Mr R.Tiffin
Planning Officer
Gernon Road
Letchworth Garden City
Hertfordshire
SG6 3JF

7th May 2018

Dear Mr Tiffin

18/00587/OP - Land East Of Briary Lane And South Of Sun Hill Sun Hill Royston

We are writing to you to object to the renewal of this planning application as the adverse impacts of the development would significantly and demonstrably outweigh the benefits for the residents of Royston.
We summarise our objections all of which we consider to be major and therefore request you advise the planning committee to overturn the previous approval:

1. The proposed removal of the intended parking to provide access to the SSSI site as set out in this application is proposed to be removed by an application 18/00747/OP made by Gladmans on behalf of its client.
2. The renewal does not fully comply with the NPPF guidelines, the existing NHDC plan nor the soon to be adopted Emerging plan which was issued after the initial planning application for this site. The removal of the amenity area for recreational purposes and the accessibility to the SSSI and potential loss of parking facilities is clearly not compatible with planning guidelines.
3. There is no Guaranteed parking for the SSSI site by the Conservators post the sale of the site with outline planning permission.If the application was successful then we would wish to see the planning Committee preserve the parking rights for the Residents of Royston by negotiating and imposing a S106 agreement on the Conservators and any subsequent developer
4. The ownership of Bridleway 13 is in dispute and there are no registered owners identified at the Land Registry.

We detail below further details regarding our objections together with their relevant notes:

1. This renewal application 18/00587/OP ("Renewal") should be reviewed in conjunction with application 18/00747/OP ("Gladman") the latter details the removal of existing and proposed parking areas designated for Therfield Heath users and replacement with a two lane highway. This should be considered a material change from the original application 14/02341/1 ("Original") and **a hazard to Heath users walking off the heath onto an proposed public highway for either the Renewal or Gladman** See note a) below.
2. The renewal does not comply with either the existing NHDC plan nor its more stringent emerging plan which is only months away from adoption so should carry significant weight in the consideration of this renewal which at the time of the Original application in 2015 the Emerging Plan had not been published (September 2016). The main issues being the loss of recreational and amenity space for the residents of the town primarily the parking used for the Heath access and loss of the site for recreational purposes. It could be argued that the Trustees and/or Conservators have not complied with their duties of maintaining public access for the public recreation thereon by allowing the site to become overgrown and unusable.See notes 3 & b) below
3. There is no **guaranteed commitment** from the Conservators and/or Trustees of The Therfield Regulation Trust to retain the car parking on Bridleway 13 to enable access to the Heath at the third highest usage point of access. This we believe is in breach of their statutory duties as it will restrict parking accessibility for heath users (see 1 above) when the Trust Deed clearly states ".... exclusively charitable purposes for **public access to the common of Therfield Heath and Greens and public recreation thereon".** Barker Parry (the applicants employed town planning agents state that the car parking **"whilst in the applicants ownership,** it is not

intended that this facility will be removed by the development proposed." These words we would argue are at least misleading and bordering on the disingenuous as they intend to sell the site to a developer and there is documentary evidence to support that Gladmans and the Conservators have been in discussions. They also state the car parking is informal which is categorically incorrect as planning permission was granted for parking. We would argue this is formal. See note c) below

4. The access to a number of the dwellings is proposed to be onto public bridleway 13 Royston which runs alongside the SSSI site of Therfield Heath. Barker Parry state that access is off "..... **and the unmade section of Briary Lane**". Which is not fully defining what the unmade section is ie a public Bridleway the ownership of which is in dispute and the County Highways officer has stated that ownership needs to be resolved when reporting on 18/00747/OP which argument surely applies to this Renewal.

If the above objections are not considered material (which I do not accept) for refusing the Renewal then we would request that a **s106 agreement be insisted upon to preserve the same current number of parking spaces in the proposed location on Drawing number HEA/14/02B to enable the National and local guidelines for maintaining accessibility and use of open spaces to be maintained.**If this parking is lost then the only off street parking would be on the main Heath parking areas around the cafe and Baldock Road which in turn would create greater stress in the walkways etc surrounding other car parks.
The highways of Sun Hill and Briery Lane already have restricted parking and do not facilitate easy additional parking spaces especially for disabled residents.

Note a).
The existing car parking area for visitors to park and gain access to the Heath was granted planning permission on 11 April 1996 Reference 96/00140/1 for re-surfacing and landscaping of car parking area at land off Briary Lane. We also understand the parking area was used prior to this date.
The Renewal in its papers submitted by its agents Barker Parry clearly shows parking spaces for Heath users (drawing reference HEA/14/02B). Gladmans submissions SITE LOCATION ref 7407-L-01 B February 2018 and 4 Design Proposals page 57 Proposed Access Road, General Arrangements and Sections when viewed together clearly show:

i) the removal of the Heath users car parking spaces
II) there being no pavement for users to step out onto when exiting the Heath

Note b)
The National Planning Policy Framework
Para 17 states "not simply be about scrutiny, but instead be a creative exercise in finding ways to **enhance** and **improve places** in which people live their lives". The removal of the open space and restricting access to the Heath for those requiring parking just off the bridleway does not I would argue **enhance** and **improve places** in fact it does the opposite.
It also states "**contribute to conserving and enhancing the natural environment.**"This Renewal obviously does not as it is removing both a natural environment and also removing easier access to the natural environment.
Para 69 states - "**safe and accessible developments containing clear and legible pedestrian routes and high quality public space, which encourage the active and continual use of public area.**"
The Renewal obviously removes public space and the continual use of a public area to those Residents living near to the site. The replacement land is not nearby and open but a wooded area with restricted area within its boundaries.
Para 73/74The development obviously does not comply with with either of these objectives
Para 75 The Renewal does not protect and enhance public rights of way and access
Para 118 adverse effect on SSSI site
Para 204 should be employed to protect heath visitors parking
Existing Plan
The renewal does not comply with Guideline 3 Roads and footpath, Guideline 8 Play and amenity space - allowing site to become neglected to enable site to be sold for

development thus removing existing space for existing residents.Guideline 14 Nature conservation

Emerging Plan

Policy SP10: Healthy communities

a. Renewal does not support the retention of existing.....leisure or recreational facilities nor does it comply with:4.119 green spaces in the life of local people;4.121 General presumption of keeping existing facilities.;4.128 NPPF addresses importance to access to open space. Transport Policy T1 a Development would not adversely impact upon highway safety; T2 c provision for all likely types of parking demand. Should be guaranteed by s106

Policy HC1 the loss of community facilities are not replaced by a piece of woodland some distance from the existing site especially for children.we would argue that the site should be listed as an Asset of Community Value (ref 10.8)

Policy NE2 Renewal is in conflict with "....avoids loss.....of the green infrastructure." The land swap does not mitigate the loss of green areas to the local residents of Sun Hill, Briary Lane,Echo Hill and surrounding roads.

Note c

Under a FOI request Natural England confirmed they had a meeting with Gladmans on 19/1/17 Where "the developers advised us that they were seeking access across the non SSSI land owned by the Conservators to provide a two lane road .At that stage no agreement had been reached" they also stated NHDC and Natural England had met to discuss a mitigation strategy. The Gladman application and documents clearly show the use of the car parking area for a two lane public highway which is currently used and proposed (whilst under their ownership) by the Conservators in the Renewal an area for the use of the Heath visitors and even if Gladmans didn't acquire the site other future developers could remove the parking area.

As further evidence of the lack of commitment shown by the Conservators to retain parking for the users of the heath, at a recent open meeting of the Conservators and/or Trustees Mr Vaisey asked if they would be willing to guarantee the preservation of the car parking to which the Chair of the meeting was advised " not to go there" by the Conservators clerk. This I would infer to mean they have little intention of preserving parking rights which have existed for well over 20 years.

Natural England commissioned a report by Footprint Ecology titled Therfield Heath Access Study which clearly states that the access points to the heath opposite the Renewal site has the third highest usage estimated for a typical day. We do not understand why the Conservators did not supply the report to either the Public Enquiry dealing with the land swap or with the other documents supplied with the Renewal.

Our greatest concern regarding this Renewal is that for a development of a maximum of 8 houses (less if Gladmans purchase the site for partial use of a dual lane road) the potential loss of parking will place greater stress on the Heath at its other access points and by greater use of motor vehicles (approximately 75%0f Heath users arrive by car per the Footprint report)and the loss forever of an amenity are for local residents.

For the reasons set out we would ask that the renewal of the planning permission be refused for the planning development.

We trust you will take the concerns into consideration.

Yours sincerely

Mr AJ Vaisey. Mrs GM Vaisey

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