



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:

16th December 2022 (by email)

Dear Case Officer,

Application no. 5/2022/2748
Land north of Wheathampstead Lane, Harpenden
Outline application (access only) - Construction of 40 dwellings including access and associated 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 adopted 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 Design and Access Statement (PDAS) accepts that very special circumstances are required to justify the application and makes it clear that this application is in response to recent planning appeal decisions nearby (Bullens Green Lane and Codicote) and a decision by the Council to permit development at Sewell Park on the basis of the lack of a five year housing supply and the provision of affordable housing.
2. The applicant 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. Further information is supplied in the PDAS with regard to the local conditions which are deemed to justify this proposals. These relate to the contribution of the site to Green Belt purposes and the location in relation to local services and facilities.
3. Planning legislation requires each application to be determined on its merits, particularly where the land affected is statutorily protected. It is asserted that the proposed development is "separated from open countryside by (this) surrounding development and is therefore distinct from it" while accepting that "it will cause definitional harm to the Green Belt". (PDAS)



4. This 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, maintaining the character of the open countryside.
5. The NPPF is also clear that Green Belt boundaries should only be altered through the Local Plan process and not through individual planning applications. The recent appeal decision at Bullens Green Lane referred to in the PDAS 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.
6. It may also be noted that a subsequent recent appeal decision at Broke Hill, Sevenoaks, in broadly similar circumstances, established the primacy of designated protected status in determining the appropriateness of development, notwithstanding the lack of a five year housing supply. 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.
7. The Government's position is evolving with regard to protection of the Green Belt in response to local community and local planning authority concerns. 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.
8. Ministerial statements over the last two years 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 21st November 2021.
9. Most recently the Secretary of State (SoS) for Levelling Up, Housing and Communities published a Statement on 6th December 2022 which noted "It will be up to local authorities, working with their communities, to determine how many homes can actually be built, taking into account what should be protected in each area—be that our precious Green Belt or national parks" (Hansard: Planning System and Levelling Up Bill: Community Control. 6.12.22). 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.

10. The application also refers extensively to the provision of affordable housing as a justification for the proposed development. Present Government definitions of affordable housing are generally regarded as inadequate and recent research undertaken by CPRE Hertfordshire demonstrates that an average earning household in Hertfordshire is unable to afford an average priced house in the County.

11. Given the situation regarding land development values in the Harpenden area, the stated intention of providing policy compliant affordable housing based on present definitions and criteria is most unlikely to address issues relating to the affordable housing crisis and should not be considered as contributing to very special circumstances needed to outweigh the significant harm to the Green Belt that would result from this development.

12. In conclusion, this proposal is for inappropriate market housing of a type that Green Belt legislation was designed to prevent and CPRE Hertfordshire urges the Council to refuse permission for this wholly inappropriate and speculative application.

Yours faithfully,

Chris Berry
Planning Manager