



North Mymms Parish Council

Rule6(6) STATEMENT OF CASE

Prepared by

NORTH MYMMS PARSIH COUNCIL

Re:- Appeal Reference APP/C1950/W/22/3307844

LPA Reference 6/2022/1097/outline

Land North of Bradmore Way, Brookmans Park, Herts.

1. North Mymms Parish Council (NMPC) submits this Statement of Case as Statutory Consultees who submitted a MAJOR OBJECTION to the proposal.
2. This statement has been compiled in respect of the appeal by Aurora Properties Limited ("the appellant") against the refusal by Welwyn Hatfield Borough Council ("WHBC") to grant permission for an outline planning application (LPA Reference 6/2022/1097/OUTLINE) for up to 125 new dwellings, including 45 affordable homes, 10 self-build homes, a C2 care home for up to 60 bedrooms with associated facilities, together with a scout hut and all ancillary works on Land to the North of Bradmore Way, Brookmans Park, Hertfordshire.
3. A copy of North Mymms Parish Council's Major Objection is appended to this statement.

List of documents supplied in evidence:

- NPPF and other documents which are listed in the Borough Council Rule 6(6) Statement of Case
- NMPC Major Objection to Application 6/2022/1097/OUTLINE
- NMPC Responses to Local Plan Consultations
- NMPC Parish Plan

This application was refused by the LPA Welwyn Hatfield Borough Council (WHBC) on 5th August 2022 - the reasons for refusal were as we have heard and in summary:

- 1) The proposal would represent inappropriate development in the Green Belt, result in a considerable loss of Green Belt openness and represent a significant encroachment on the countryside. No very special circumstances exist to clearly outweigh this harm. Consequently, the proposal conflicts with Policies D1, D2 and RA10 of the Welwyn Hatfield District Plan 2005, Policy SADM34 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed submission 2016 and the NPPF.
- 2) The proposed development would severely detract from the character of the site and area, in conflict with policies D1, D2 and RA10 of the Welwyn Hatfield District Plan 2005; Supplementary Design Guidance 2005; Policy SP9 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016; and the NPPF.
- 3) The application has failed to demonstrate that there would *not be an unacceptable impact on highway safety* and that the impact on the road network would *not be severe*.
Furthermore, the application has failed to demonstrate that priority first would be given to pedestrian movements in the area and that the needs of people with disabilities and reduced mobility would be addressed. Consequently, the proposal conflicts with Policy M5 of the Welwyn Hatfield District Plan 2005, Policy SADM12 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016 and the NPPF.
- 4) The application *has failed* to demonstrate that it would contribute positively to the biodiversity of the site. Without such assurances, the proposal conflicts with Policy R11 of the Welwyn Hatfield District Plan 2005, Policy SADM16 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed submission 2016 and the NPPF.
- 5) The application fails to demonstrate that the proposed development will not increase flood risk to the site and elsewhere. Furthermore, the sustainable drainage system is unacceptable. Consequently, the proposal conflicts with Policy SADM14 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016 and the NPPF.
- 6) The Applicant has *failed to satisfy the sustainability* aims of the plan and to secure the proper planning of the area by failing to ensure that the development proposed would provide a sustainable form of

development in mitigating the impact on local infrastructure and services which directly relate to the proposal and which is necessary for the grant of planning permission.

NMPC supported and continues to support the Borough Council in its reasons for refusal of this proposal. But whilst the Council has withdrawn some objections to the proposal, we still maintain all of our Major Objections as presented.

We summarise our reasons for refusal under their general headings:

GREEN BELT

NMPC maintains that the proposal is inappropriate development in the Green Belt and is contrary to Paragraph 138 of the NPPF which sets out that the Green Belt serves various purposes, *3 of which are:*

- a) To check the unrestricted sprawl of large built-up areas,
- b) to prevent neighbouring towns merging into one another,
- c) to assist in safeguarding the countryside from encroachment.

NMPC maintains there is a coalescence risk and a green gap threat particularly between Brookmans Park Village and Welham Green.

Despite the Appellant's best efforts, no Very Special Circumstances have been proven to exist in order to outweigh the harm to the Green Belt therefore this reason for refusal in particular is most significant.

CHARACTER and SITE

This proposal would severely detract from the character of the site and area, and is in conflict with section 130 of the NPPF i.e. that planning policies and decisions should ensure that developments:

- a) Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. And
- b) are sympathetic to the local character and history including the surrounding built environment and landscape setting.

NMPC maintain there is a coalescence risk, green gap threat and that the design is *out of keeping* with the village.

The dramatic increase in proposed dwellings is excessive for a site in a restricted location. Studying the design, the appearance, density, layout and proximity to the existing homes it is clear that the development will be out of character with the locality and will have an adverse consequence on the nature of Brookmans Park village, not only during the construction phase but after.

The actual character of Brookmans Park village is one of a small historical setting developed over many years, it is supported by a few facilities, many of which are beauty salons and hairdressers for some strange reason, but generally these facilities are small in scale. The facilities seem to be adequate for a small village but they will strain to support the increase in footfall created by such a large development.

Section 130 of the NPPF is clear that planning policies and decisions should ensure that developments are *sympathetic to the local character and history* including the surrounding built environment and landscape setting, well this proposal is neither sympathetic to the local character nor the landscape setting.

NMPC has expressed concerns regarding the lack of local community consultation with our elderly, the location of and the need for a 60 bed Care Home in Brookmans Park given the amount of local provision in a five-mile radius and the impact that this Care home shall have on the traffic and transport facilities along Bradmore Way.

A cursory study shows there are 8 care homes within a five-mile radius and 10 assisted living complexes, when the Parish made enquiries a month or so ago, they were not fully occupied. We have already stated in our opening statement that when questioned, our elderly community prefer to downsize and live independently – perhaps even in sheltered housing but not to move into a care home.

Similarly, we question the need for a new Scout Hut; we are not aware of the Appellant consulting with the parents in our parish seeking to establish the needs of our youth. Depending on the number of children attending any said evening at the proposed scout hut, we are concerned as to how Bradmore Way shall sustain even more parents driving along this already busy road to drop off and collect their children.

TRANSPORT

NMPC agrees with The Borough Council's original position that this proposal poses unacceptable traffic and transport negative impacts. The narrowness of Bradmore Way and Peplins Way creates serious traffic and parking issues. This is reflected in the number of accidents, scratches on cars, damage to verges and the number of parking enforcement notices issued. In 2022 alone 184 parking enforcement notices were issued in Bradmore Way, Bradmore Green Road and Peplins Way. There is congestion around the school and the village centre which would be exacerbated by the proposed development.

NMPC was invited to the Brookmans Park Primary school in June 2022 to meet the Head and pupils to discuss their own traffic survey and road safety concerns. We can only imagine the dramatic increase in traffic when the parents of the children in 125 additional dwellings also have to make their way to whichever school they attend!

From a traffic and transport point of view we are concerned that the proposal includes a Care Home for 60 residents. Naturally, the Care home would require delivery of food and medical products, there would be care staff working there and the occasional emergency vehicles such as ambulances. Not to mention the friends and relatives of the residents of the care home.

All of these additional trips would be made up and down an already congested single track road. As much of this traffic shall be made up of courier vans and larger vehicles we believe that this additional and necessary traffic for the Care home shall create even more difficulties and risks for the residents of Bradmore Way and the village. Or is the Appellant going to suggest that the drivers of the medical delivery vans also walk along Bradmore Way to get to the care home as was suggested for the pupils going to nearby schools.

The trouble doesn't stop there, in addition to the issues along Bradmore Way, there are pinch points in the village which add to the congestion and these shall not be easily improved or enlarged no matter how much money is provided by the Appellant. We have already drawn attention to an emergency situation for the fire service in 2019 which was impacted due to congestion in this village green.

The Travel plan seems disingenuous in as much that there is only one fairly reliable regular bus service to Brookmans Park, the others are school run buses or limited once per week services. The rail link has had a cut in services to Brookmans Park in the evening, it is not a mainline station but its just a local service stop. It has been subject to cut backs of stopping trains on many occasions to the extent that you can travel out into London but have to make separate plans when returning home in the evening, going to a mainline station first then getting a cab home.

Therefore, we find ourselves questioning how an outline application can tackle these issues. Clearly there has been insufficient Traffic and Road safety audit works carried out. We have seen no mention of mitigating the issues caused by the Care Home needs, nor those of the Scout Hut, nor any points addressing the lack of travel services to and from the village which shall be supporting this proposed development. Hence why NMPC questioned the assertions in the Applicant's Travel Plan and Railway Expert Report.

SUSTAINABILITY

NMPC agrees with WHBC that the applicant has failed to ensure that the proposed development would provide a sustainable form of development in mitigating the impact on local infrastructure and services which directly relate to the proposal.

NMPC are aware that our existing Medical centre cannot expand on the land it is on. The East & North Hertfordshire Clinical Commissioning Group (CCG) which is the organisation responsible for planning, designing and paying for the NHS services in this Parish has said it expects Doctors to *close their lists as large-scale development increases* and their response does not even address the additional needs that a 60-bed care home will pose.

Of immediate concern to the Parish is the fact that there is a farm using the proposed site which successfully grows a crop once or twice a year to feed livestock. If this proposal succeeds, that business shall be rendered no longer viable. Our understanding is that the land in question contributes 50% of all the feed for cattle, averaging 110 bales of hay in a season, often more when they have second cuts. We have heard discussions around *value and wonder what* value to we attribute to our farmers, an entire farming business and the feeding of their livestock in this case. Particularly during these days where fertilisers and crops are restricted due to political upheaval in Ukraine.

Of great concern to NMPC is the fact that the Application must not be viewed in isolation as the whole of the Parish is subject to several submissions.

Obviously, our fear is that the villages and hamlets shall be subsumed and Green Belt land lost in a massive amount.

EMERGING LOCAL PLAN

The WHBC emerging local plan does not include this site in its proposals nor has the examiner included the site in the agreed numbers. We have already heard a great deal of evidence around this point.

Our position is that the Emerging local plan is out to consultation on the final modifications with a view to adoption in the late summer of 2023. In view of this we maintain that the development of this site will be contrary to that plan.

We appreciate that much of our evidence has been a duplicate of what the Council has already put forward. However, we have tried to answer in our position as Statutory Consultees with a limited but specific remit but as a consultee with good links to our community's "ear".

February 2023