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**From:** Pins Appeal (SADC) <pinsappeal@stalbans.gov.uk>  
**Sent:** 03 January 2025 12:23  
**To:** East 2  
**Cc:** [REDACTED]  
**Subject:** RE: NPPF - 3345004 - Land between 84-108 Ragged Hall Lane, Chiswell Green  
**Attachments:** APP B1930 W 24 3345004 - National Planning Policy Framework.pdf; Highways Ragged Hall Lane comments 24.0144.pdf

**Importance:** High

Dear [REDACTED],

Further to your email below, please find attached the LPA's response in relation to the relevance of the NPPF 2024 to the Council's case.

This email is copied to the appellant's agent as requested.

Regards

Planning Appeals - Customer Delivery Team  
Customer, Business & Corporate Support

**St Albans City and District Council**

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Council contact details: [www.stalbans.gov.uk/contact-us](http://www.stalbans.gov.uk/contact-us)

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**From:** East 2 <east2@planninginspectorate.gov.uk>  
**Sent:** Friday, December 13, 2024 7:57 AM  
**To:** Pins Appeal (SADC) <pinsappeal@stalbans.gov.uk>  
**Subject:** NPPF - 3345004 - Land between 84-108 Ragged Hall Lane, Chiswell Green  
**Importance:** High

Dear Planning Team

I refer to the above appeal and the revised National Planning Policy Framework, which came into force on 12 December 2024.

The Inspector invites you to consider whether the Framework 2024 has relevance to your case. Please submit your comments on this matter **only** in a submission titled 'National Planning Policy Framework'.

You should send any comments you wish to make to the Appellant at the same time as us.

The deadline for submission of your comments is three weeks from the date of this letter 3<sup>rd</sup> January 2025.

Regards  
[REDACTED]

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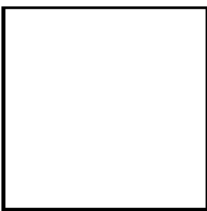
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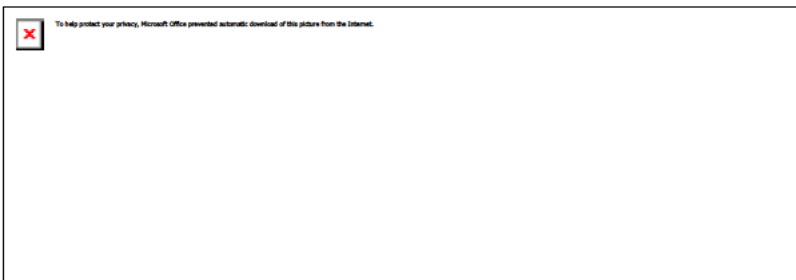
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DPC:76616c646f72



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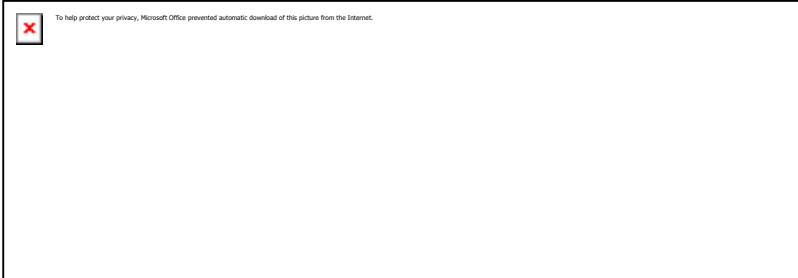


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**Community and Place Delivery**  
Christine Trill – Strategic Director

**Our Ref:** 5/2024/0144  
**Your Ref:** **APP/B1930/W/24/3345004**  
**E-mail:** [planning@stalbans.gov.uk](mailto:planning@stalbans.gov.uk)  
**Date:** 3 January 2025

The Planning Inspectorate  
East2  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

Dear [REDACTED]

**Appeal by Mr Martin Holderness**  
**Site at land between 84 – 104 Ragged Hall Lane, Chiswell Green, St Albans**

Further to your email dated 13<sup>th</sup> December ref 'NPPF - 3345004 - Land between 84-108 Ragged Hall Lane, Chiswell Green', the Council comment as follows:

The proposal for 7 self-build houses in the Green Belt is still considered as inappropriate development under National Planning Policy Framework 2024.

For the purposes of plan-making and decision-making, 'grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143.

Given its location, the Appeal site does not a) check the unrestricted sprawl of large built-up areas; b) prevent neighbouring towns merging into one another; or d) preserve the setting and special character of historic towns as outlined in para.143.

Whilst accepting that the land now falls under the definition of 'grey belt' development here would be at odds with the Green Belt's essential characteristics of openness and permanence evidenced by the Inspectorate's previous decision on LPA ref 5/2022/1517 where it was stated "*that the appeal site provides a visual break and appears as open countryside and the site is not therefore part of the village; seven dwellings would have a significant impact on openness and this is afforded substantial weight. Moderate weight is attached to the provision of 7 houses but that*

*this does not outweigh the harm identified consequently, no very special circumstances are identified to justify permission”.*

Paragraph 155 states: the development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where:

a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;

b. There is a demonstrable unmet need for the type of development proposed;

c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework.

In line with the new NPPF the Council acknowledges that a site of this scale, 7 houses, would not undermine the purposes of the Green Belt across the whole plan area.

However under paragraph 155 (c) the NPPF introduces the requirement for development to be in a sustainable location. The scheme does not meet this new test as supported by the consultation response from Herts County Council Highways. These comments are appended in full and form part of the Council’s case.

As such, the refused scheme is still considered to be inappropriate development in the Green Belt because of the failure to meet the requirements of 155 c).

Paragraph 155 (d) is noted but is not considered relevant as the appeal is not a major application.

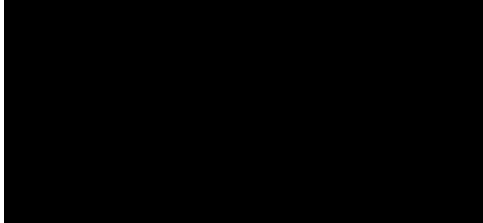
An assessment of the planning balance, in the context of paragraphs 11 d ii and 153 of the NPPF is not a mathematical exercise. Rather, it is a series of planning judgments based on the merits or otherwise of each individual case. Paragraph 153 provides the fundamental policy test within which this application falls to be assessed; as follows:

*When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness \*55. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. ‘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.*

*Footnote \*55 Other than in the case of development on previously developed land or grey belt land, where development is not inappropriate.*

The very special circumstances test in the NPPF 2024 is the same in the previous version of the NPPF (2023). As outlined in our Statement of Case, very special circumstances have not been demonstrated in this case and the appeal should be dismissed.

Yours faithfully,



Christine Trill

Strategic Director - Community and Place Delivery



Mark Youngman  
Development Management Group Manager  
Hertfordshire County Council  
Postal Point CHN115  
Farnham House  
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Stevenage  
SG1 2ST

## Response to Planning application from Hertfordshire County Council (T and CP GDP Order 2015)

### Director of Planning

St Albans City & District Council  
St Peters Street  
St Albans  
Hertfordshire  
AL1 3JE

District ref: 5/2024/0144  
HCC ref: SA/20831/2024  
HCC received: 24 April 2024  
Area manager: Rosemary Chatindo  
Case officer: Graham Burrell

### Location

Land Between 84-108 Ragged Hall Lane Chiswell Green St Albans Hertfordshire

### Application type

Outline

### Proposal

Outline planning application (all matters reserved other than access) for 7 serviced plots for self-build and custom housebuildin

### Recommendation

Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority recommends that permission be refused for the following reasons:

### COMMENTS

HCC commented on a previous application for this site (LPA reference 5 /2022/1517). A transport statement (TS) was provided to support that application dated May 2022. Drawing no. 2022-6314-000 dated May 2022 showed the layout of the site including a widening of the carriageway adjacent to the site, two vehicular accesses and tactile paving to the southern end of a Public Right of Way (ST. MICHAEL RURAL 010) which was intended as the pedestrian entrance to the site (access and egress via the PROW and across the car park acting as a "shared surface area"). The TS stated that "Ragged Hall Lane would be widened to 4.8m in the vicinity of the site."

HCC comments on 5/2022/1517 stated that "The site is in a generally unsustainable area and does not have footways fronting the site" and that "Accordingly, the location of the proposed development would fail to meet the objectives of Policies 1 and 5 of the Hertfordshire Local Transport Plan (LTP4) in respect of encouraging movement by sustainable transport modes and reducing travel demand."

Although the planning report noted that “Limited weight can therefore be afforded to this factor” HCC would reiterate its concerns related to the sustainability of this site for residential development.

The present planning application – reference 5/2024/0144 – provides the same transport statement dated May 2022 which includes the same drawing no. 2022-6314-000 as previously. The current application is however as an Outline application in respect to access only..

Drawing no. 2022-6314-000 applies standards relevant to Hertfordshire’s highway design guidance “Roads in Hertfordshire” (2011). Following consultation, “Roads in Hertfordshire” has now been replaced by Hertfordshire’s Place and Movement Planning and Design guidance (P&MPDG). This was formally adopted in 2024 and is intended as a supporting strategy document to our Local Transport Plan (2018). It is noted that a draft of P&MPDG was available online for over a year prior to its formal adoption.

The P&MPDG provides highway design standards based on the usage of roads in terms of both vehicular movements and their use as public spaces. Referencing the P&MPDG, the location of the site would put it at a location whereby “a predominantly residential street” (P2/M1) becomes a “rural lane” (P1/M1). The result of implementing the proposal would though put it within the P2/M1 category.

Several of the standards previously applied to drawing no. 2022-6314-000 are no longer relevant. For example, the minimum width of carriageway of 4.8 metres in “Roads in Hertfordshire”, is now replaced by a minimum width of 5.5 metres within P&MPDG. Likewise, drawing no. 2022-6314-000 shows 6 metre kerb radii at the entrances to the site. P&MPDG now requires 4 metre kerb radii.

As noted within the P&MPDG the guidance is aimed at delivering sustainable development appropriate for Hertfordshire in accordance with Hertfordshire County Council’s Local Transport Plan 4’s (LTP4) policies. This supports the need to address vulnerable road users, barriers to accessibility, to ensure that the design of proposals reflect the LTP Transport User Hierarchy and help promote cycling and walking (Policies 1, 5, 6, 7 and 8),

A further point of emphasis within the P&MPDG is the need to provide for people walking as the “first and primary consideration”. A re-design of the site layout should seek improvements to pedestrian access which as noted above is currently indicated as being via a Public Right of Way and then across the car parking area for the site. P&MPDG provides guidance on how this could be achieved.

## **Conclusion**

The proposals for access to the site are not in accordance with Hertfordshire’s Place & Movement Planning and Design Guidance (2024).

## **Signed**

Graham Burrell

8 May 2024