

TOWN AND COUNTRY PLANNING ACT 1990

AGENT

Mr Brian Parker
McPartland Planning Limited
10 Orient Close
St Albans
Hertfordshire
AL1 1AJ

APPLICANT

Mr S Collins
Headlands Way Limited
C/o Agent

PLANNING REFUSAL

Outline application (access sought) for demolition of existing buildings, and the building of up to 330 discounted affordable homes for Key Workers, including military personnel, the creation of open space and the construction of new accesses and highway works including new foot and cycle path and works to junctions

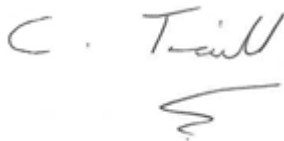
St Stephens Green Farm Chiswell Green Lane St Albans Hertfordshire

In the pursuance of their powers under the above-mentioned Act and the Orders and Regulations for the time being in force thereunder, the Council hereby **refuse** the development proposed by you in your application dated 12/11/2021 and received with sufficient particulars on 24/11/2021 and shown on the plan(s) below for the following reasons:-

1. The site is within the Metropolitan Green Belt and the proposed development represents inappropriate development within the Green Belt, as set out in the National Planning Policy Framework 2021. In addition to the in-principle harm to the Green Belt by reason of inappropriateness, other harm is identified as a result of the proposed development in terms of: its detrimental impact on the openness of the Green Belt, harm to Green Belt purposes, harm to landscape character and appearance, loss of high quality agricultural land, and impacts on social and physical infrastructure. The benefits comprise the provision of up to 330 affordable housing units including potential for self-build units at the site which would contribute significantly towards meeting an identified housing need in the District, and potential for provision of a significant area of public open space and a new public footpath. The potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is not clearly outweighed by other considerations; and as a result the Very Special Circumstances required to allow for approval of inappropriate development in the Green Belt do not exist in this case. The proposal is therefore contrary to the National Planning Policy Framework 2021, Policy S1 of the St Stephen Parish Neighbourhood Plan 2019-2036 and Policy 1 of the St Albans District Local Plan Review 1994.

2. In the absence of a completed and signed S106 legal agreement or other suitable mechanism to secure: Additional Health services provision; Education provision in the form of new primary school, secondary school, and childcare provision; Special Educational Needs and Disabilities provision; Library service provision; Youth Service provision; Play Areas, Parks and Open Spaces and Leisure and Cultural Services provision; Affordable Housing provision; Open Space and recreation provision, Highway Works including provision for Sustainable Transport and Travel Plan; the infrastructure needs of the development would not be met and the impacts of the proposal would not be sufficiently mitigated. The proposal is therefore contrary to the National Planning Policy Framework 2021, the St Stephen Parish Neighbourhood Plan 2019-2036 and Policy 143B (Implementation) of the St. Albans District Local Plan Review 1994.

Signed



Christine Traill
Strategic Director – Community and Place Delivery
St Albans City & District Council

Dated 25/10/2022

INFORMATIVES:

The Local Planning Authority has been positive and proactive in its consideration of this planning application. The Local Planning Authority encourages applicants to engage in pre-application discussions as advocated under paragraphs 39-46 of the NPPF. The applicant did not engage in pre-application discussions with the Local Planning Authority and the form of development proposed fails to comply with the requirements of the Development Plan and does not improve the economic, social and environmental conditions of the District.

This determination was based on the following drawings and information: 21086 001 Rev B, 21086 002 Sht 1 - Stanley Avenue, 21086 Sht 2 - Watford Road, 21086 TK01 Rev A, 21086 TK02 Rev A, TSA-21-1163/201, TSA-21-1163/202, TPP/LCGLSAH/010 A, Agricultural Land Classification Report, Air Quality Assessment, Arboricultural Report: Arboricultural Impact Assessment and Arboricultural Method Statement, Design and Access Statement, Draft Proposed Heads of Terms for a Section 106 Agreement, Ecological Appraisal, Flood Risk Assessment, Desk Study and Preliminary Risk Assessment, Landscape and Visual Impact Assessment Rev A, Outline planning noise assessment for a proposed residential development, Statement of Community Involvement, Sustainable Drainage Assessment, Transport Assessment, Residential Travel Plan and Utilities Assessment received 16/11/2021; Site Location Plan Rev D and Indicative Proposed Site Layout - Rev C received 23/11/2021; Errata to Planning Statement received 25/11/2021; Agent Response - Minerals received 18/01/2022; Agent Response - Sport England received 19/01/2022; Agent Response - Heritage and agricultural use received 21/01/2022; Agent Response - HCC Landscape and Agent Response - Archaeology received 27/01/2022.

Appeals to the Secretary of State

If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development, or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

This is a decision to refuse planning permission for a Full planning permission. If you want to appeal against your Local Planning Authority's decision then you must do so within 6 months of the date of this notice.

However, if an enforcement notice has been served for the same or very similar development within the previous 2 years, the time limit is:

- **28 days** from the date of the LPA decision if the enforcement notice was served before the decision was made yet not longer than 2 years before the application was made.
- **28 days** from the date the enforcement notice was served if served on or after the date the decision was made (unless this extends the appeal period beyond 6 months).

NB – the LPA determination period is usually 8 weeks (13 weeks for major developments and 28 days for non-material amendment applications). If you have agreed a longer period with the LPA, the time limit runs from that date.

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square Temple Quay Bristol BS1 6PN or online at <https://acp.planninginspectorate.gov.uk/>

The Secretary of State may allow a longer period for the giving of notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the Local Planning Authority could not have granted planning permission for the proposed development, or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under a development order.

Purchase Notices

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that the owner can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter I of Part 6 of the Town and Country Planning Act 1990.