

[REDACTED]

From: [REDACTED]
Sent: 07 April 2025 09:28
To: Section 62A Applications Non Major
Cc: [REDACTED]
Subject: Land Between Ragged Hall Lane Chiswell Green St Albans Hertfordshire - Ref S62A/2025/0087 (OBJECTION)

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7 April, 2025

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RE: Objection to Resubmitted Planning Application (S62A/2025/0087) – Land between 84-108 Ragged Hall Lane, Chiswell Green, St Albans

Dear Sir/Madam,

I write to object to the latest resubmission concerning the proposed development of 7 dwellings on land designated as Green Belt on the land between Land between 84-108 Ragged Hall Lane, Chiswell Green, St Albans.

This marks the third iteration of an application that has already been twice rejected by the Planning Inspectorate (20th January 2025 and 9th October 2023). In both prior decisions, the Inspectorates concluded that the development would constitute inappropriate development, would have significant impacts on the openness of the Green Belt both spatially and visually, and the harm caused was not clearly outweighed by other considerations. Consequently, each Inspector concluded that there were no very special circumstances to justify such harm outlined in the National Planning Policy Framework (NPPF) or local policies.

1. A Single New Argument – “Grey Belt” – Already Considered and Dismissed

The new application leans heavily on an interpretation of NPPF paragraph 155, suggesting the site falls within the so-called “Grey Belt” and is therefore not inappropriate for development. However, the 2025 Inspector in paragraph 15 specifically addressed and rejected this argument, concluding that:

- The land is not previously developed
- It fails to satisfy the “within a village” criterion for limited infilling, and
- Development would not prevent sprawl — it would contribute to it.

“The proposed development does not meet the policy tests... and would cause harm that the new NPPF wording does not offset.” (2025 Inspector)

This site’s openness, undeveloped nature, and position on the settlement edge disqualify it from any relaxed interpretation of policy under “Grey Belt.” The merits of the development have not changed and the proposal fails to meet the tests of the National Planning Policy Framework (NPPF).

2. Importance of the Site’s Green Belt Function

In paragraph 15 of the most recent Inspector’s decision, it was acknowledged that the appeal site “plays a role in checking the unrestricted sprawl of the built-up area of the settlement and safeguarding the

countryside from encroachment.” This is a direct reference to two of the five key purposes of Green Belt land as set out in paragraph 138 of the NPPF. This recognition by the Inspector reinforces that the harm caused by the development is not superficial or a matter of aesthetics, but fundamental to the policy objectives of the Green Belt. This fundamental harm has not been addressed by the current application. Adding landscape buffers or reinterpreting policy does not mitigate the loss of openness or change the essential character and contribution of the site to the Green Belt.

3. Procedural Impropriety – Circumventing the Legal Appeal Process

The previous Inspector’s decision was issued on 20 January 2025, and the statutory six-week window for legal challenge expired on 6 March 2025. Instead of pursuing the appropriate legal remedy via judicial review, the applicant has attempted to reintroduce the same scheme under a new submission.

This approach is especially concerning given the designation of the Local Planning Authority under Section 62A of the Town and Country Planning Act 1990. The purpose of referral to the Planning Inspectorate is to ensure timely, impartial, and robust decision-making. Resubmitting near-identical applications within months post-decision undermines that objective and the integrity of the entire system. This tactic appears designed not to respond to new material considerations — of which there are none — but to exhaust local, national planning bodies and the community through attrition.

Conclusion

This is not a new proposal. Each successive application has simply attempted to repackage fundamentally the same arguments—arguments that have already been found insufficient or contrary to national and local planning policy by the Planning Inspectorate. The issues raised have been fully examined and rejected in previous decisions.

The site remains within the designated Green Belt. No material change in planning circumstances has occurred. No “very special circumstances” have been demonstrated that would justify a departure from established policy.

The applicant’s reliance on legal framing should have been pursued through the proper legal route—a statutory challenge under Section 288 of the Town and Country Planning Act 1990. The fact that no such challenge was made within the statutory timeframe reinforces both the lawfulness and finality of the Inspectors’ decisions.

The continued resubmission of substantially the same proposals is placing undue strain on public resources, imposes repetitive administrative burdens, and contributes to community fatigue. It also risks undermining public confidence in a planning system founded on legal certainty, finality, and good governance.

This application should be refused once again—and serious consideration should be given to whether the repeated submissions amount to an abuse of process.