorporated Organisation

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

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considered as development in the Green Belt under the provisions of the NPPF and Policy GBR1 of the East Herts District Plan.

The applicant argues that it is not inappropriate development as it complies with both Paras. 145(b) (outdoor recreation) 145 (e) limited infilling in villages and 145(g) (previously developed land) of the NPPF.

In relation to para. 145(b), the proposal is not for a development that would, by its very nature, involve or include outdoor recreational activity facilities. Occupying permanent buildings (even as holiday accommodation) does not represent outdoor recreational activity in its own right.

In relation to para. 145(e), The proposal cannot be considered infilling (development of a small gap in an otherwise developed frontage) as, despite taking access from the highway frontage, the building's location represents backland development remote from that highway frontage. Nor, as pointed out above, does the site lie within a village. Infact the site lies in a strategic open gap between the village of Amwell and Hoddesdon fulfilling its Green Belt purposes.

In relation to 145(g), the site may constitute previously developed land (assuming the buildings are not lawfully of agricultural use). However the NPPF requires that new buildings on previously developed land in the Green Belt should not have a greater impact on the openness of the Green Belt than the existing development. The proposed new chalets are 20% higher than the existing outbuildings. According to the applicant this "would preserve the openness of the surrounding Green Belt by its relative lack of increase in massing." (Planning Statement para.5.2) You cannot have a 'relative' lack of increase when you are increasing the height (and consequently the massing) by a fifth. Consequently there would be a greater impact on the openness of the Green Belt.

It is also proposed to lay a new drive from the B1502 to a substantial car park in front of the new chalets. Apart from being a duplication of the existing drive to Little Thele, this will also represent intrusion into the Green Belt, causing additional harm.

The applicant does not put forward specific 'very special circumstances' to outweigh the harm through inappropriateness and harm to openness, but does refer to the contribution which the proposal would make to the vibrancy and vitality of the local economy by bringing in the financial benefit of tourism to the area. Many local shops, cafes, restaurants and hostelries would benefit from the increased patronage. It would therefore be in compliance with District Plan Policy ED5. This may well be true, however, in the absence of a business plan it is impossible to quantify. In view of proximity of the site to A10 traffic noise (no up to date



information is given) the attractiveness of the site for holidays or recreational breaks is also questioned.

We urge the Council to reject this application.

Yours sincerely,

David Irving