



The countryside charity  
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Standing up for Hertfordshire's countryside

Anne McDonald  
North Hertfordshire District Council  
Council Offices  
Gernon Road  
Letchworth Garden City  
Herts SG6 3JF

Our Ref:

Your Ref:

20<sup>th</sup> May 2020 (by email)

Dear Ms. McDonald,

**Application No. 20/00891/FP**

**Erection of five dwelling houses in association with a new access spur from the Lodge Court, on-site parking, landscaping (inclusive of new trees), formation of a pedestrian footpath and designated communal open space.**

**On Land at Turnpike Lane And Adjacent To 4 Manor Close,  
Turnpike Lane, Ickleford, Hertfordshire**

CPRE Hertfordshire continue to object to this proposal for inappropriate residential development in the Green Belt outside the settlement boundary of Ickleford contrary to the policies in both the National Planning Policy Framework and the current North Herts Local Plan No.2 .

As inappropriate development, there is a requirement for the applicant to present a case sufficient to outweigh the harm by reason of inappropriateness, and other harm, to the Green Belt. Because the Council has proposed to adjust the settlement boundary to remove the site from the Green Belt in the Submission Local Plan (which is currently subject to Examination in Public), the applicant presents no further justification for the development.

The Planning Statement accompanying the application is premised on the site being removed from the Green Belt following adoption of the Submission Local Plan and on the Council's inability to demonstrate a five year housing land supply.

Fundamentally, approval of this application will result in the redrawing of the Green Belt boundary. Paragraph 136 of the NPPF is clear that: "*Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans.*" The revision of Green Belt boundaries is being undertaken through the revision of the Local Plan currently subject to Examination in Public. Approval of this application would pre-empt that process.

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

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As we pointed out in our response to Application No. 18/02785/FP for eight houses on this site, until such time as the Submission Local Plan is adopted, the current Local Plan remains in force. Notwithstanding appeal APP/A1530/W/19/3223010) referred to by the applicant, the Supreme Court (in the case of Suffolk Coastal DC v Hopkins Homes Ltd. UKSC 37) held that Local Plan policies to protect the countryside from development (such as Local Plan Policies relating to the Green Belt ) are not policies for the supply of housing and therefore, despite lack of a five year housing land supply, are not out of date and should be accorded full weight. Crane v. SoS (EWHC 425) and 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 NPPF 87) 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). 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. Consequently the policies in the existing Local Plan can be given due weight and taken into account when considering the planning balance.

The site is immediately adjacent to the Ickleford Conservation Area. The Design and Access Statement makes the point that *“The application site provides a great opportunity for a high-quality residential redevelopment that will increase visual interest and follow the prevailing pattern and character of the development in the location.”* It is a pity, therefore, that the design of the proposed properties is so mundane, (seemingly based on nos. 1 & 2 Lodge Court), rather than other surrounding buildings which display a more varied form and design palette. The pattern seems poorly related to the grain of the older village and driven by the aim for detached dwellings with on-plot parking. The substation imposed amidst the street trees of Turnpike Lane is also poor.

We urge the Council to reject this application or request the applicant to withdraw it pending the completion of the Examination in Public of the Submission Local Plan.

Yours sincerely,

David Irving