

## **Planning Matters October 2020**

### **Hertingfordbury Retirement Village**

We have lodged a strong objection to this proposal for over 200 apartments in the Green Belt, where new buildings should be permitted only if there are very special circumstances. The applicant contends that there is a need and demand for the type of retirement accommodation proposed, and that the Council cannot demonstrate a five-year supply of land for housing. Even if both those propositions were true (which we doubt), the protection of Green Belt land from development is a key policy of the National Planning Policy Framework which makes it quite clear that permission should still not be granted.

Quite apart from the technicalities, this particular stretch of Green Belt performs an obvious and visually important role in separating the town of Hertford from the village of Hertingfordbury, and in providing a rural setting for the village conservation area. The fact that the extent and boundaries of the Green Belt in East Herts were defined in a District Plan adopted less than two years ago, after a meticulous and painstaking process of review, makes it all the more important that those boundaries are robustly defended.

We made two further points. First, the applicant claims that the proposal would be a 'residential institution', and as such escape the requirement under the District Plan to include affordable housing. But it is arguable that the proposed village, with its independently owned apartments, would not be an 'institution', but simply a number of ordinary dwellings. If so the Plan would require a percentage of them to be affordable. Secondly, the application proposes a large number of facilities for residents (wellness centre, restaurant, bar, shop, cafe, library, function room, hairdressing salon, surgery, tennis and badminton courts, ..... ) which would be very expensive to provide and run; indeed it is difficult to believe that with all these 'extras' the scheme would be viable. Normally the identity of an applicant is not a material consideration in determining a planning application, but given the questionable viability of the whole scheme we noted that the applicant does not claim to have previous experience of either developing or managing any similar retirement village complex. That being so, we pointed out that there must be a risk that the developers may find themselves unable to complete the whole of the scheme as planned, and Hertingfordbury could end up with some blocks of flats in a field.

### **Mangrove Road (Site allocated for Housing in the District Plan)**

We were pleased to see that, in accordance with the District Plan, the applicant intends to leave the western part of the site, which is in the Green Belt and part of a Green Finger, undeveloped and available for public access. However any area to which the public have access will need a certain amount of maintenance and supervision, for example to ensure that litter does not accumulate and that there are no dead or dying trees liable to be a danger to the public; a certain degree of woodland management would also be necessary in the longer term. No proposals for the maintenance of this public area are included in the application, nor any arrangements to ensure that the area remains available to the public in perpetuity.

We therefore urged the Council to grant permission only if the developer is willing to enter into a planning obligation to ensure that the undeveloped land remains available to the public in perpetuity (and is fully signed as public), and is maintained appropriately at no cost to the public purse. There would be great benefit in a public footpath link between this land and Valley Close, but we recognise that the creation of such a path outside the application site would require action by the Council and is not in the gift of the developer.

## **17 Highfield Road**

We objected to an application for a detached house in the garden of No.17, which is a wooded garden significantly contributing to the appearance and feeling of the conservation area. The District Plan expects proposals in the conservation area to respect established building lines, layouts and patterns, and safeguard all aspects which contribute to the area's special interest and significance, including important views and green spaces. The impact of this development would be felt in Morgans Road, where the houses are set back in deep front gardens and form a relevantly consistent building line. The proposed house would break this line standing out like a sore thumb just at the most sensitive point.

The application was refused, but an appeal has been lodged and also an amended proposal was submitted. The amended scheme does not rectify the shortcomings of the earlier proposal, we renewed our objection, and again permission was refused. The appeal against the first scheme remains live.

## **15 West Street**

The proposal is described as an outbuilding with swimming pool incorporated. In fact the building would include a living area, bedroom and bathroom facilities; it would require little work to make it into a completely separate dwelling in the future. The proposed structure is located in the Conservation Area immediately adjacent to the line of listed buildings at the eastern entry to West Street. As such it fails to respect the value and setting of these adjacent properties. It would sit within a walled area previously used as the kitchen garden, which in itself adds to the curtilage and setting of No.15.

It is understandable that the applicant wants to seek garaging for the household's cars but this could be done with a simple single-storey building replacing whatever passes for a garden shed currently. It does of course require access from the Gates site which is currently subject to redevelopment, but in this respect the application is premature until that redevelopment is approved.

We therefore urged the Council to refuse this application on grounds of impact on the Conservation Area and on the adjacent listed buildings. Approval would set a precedent for similar applications in the Conservation Area.

## **Bramfield Road Rare Breeds**

Land occupied by Goldings Estate Rare Breeds Farm Ltd at the corner of North Road and Bramfield Road has been a concern for some time. The appearance presented to Bramfield Road is one of total mess, in sharp contrast to the public cemetery opposite; there are various buildings, some presumably used to house farm animals, and the website mentions a tea room. However there has been no planning application. There was an application to erect two large barns to house livestock, feed and machinery much further from the road, in the Goldings parkland. The Council refused this on the grounds that there was not enough evidence that the land was used for an agricultural business (rather than a hobby). That decision was welcome, because the barns would have been prominent and unsightly in the parkland landscape, but what now needs to be addressed are the buildings and activities on the corner of Bramfield Road.

### **The Hertford Bell (formerly Duncombe Arms), Railway Street**

We were alarmed when the timber stockade made of rough-hewn planks was built outside the front of the pub. The structure is totally inappropriate for a conservation area in the centre of a historic town so we were pleased when a planning application was submitted not showing the stockade. The application was approved subject to strict adherence with the submitted plans. As the enclosure/seating area currently in place to the front of the pub is not built in accordance with the approved plans, the Council have advised the owner that once the COVID-19 restrictions have been lifted it needs to be removed and replaced with that approved.

### **The Corn Exchange**

The District Council have now formally designated the Exchange as an Asset of Community Value (ACV). This should help to ensure that the building remains available as a music venue, because ACV status can be a material consideration when the Council has to decide whether or not to grant planning permission for a change of use. We have been informed that the building is to be sold, though there is no evidence that it is yet on the open market. There have been indications in the past of an interest in converting the building into apartments. In April we drew the Council's attention to the fact that substantial repairs were being carried out to the roof, apparently without the consent necessary because the building is Listed. We were told that the Enforcement Officer would investigate and notify us of progress, but have heard nothing further.

### **Power Turbine and Generator west of Hertford Theatre**

As long ago as 2012 the Council decided to install a hydro-electric power turbine and generator on Castle Weir, next to the theatre. There were objections from the Environment Agency on flood control grounds, and the project lay in abeyance for years. The Council now wish to pursue a modified proposal, and as part of the process they have to make a planning application. The application is in outline with no details about the appearance or siting of the plant and equipment or the necessary building. This is a very sensitive location in the conservation area with a number of Listed buildings nearby, not to mention the theatre itself which is to be substantially remodelled and extended. So we submitted that a full application is needed to provide information on any installations that would have a visual or other impact. At the end of last year the Council's conservation officer made a similar observation, and the Environment Agency objected because no flood risk assessment had been submitted. Since then no such assessment or any additional information has been published, and the application remains undetermined.

### **Castle Grounds**

No response to the consultation on a 'Greenspace Action Plan' for the Castle Grounds has yet appeared on the Town Council website.