OBJECTION PLANNING APPLICATION 18/00747/OP Land Opposite Heath Farm, Briary Lane, Royston, Hertfordshire, (Gladman development), for the erection of up to 107 dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point from Briary Lane. All matters reserved except for means of main site access.

Introduction

This objection is submitted on behalf of RSNTG (Royston Says No to Gladman).

The letter of objection to the application for outline planning permission for 107 homes by Gladman has been kept short and to the point because we understand that the committee report has already been drafted by planning officers. The application should be refused by reason of:

1. **its inappropriate location, which is against existing and emerging planning policy;**
2. **the main vehicular access proposed being likely to be unachievable;**
3. **the emergency access route likely to be unachievable;**
4. **the main vehicular access would have an undesirable impact on a public right of way;**
5. **the loss of land which is categorised as 'the best and most versatile agricultural land';**
6. **the loss of the existing car park and consequent loss of access to the heath**
7. **the negative impact on the character of the landscape;**
8. **the high risk of contamination of the local water supply;**
9. **lack of access to public transport; and**
10. **the negative impact on the Site of Special Scientific Interest.**

The following paragraphs expand on the reasons listed for refusing the application:

1. Location – against policy

The application site is located in the Rural Area Beyond the Green Belt, outside the settlement boundary of Royston.

The fundamental objection to the application is that the site lies in the Rural Area Beyond the Green Belt in both the current North Herts Local Plan - Local Plan No.2 (saved Policy 6 (Rural Areas Beyond the Green Belt) and saved Policy 9 (Royston's Development Limits)) and the Submission Local Plan Policies (CGB1 and CGB2). The application should be refused for this reason.

The District Council has resolved to consult on the Main Modifications to the North Herts Submission Local Plan, which the Inspector has approved. The Main Modifications provide evidence that North Herts can meet its obligations to provide for its future housing need, with a buffer.

A number of housings sites have been identified in an around Royston, within the 'adjusted settlement boundary" for the town.

This site is outside the adjusted settlement boundary and has not been allocated by the Council, in either the existing or emerging local plan, for housing. It is the Council's responsibility to determine if and where land should be made available to meet objectively assessed need. North Herts District Council does not require the application site to meet its objectively assessed need and there are no overriding reasons why this land should be granted consent for housing development.

2. <u>Access –likely to be unachievable</u>

The principal access road proposed to serve the development site is a public bridleway (Bridleway no 13). There are no vehicular rights over a public bridleway without the permission of the owner. The site is not registered with the Land Registry and so this permission cannot be sought.

A new road would have to be constructed, to adoptable standards and dedicated as an all-purpose highway under a section 38 (Highway Act 1980) over the route of the bridleway, to accommodate motorized vehicles. As there is no proof of title (Land Registry) accompanying the planning submission, without such documentation the highway authority are not authorised to commit to such an arrangement.

In addition, the proposed access to the application site would have to cross land at the junction of Briary Lane and Sun Hill which is designated Common Land. To be achievable, an application for the deregistration of this area of Common Land would have to be made, under Section 16 of the Commons Act 2006. Such an application has not been made to our knowledge, at the time of writing.

Applications should be accompanied by proof of consultation on the de-registration. Examples of consultees would include, Royston Town Council, Natural England, Wildlife Trusts, British Horse Society, local residents and civic amenity groups. All of these groups are likely to object to the application to deregister the land. The application to de-register is highly likely to fail.

Proof of this assertion is based on a previous application to deregister Common Land at the junction of Sun Hill and Briary Lane which was refused by the Secretary of State in May 2018 (COM/3170236). There were over 140 objections to this application which offered an area of 'replacement land'. The Inspector concluded that on balance the exchange of common land should be refused. The reasons he gave included the impact on people living in the immediate vicinity of the land and those who had been using the land, subject of the de-registration, since the 1970's.

The highway capacity of the existing roads leading to the proposed new access is a serious concern for residents. Briary Lane and Sun Hill are narrow estate roads that are already congested. The addition of another 107 homes with the corresponding traffic movements that would be generated by residents of the new development would worsen this congestion; there is no identified, offered or conceivable method of mitigating the harm to current residents.

The access to the application site is unacceptable.

3. Emergency Access route unachievable

The proposed emergency access route is on a road with limited to no footpaths and is less than the required width in the Manual for Streets. Concern about the achievability of this access has been highlighted by the Council.

4. Access – undesirable impact on Right of Way

The impact on Bridleway 13 which is a public Right of Way (ROW)that forms part of the Hertfordshire Way and the Icknield Way would be severe. Hertfordshire County Council's criteria for judging proposals that affect Rights of Way state that "Where a ROW passes through or is within a site and either remains unaltered or is diverted as a result of a development, the amenity value of the ROW must, as a minimum, remain unchanged in terms of width, perceived safety, attractiveness and surfacing." None of those criteria would be met by this proposal.

5. Loss of agricultural Land

The application site is located on two agricultural fields of high agricultural quality, 46 % of which is the best and most versatile land (Grade 2). This is contrary to para 118 of the NPPF which advises that land of Agricultural Quality Grade 2, wherever possible, should not be developed.

6. Loss of access to the heath

The loss of the existing visitor's car park would impact visitors wishing to visit the heath.

7. Negative impact on landscape character

It is a commonly held misconception that additional planting can mitigate against landscape change. Additional planting will not compensate for the irrevocable damage to the landscape that will result in the construction of over 100 homes.

This site is on a slope, the lower half of which is the subject of this application. Notwithstanding, the proposed development will be at a higher elevation than any other development on the southern side of Royston. Development will impact the openness of the site and views from the adjacent Therfield Heath and the public right of way and other routes across the heath.

8. High risk of contamination of the local Water Supply

The proposed development site is located within an Environment Agency defined groundwater Source Protection Zone (GPZ) corresponding to Therfield Heath Pumping Station. This is a public water supply, comprising a number of Chalk abstraction boreholes, operated by Affinity Water Ltd. Due to the sensitivity of the site being in a source protection zone 1, the areas of ground where the surface water soakaways are to be sited should be chemically tested to ensure no contamination held in situ is mobilised by the flushing of surface water through the soakaway. Insufficient evidence is provided with the application to assure local people that their water supply will not be contaminated.

9. Lack of access to public transport

Hertfordshire County Council's holding objection based on the fact that the development does not lie within the recognised acceptable distance of public transport facilities is supported by RSNTG group. The site is some distance away from current bus services and most residents in the development would be living more than 900 metres from the existing bus stops in Baldock Street to the north and Barkway Street to the east.

National and local guidance (including DFT's Inclusive Mobility and HCC's Passenger Transport in New Developments) recommends that new developments are located no more than 400 metres walking distance of bus services. The applicant does not appear to have negotiated with transport providers to procure an adequate bus service to the development which would include public transport provision within the 400 metres.

10. Negative impact on Site of Special Scientific Interest (SSSI)

The application has the potential to significantly affect the integrity of Therfield Heath SSSI. The impact has not properly been assessed by the applicant and so this has the potential to be the single most damning shortfall of the application and one on which the application can confidently be refused.

Details relating to the scale of financial contribution towards the management of recreational pressures at Therfield Heath SSSI are unknown, as is the nature of the security of that financial contribution and how it would be dispensed. However, the RSNTG group feel that it is the fundamental objection to impact of the development, adjacent to the SSSI that should dictate a refusal, rather than the insecurity of mitigation finance.

Conclusion

The application fails on many counts. Particular regard should be had to the fact that the application is against national and local planning policy and to the potentially damaging impact on Therfield Heath SSSI. Other issues relate to the unacceptable proposals for access to the site, the distance to public transport provision, the impact on public amenity, a well-used right of way and landscape character, the risk to the local water supply and the loss of agricultural land.

This is an unpopular, speculative and unnecessary development proposal.

We strongly believe that the application should be refused and that this decision is defendable based on the reasoning provide in this objection letter and the many other objections received to the application.