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Land adjacent to Colney Heath Football Club, Colney Heath, St Albans

STATEMENT OF CASE

Colney Heath Parish Council Rule 6 Party

Planning Inquiry

PINS Ref : APP/B1930/W/23/3333685

LPA REF: [5/2022/0599](#)

Introduction

The appeal site is entirely within the Metropolitan Green Belt. As it is not among the exceptions set out in paragraph 154 of the National Planning Policy Framework, December 2023 (the “Framework”) the proposed development in the Green Belt is by definition inappropriate.

Paragraph 152 of the Framework establishes that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 153 of the Framework states that ‘very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

As set out below, we consider the potential harm to the Green Belt, and other harms, are not clearly (*our emphasis*) outweighed by the need for housing cited by the appellant as being the “other considerations”.

Consequently very special circumstances do not exist and we invite the Inspector to dismiss the appeal.

Summary of the Parish Council’s case, set out below in 7 sections, is:

1. The negative effect of the proposal on the openness and purposes of the Green Belt,
2. The negative effect of the proposal on the landscape character and appearance of the area,
3. The negative effect of the proposal on the setting and significance of the adjacent Grade II listed buildings,
4. The location of the appeal site is not, and cannot be made to be, sustainable in transport terms,
5. The lack of the necessary infrastructure and consequent negative impacts,
6. Parking capacity and safety concerns regarding the access to the adjacent primary school,
7. The negative impact of the potential consequential development should the appeal be allowed.

1. The negative effect of the proposal on the openness and purposes of the Green Belt.

1.1 Paragraph 142 of the Framework establishes that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Openness is one of the essential Green Belt characteristics, and openness comprises both spatial and visual aspects. Colney Heath has an open character which is immediately apparent to residents and visitors alike and is a defining feature of the village.

1.2 The appeal site is entirely outside the existing settlement envelope, being farmland within the open countryside to the north-east edge of the settlement. The site is not “enclosed” by either man-made or natural features.

- 1.3 The north-east boundary of the settlement cluster is edged by the rear gardens of the Crooked Billet public house and the residential properties at 90-106 High Street which expose the settlement edge to the wider open countryside and create a strong localised relationship with the surrounding landscape.
- 1.4 The proposed development would form a large physical encroachment beyond the existing settlement edge, extending deep into the open countryside. This would have a significant negative spatial impact on the openness of the Green Belt.
- 1.5 The proposed development would also have a significant negative visual impact on the openness of the Green Belt both from public and private viewpoints.
- 1.6 Vehicular movement on the site, and lights from dwellings and street lights after dusk, would visually disrupt what is presently an open site where current movements are due only to occasional seasonal farm work or use of the public footpaths and bridleway close to the site and there are no lights.
- 1.7 The loss of spatial and visual openness on the site would be permanent and not remediable.
- 1.8 The appeal proposal would constitute a major incursion of built area into the open countryside to the north of Colney Heath. This would cause substantial harm to the key purpose of the Green Belt in this location in safeguarding the countryside from encroachment.

2. The negative effect of the proposal on the landscape character and appearance of the area.

- 2.1 The character and appearance of the appeal site is clearly rural; it is farmed with arable crops. Only one fifth of the site perimeter abuts the rear gardens of adjacent properties on the southern edge. The Football Club building is remote from the north-west site edge.
- 2.2 In its current form the site makes a significant positive contribution to the rural setting of the village.
- 2.3 It has intrinsic character and contributes to the beauty of the countryside, and to the wider benefits from natural capital and ecosystem services as set out in paragraph 180(b) of the Framework. As a result of the proposed development, the contribution and value of the site to the rural character of the area and the setting of Colney Heath would be substantially eroded.
- 2.4 The appeal site is prominently exposed to public view by both the number of daily visitors to the primary school during term times, and players and visitors at the Football Club for practice, match days and social events. It is likewise very visible from the well-used footpaths and bridleway particularly the path adjacent to the Football Club which runs towards Hatfield, that from Roestock Lane towards Sleafshyde, and the paths

from the Old Telephone Exchange, the former Chalkdrawers Arms and Roundhouse Farm towards Sleafshyde.

2.5 The proposal would fundamentally and permanently alter the landscape of the appeal site from an open field to an urban development. The proposed development would have a substantial adverse effect on the landscape of the site and its immediate environment.

2.6 The dwellings at 90-106 High Street have open views over the appeal site, both from ground and first floor windows. These views have a high degree of visual sensitivity to change. Whilst the existing views from the ground floors are partially filtered by garden and boundary landscaping, the proposed development would have a very significant adverse effect on these properties.

3. The negative effect of the proposed development on the setting and significance of the adjacent Grade II listed buildings

3.1 Historic England notes the Crooked Billet public house dates from early C19. In addition to being listed it has recently been designated as an asset of community value. The building stands around 25 metres from the edge of the appeal site, and would be around 35 metres from the proposed buildings. Numbers 92 High Street (Apsley Cottage) and 94 High Street (Mole End) are also Grade II listed; the gardens of both residences would directly abut the south-east corner of the site.

3.2 The Crooked Billet pub has a large rear garden which connects the listed building to the open countryside formed by the appeal site and the adjacent farmland to the south and east of the site. Whilst the frontage of the building is on the High Street, entering the pub site effects a transition from the village street environment to a rural pub in the countryside.

3.3 The proposed development would result in harm to the setting of the listed buildings. In particular it would negatively change the perception of the setting of the Crooked Billet as a pub with a countryside garden.

4. The location of the appeal site is not, and cannot be made to be, sustainable in transport terms.

4.1 St Albans District Council is preparing a new Local Plan to 2041 which has undergone Regulation 18 public consultation. The emerging Local Plan does not allocate any sites for development in Colney Heath village. This aligns with ARUP's recommendations in their Green Belt Review dated June 2023. We note that all the development sites across the District proposed in the emerging Local Plan are within 500m to 800m of roads with bus services providing a level of frequency suitable for public transport to offer a realistic alternative to travel by private cars and taxi.

4.2 Except for the primary school, Colney Heath village does not currently provide the facilities for the essential needs of its residents – namely employment, education, food

and household provisions, health care services and leisure. These all have to be accessed in locations outside of and beyond the village.

- 4.3 Sustainable alternatives to the use of private cars and taxis are public transport (trains and bus services) and active modes of travel (walking and cycling), either to a destination or to connect to public transport routes.

Public transport and active modes of travel

- 4.4 None of the nearest train stations are accessible by suitable bus services or via adequate cycling routes, and all are too far to reasonably access on foot.
- 4.5 The nearest bus route with an adequate frequency of bus services is the A1057 Hatfield Road, a 30 minute walk of 2,080m, an unacceptable walking distance.
- 4.6 Colney Heath has a very infrequent and unreliable bus service. The 305 service is the only regular service but runs approximately 2 hourly on Monday to Saturday between Colney Heath and St. Albans, and also provides the afternoon service from Colney Heath to Potters Bar.
- 4.7 Three of the six buses routes run a single service one day a week; these are basically for mid-morning shoppers. Two other routes are principally school services operating in term-time only and at times for the start and end of the school day.
- 4.8 Department for Transport data shows Hertfordshire has had a 56.5% reduction in bus mileage since 2017, the highest reduction in England. The bus services in Colney Heath are not going to get better in the foreseeable future. The long term trend is for a reduction in services.
- 4.9 Colney Heath does not have access to facilities for the everyday needs of residents by sustainable modes of public transport, nor is this likely to be the case in the foreseeable future. Cycling routes are indirect and/or unsafe, and walking distances are too far and, in many cases, along paths of unacceptable quality. Residents are, and will remain, dependent on private cars and taxis.

Employment

- 4.10 There are very limited opportunities for employment in Colney Heath village. Workplaces are mostly outside the village, further than a reasonable walking distance and on unacceptable cycling routes. Buses do not operate at times to allow travel to or from work, and the services do not connect to the many and varied places where residents work.

Education

- 4.11 The pre-school in the Village Hall, is 400m from the centre of the site. Colney Heath School and Nursery is adjacent to the site; it is currently operating at or near capacity, with only some years having one or two spare places. With the 100 dwelling development in the village on Bullens Green Lane now under construction, this school

is likely soon to be oversubscribed and unable to take all the village children. None of the alternative primary schools is within acceptable walking distance for children of this age group. Cycling is not a safe option for primary school aged children, and alternative schools are therefore only accessible by car or taxi.

4.12 The access and parking facilities for the current one form of entry primary school are already saturated and would not support the expansion of the school.

4.13 There are a number of secondary schools in and around St Albans and Hatfield, but many are, or are very nearly, already oversubscribed. As residents of an outlying village children in Colney Heath are furthest away from the catchment areas. Buses serve some schools in St Albans but none in Hatfield. With the exception of Nicholas Breakspear (a faith limited admissions Catholic school), all the schools are beyond an acceptable walking distance. None of the cycling routes are acceptable in terms of safety. Most access to secondary schools is by car or taxi.

Food and household provisions

4.14 All of the nearest supermarkets are further than an acceptable walking distance and on unacceptable cycling routes.

4.15 One supermarket, Morrisons in St Albans, is accessible via the infrequent but daily 305 bus service. The shoppers' bus services that provide access to some of the supermarkets offer only one time to depart and return during the day, once a week only, and at times unsuitable for many residents. Household shopping by bus for all but single-person households would require several journeys each week.

4.16 The village post office and convenience store provides a very limited range of goods for food and household provision needs, and does not provide a reliable service. The proposed development would not sufficiently increase the demand on this facility to encourage it to enhance its services. Residents have to use their cars or taxis for shopping.

Healthcare

4.17 There are no GP or dental surgeries in Colney Heath village. Those that are available to residents are well beyond acceptable walking distances, on cycling routes that are neither sufficiently direct nor safe, and predominantly are not on a bus route serving the village. Residents have to use their cars or taxis to visit the GP or dentist.

4.18 Hospitals providing diagnostic and treatment facilities are too far to access on foot or by cycling on acceptable routes, and require multiple changes between bus routes to access. Residents have to use their cars or taxis to visit the hospital.

4.19 To conclude, paragraph 7 of the Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development. Colney Heath village is not, and cannot be made to be, sustainable in transport terms.

5. The lack of necessary supporting infrastructure and consequent negative impacts

- 5.1 Paragraph 7 of the December 2023 version of the Framework now includes consideration of the contribution of the supporting infrastructure to the purpose of the planning system to achieve sustainable development.
- 5.2 As noted in section 4 above, Colney Heath village does not have the facilities to support employment, secondary education, shopping for food and household provisions, healthcare services and leisure – or the public transport services to provide access to these everyday needs.
- 5.3 The road infrastructure in the village is, at times, congested with volumes of through traffic and has very fast moving traffic at other times. Footpaths in some locations are very narrow and in some cases present trip hazards.
- 5.4 The limited availability of suitable school places is a serious concern for residents. Housing development and dependency on cars and taxis generates traffic volumes and significant carbon emissions.

6. Safety concerns regarding the access to the adjacent primary school

- 6.1 The access connecting the High Street to the proposed development is owned by Tarmac. It provides access to the Football Club and the hard standing area to the north-east of the school is used for parking at school drop-off and pick-up times. Adjacent to this access is land on the north-west side, which is next to the primary school and is owned by the Parish Council.
- 6.2 Currently both the access and the adjacent land are used for parking at school drop-off and pick-up times, and for entry to the side entrance of the school. Both the drop-off and pick-up periods are very busy, the latter having the greater demand for parking and manoeuvring. Cars are parked on the access road and the adjacent land. The access road is used by parents and children walking between the school and the cars, both parked and entering or leaving. This is highly congested but safety is managed mainly due to the fact that all the users of the road space are parents with children.
- 6.3 The proposed development would remove around 17 spaces currently used for parking. The parking capacity of the hardstanding area is currently saturated.
- 6.4 Vehicular movements to the proposed development would be by drivers not associated with the school, both during the construction and occupation phases. This would present very serious safety concerns which we do not see being overcome.

7. The negative impact of the potential consequential development should the appeal be allowed.

- 7.1 A parcel of mainly forested land along the A414 was offered in response to the District Council's call for sites in 2021 as part of the preparation of the new Local Plan. The

indicated potential development on this parcel of around 43 hectares is 770 houses with employment (details not specified), and a Country Park.

- 7.2 The appeal site with its access from the High Street would provide access to the offered parcel.
- 7.3 The Parish Council considers that the proposed development is a “Trojan horse” to the much larger potential development.
- 7.4 In section 5 we have noted our concerns regarding supporting infrastructure (including the roads and traffic volumes), and in section 6 our concerns on safety that would be created by the appeal proposal. These concerns would be magnified many times should such a large-scale development be approved in the future.

8. Conclusion

- 8.1 The Parish Council supports the provision of housing that meets local needs in the right place. Recognising the need for additional housing in the District, the Parish Council has broadly supported the site allocations in Colney Heath Parish identified in LPA’s Regulation 18 draft Local Plan. This is because the sites are located on or near routes with bus services that provide reasonable access to most everyday needs. None of these sites are in Colney Heath village.
- 8.2 The appeal site is not in a sustainable location. The Parish Council considers the harm to the Green Belt, and other harms identified above, are not clearly outweighed by other considerations, thus very special circumstances do not exist and the appeal should accordingly be dismissed.

End