

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:

25th January 2023 (by email)

Dear Case Officer,

Application no. 5/2022/2736
Land at Round House Farm, Roestock Lane, Colney Heath
Outline app. (access sought) - Erection of up to 155 residential dwellings and 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 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's consultant in their Planning Statement (PS) accepts that very special circumstances are required to justify the application and makes it clear that this application is in response to a recent planning appeal decision nearby (Bullens Green Lane) and a decision by the Council to permit development at Sewell Park (Harpenden Road) 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 PS with regard to the local conditions which are deemed to justify this proposal and these relate in part to the contribution of the site to Green Belt purposes.
3. The PS notes that in pre-application meetings with planning officers "The acceptability of delivery and demonstrating the VSC applies (sic) is dependent on satisfying officers that development on the site would achieve suitable landscaped buffer on the northern edge of the site, alongside retention of the existing hedgerow...etc"(para. 2.15). This is an inappropriate statement given that very special circumstances should relate to the specific conditions of the site and not be limited to provisions such as landscaping treatment which would be reasonably expected of any proposed development.

4. The PS in Section 5 seeks to provide an assessment of the proposals against considerations relating primarily to the Green Belt designation and effectively asserts that the quality of the Green Belt in this location does not merit its retention. The considerations cited are a matter of planning judgement and the use of the term “captured Green Belt”, for example, seeks to downgrade the contribution of the site according to a study prepared for an emerging Local Plan which has been withdrawn.

5. We believe 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.

6. Recent events including the pandemic have heightened awareness of the social and health benefits of the Green Belt to residents and visitors alike. Such issues are increasingly recognised and can form the basis for the review of Green Belt where appropriate.

7. The NPPF is 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 PS 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.

8. The significance of the Green Belt in this area is also heightened by the cumulative effect of several residential applications in the immediate area of Colney Heath and surrounding settlements. At some point it is reasonable to suggest that the cumulative effect on the Green Belt should become a material consideration in the determination of applications, prejudicing the integrity of the Green Belt in this area.

9. Further, the recently published NPPF Prospectus for public consultation includes amendments which remove the requirement for Local Planning Authorities (LPA) to review Green Belt boundaries purely to accommodate housing need calculated on the basis of the standard or alternative methods. The Secretary of State has indicated that the proposed amendments will be introduced in the near future.

10. It may also be noted that subsequent recent appeal decisions to Bullens Green Lane, at Broke Hill, Sevenoaks, and Beaconsfield 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.

11. The Government's position continues to evolve with regard to protection of the Green Belt in response to local community and LPA 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.

12. Ministerial statements over the last two years have reiterated the Government's strong support for protection of the Green Belt and 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.

13. The application also refers extensively to the provision of 45% 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.

14. Given the situation regarding land development values in this 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. It 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.

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



Yours faithfully,

Chris Berry
Planning Manager

NOTE: We would request that this letter is published on the Council's website as a document relating to this application and should be grateful if you would notify us of the date of the appropriate meeting if it is to be determined by planning committee.