



Mr Mark Peacock
Development Control
Welwyn Hatfield Borough Council
Campus East
Welwyn Garden City
Herts. AL10 6AE

Our Ref:

Your Ref:

13th August 2021 (by email)

Dear Mr Peacock,

Application no. S6/2015/1342/PP

**Land north-east of King George V Playing Fields, Northaw Road East, Cuffley, EN6 4RD
Amendments to Outline Planning Application for residential development of up to 121
dwellings, associated infrastructure and change of use etc...**

I write with reference to the above application which is subject to a Revised Planning Statement. CPRE Hertfordshire objected to the application when it was first submitted in 2015 and again in 2016, and maintains its strong objection for the following reasons.

1. The site lies in the London Metropolitan Green Belt as identified in the adopted Welwyn Hatfield District Plan 2005 in line with the requirements of the National Planning Policy Framework (NPPF). The emerging Local Plan has been subject to Examination in Public, and an initial report has been prepared by the Planning Inspector.
2. The Inspector's report is still subject to consideration by the Council and raises a number of issues which are likely to be the subject of further representations. Notwithstanding the allocation of this site in the submission Local Plan, it is clearly premature to determine this application when the land has not been released from its Green Belt designation.
3. The site is also outside the settlement boundary of Cuffley and Policy GBSP2 of the adopted 2005 District Plan states that "development shall be limited to that which is compatible with the Green Belt."
4. The applicant's planning consultants, Marrons Planning, in their Revised Planning Statement note in para 4.8 that the draft Local Plan is not yet adopted. Further, in para 4.41, they state that "the Examination of the D(raft) L(ocal) P(lan) has established that Very Special Circumstances exist to justify the release of Green Belt in Cuffley and the allocation of the Applicant's site for residential development." This is clearly not the case.



5. The Examination in Public considered the Council's support for the site and the Inspector has indicated his support in his Interim Report, but this does not constitute an allocation in advance of adoption of the Local Plan.
6. The consultants then rehearse what they regard as Very Special Circumstances (VSC) for the release of this site from the Green Belt. As previously stated in our earlier responses to this application, we do not believe that these VSC have been demonstrated. Councils are guided to consider housing need in the light of designated protected areas, as noted in technical guidance, and this protection should act as a constraint on inappropriate development, as envisaged by the National Planning Policy Framework (NPPF).
7. The consultants state further in para 6.3 of their Revised Planning Statement (RPS) that "there are no unresolved objections to the site's allocation and for the reasons set out in Section 4 above its development as proposed is considered to accord with the policies set out in the Framework." This is also clearly incorrect in the light of significant objections by ourselves and others early in the consideration of this application, and those objections remain.
8. The alternative interpretation of the NPPF with regard to housing need and protected areas, in our view correctly, is that designated protected areas may be used as a constraint on inappropriate development in the Green Belt. Therefore, it is not appropriate to use housing need as a VSC despite the Council's position as described in Section 7 of the consultant's Revised Planning Statement. CPRE, together with many other parties are pressing for more clarity with regard to the Government's technical guidance in this crucial area.
9. Reference by the consultants to the recent result of the appeal decision in Colney Heath indicates the area of contention with regard to the balance between Green Belt designation and the assessment of housing need. The Inspector in that case was clear that her decision was related to the circumstances of that case alone, and did not constitute a general presumption as indicated in the Revised Planning Statement.
10. The listing of planning obligations in Section 8 of the RPS are identified as providing further evidence of VSC. Planning obligations of the nature described are the normal implications of major applications for residential development, and in no respect constitute VSC.



Our strong objections to this application remain and it is disappointing that the Council is failing to defend highly valued and designated areas such as the Green Belt as required by the NPPF and recent Ministerial statements.

Yours sincerely,

Chris Berry
Planning Manager