



Case Officer
Planning and Building Control
St. Albans City and District Council
Civic Centre, St. Peter's Street
St. Albans
Herts AL1 3JE

Our Ref:

Your Ref:

7th October 2022 (by email)

Dear Case Officer,

Application no. 5/2022/1988
Land to the rear of 42-100 Tollgate Road & 42 Tollgate Road, Colney Heath
Outline application (access sought) - Demolition of existing house and stables and the
construction of up to 150 dwellings including affordable and custom-build dwellings
together with all ancillary works

I write with reference to the above application for speculative residential development, to which CPRE Hertfordshire objects strongly for the following reasons.

1. The site lies within the London Metropolitan Green Belt as defined in the St Albans District Local Plan Review which proscribes inappropriate development according to criteria indicated in the National Planning Policy Framework (NPPF) unless very special circumstances are demonstrated. The applicant in their Planning Statement makes it clear that this application is in response to recent planning appeal decisions nearby (Bullens Green Lane and Codicote) and a decision by St Albans Council to permit development at Sewell Park on the basis of the lack of a five year housing supply.
2. The applicant simply quotes these decisions to justify the proposal on the grounds of the inadequacy of the Council's housing land supply and absence of an up-to-date Local Plan. No further information is supplied with regard to either the local circumstances or planning legislation which requires each application to be determined on its merits, particularly where the land affected is statutorily protected.
3. The application demonstrates a clear encroachment into open countryside beyond the built-up area with severe impact on its openness and character in this location. It constitutes an inappropriate urban extension which the Green Belt designation exists to prevent, preventing the coalescence of settlements and maintaining the character of the open countryside.

4. The recent appeal decision at Bullens Green Lane referred to in the Planning Statement above has caused significant controversy and concern, and it should be noted that the Inspector was at pains to identify the specific circumstances of that application, and that this should not be seen as a green light for all Green Belt applications. It may also be noted that a subsequent recent appeal decision at Broke Hill, Sevenoaks, in broadly similar circumstances, establishes the primacy of designated protected status in determining the appropriateness of development, notwithstanding the lack of a five year housing supply.

5. Significant representations are being made by CPRE and other bodies to the Government to clarify the technical guidance in the area of housing need with regard to protected areas, especially in the absence of an up-to-date Local Plan. The Government's position is evolving with regard to protection of the Green Belt in response to local community and local planning authority concerns.

6. Recent Regulation 18 public consultations for Local Plans in Hertfordshire have received a record-breaking number of representations from organisations and individuals, including CPRE Hertfordshire, and the majority of these responses are opposing site allocations for future residential and commercial development in the Green Belt. This has led councils to 'pause' the preparation of their Local Plans pending further consideration of proposals.

7. Recent Ministerial statements, which have policy weight, have reiterated the Government's strong support for protection of the Green Belt. These include correspondence between the then Minister of Housing, Christopher Pincher, and Welwyn Hatfield Borough Council on 18th November 2021, and comments in a back bench debate called by Daisy Cooper MP which appear in Hansard on 21.11.21.

8. The recently published "Levelling Up and Regeneration Bill Policy Paper: Further information" re-emphasises the Government's support for protection of the Green Belt as follows:

"the increased weight given to plans and national policy by the Bill will give more assurances that areas of environmental importance – such as National Parks, Areas of Outstanding Natural Beauty...- will be respected in decision on planning applications and appeals. The same is true of Green Belt, which will continue to be safeguarded." (Creating beautiful places and improving environmental outcomes; In the Bill: LURB Policy paper, May 2022)"

Further,

"Existing Green Belt protections will remain, and we will pursue options to make the Green Belt even greener." (Creating beautiful places and improving environmental outcomes; Alongside the Bill: LURB Policy paper, May 2022)



9. It is clear that the Government's intention is to retain the Green Belt in its present form and the constant attempts to undermine Green Belt protections for residential developments are in danger of bringing the planning system into disrepute. Recent decisions, as noted above, have highlighted the inconsistencies in decision-making in this crucial area of public policy.

10. In this context, it is clear that this application should be determined according to existing established policy which ensures the protection of the Green Belt in such a sensitive location. CPRE Hertfordshire urges the Council to refuse this wholly inappropriate and speculative application.

Yours faithfully,

Chris Berry
Planning Manager