



**TOWN AND COUNTRY PLANNING ACT 1990 (as amended)**

**REBUTTAL PROOF OF EVIDENCE**

**of Stephen Connell BA (Hons), Dip TP, MRTPI**

**on behalf of St Albans & District Council Land South  
of Chiswell Green Lane, Chiswell, St Albans  
Hertfordshire AL2 3AJ**

**LPA Reference: 5/2022/0927**

**PINS Reference: APP/B1930/W/22/3313110**

1. For the avoidance of doubt, this rebuttal proof has been prepared to save time at the inquiry and provides a written response on various matters of disagreement with that in mind. It does not purport to respond in relation to each area of disagreement. The absence of any comment on a specific issue does not indicate my (or the Council's) acceptance of any of the points made in the Appellant's evidence.

## **Rebuttal to Justin Kenworthy ("JK") Proof**

2. Mr. Kentworthy places reliance on a number of appeal decisions in particular weight to be accorded to benefits. I see limited benefit in transferring across the approach taken in one appeal decision to this case, since each turns on their own facts and ultimately it is a pure matter of judgment for each Inspector. On the same facts, two Inspectors could legitimately reach different views. However, to ensure that the inquiry has a balanced range of appeal decisions, I have attached the following appeal decisions and relevant paragraphs and weighting.

**(i) CD 5.42- Holyport (150 dwellings and Doctor's surgery and community park)**

At paragraph 74 the Inspector weighs the Economic benefit as Moderate.

At paragraph 75/76 the Inspector weighs the Ecology benefit as Limited

**(ii) CD 5.43 -Land at Boroughbridge Road (60 affordable housing dwellings)**

At paragraph 33 the Inspector weighs the Economic benefit as Limited

**(iii) CD 5.44 – Former Loxley Works (Mixed use to include 330 dwellings)**

At paragraph 33 the Inspector weighs the Economic benefit as Limited

**(IV) CD 5.45 – Raughmere (140 dwellings and public open space)**

At paragraph 42 the Inspector weighs the Economic benefit as Moderate

At paragraph 43 the Inspector weighs the Open Space benefit as Minimal

**(V) CD 5.46 Home Farm (197 dwellings and convenience store)**

At paragraph 60 the Inspector weighs the Economic benefit as Limited

At paragraph 60 the Inspector weighs the Open Space benefit as Limited