

**OBJECTIONS RELATING TO THE APPLICATION FOR DEVELOPMENT OF A RETIREMENT VILLAGE IN NORTHAW PARK OFF FIRS WOOD CLOSE, NORTHAW, EN6**

**Ground 1 – Inappropriate development**

This proposal would amount to an inappropriate development within a site which has been independently assessed as constituting 'high harm'. The NPPF is particularly concerned with protection from high harm. On balance, the environmental and public health arguments (outline below) far outweigh the need for an additional retirement village of this scale.

**Ground 2 - Exceptional Circumstances**

It is submitted that there are no exceptional circumstances to approve this development on designated Green Belt land. There are twelve other retirement homes within close proximity of this site including one on Coopers Lane Road, only a few hundred meters from the proposed development. There is no apparent shortage of private retirement homes, therefore, no exceptional circumstances can be demonstrated and as such this application must be rejected.

**Ground 3 – Character and openness of the area**

The proposal would have a severely detrimental impact on the character and openness of the area and would undermine aspects of the management strategy of the Northaw Common Parkland which includes the following objectives; i) to resist development that could lower the water table within valleys and affect wetland habitats and ii) strengthen and preserve the Landscape Character Area.

The development of an entire village would be over-bearing and out of scale in a Landscape Character Area of Green Belt which would be lost without remediability.

**Ground 4 - Previously undeveloped land in the Green Belt**

There is no evidence that the proposed site was previously developed. Whilst brownfield sites may not be deemed inappropriate for development, this is not a brownfield site.

The openness of the green belt is capable of having both spatial and visual aspects. I would submit that the visual impact and vast volume of the proposal is highly harmful to the openness of the green belt land this proposal would seek to destroy.

**Ground 5 – Sustainability and Over Development.**

The proposal would amount to an over development of the site. In 2014, a single dwelling was refused permission on the Northaw Park estate adjacent to the proposed site by the Local Authority (Ref: S6/2013/2603/PA). Subsequent planning applications by this applicant have also been challenged and refused planning permission. This proposal is for an additional village and would amount to a substantial over-development of the site and would be unsustainable pursuant to the objectives of the Local Plan.

### **Ground 6 – Infrastructure.**

Northaw has no infrastructure to support any development, especially one on this scale. There are no shops, no adequate footpaths, no public transport services, no medical centres, insufficient schools and employment opportunities. Residents have to drive to Cuffley or Potters Bar to access the nearest facilities and amenities. Both main road and rail capacities are near to full, hence, provisions will be required to mitigate the impact of full capacity to these services as well as the added pressure on existing medical services.

### **Ground 7 – Protected species and Habitats.**

The site adjoins a designated Wildlife Site (identifying the most valuable sites for wildlife within the Borough) and would be unsuitable for development due to the detrimental impact on natural habitats, including protected wild deer and would severely impact bio-diversity in the area.

### **Ground 8 – Impact on residential amenity of nearby and neighbouring properties**

The existing wastewater capacity is insufficient to meet the demand from the development. Residents of Firs Wood Close and Hook Lane contribute towards the cost of a sewage treatment plant which does not have the capacity to accommodate an additional village.

The plans appear to propose the building of 19 apartment blocks and 16 bungalows on partial land comprising tennis courts and lawns currently enjoyed by the residents of Northaw Park estate (comprising Firs Wood Close and Hook Lane EN6).

### **Ground 9 - Traffic generation and Highway Safety**

The excess traffic resulting from the additional car users and visitors of the vast development would have a detrimental effect on the safety of existing residents, their children and pets who walk along Firs Wood Close which is a small private access road. It does not have capacity for a high volume of cars because it is narrow and cracked in places. On snow days, many residents have no alternative but to park along Firs Wood Close as the car park is often snowed in. An entire row of cars on snow days means that this small access road is even narrower and would not have capacity for heavy traffic flow. Increased traffic flow for a small access road raises highway safety issues for residents and wildlife (deer, wild rabbits, birds).

### **Ground 10 – Right of access**

Firs Wood Close, the roadway serving the proposed development is privately maintained by residents' contributions via their shareholding in Northaw Park Management Ltd. The legal rights of shareholders are potentially breached with regards to the lack of their express permission granting vehicular access for building works and to residents of the proposed village. At present no such permission or provision for access or parking on the existing settlement exists and it would be inequitable to overlook the views of shareholders who pay for the maintenance of the access road.

## **Ground 11 - Pollution**

Levels of pollution within Northaw were recorded as exceeding EU standards of 40 ug/m<sup>3</sup> by the Local Authority's own Environmental Overview and Scrutiny Committee report in 2017. Nitrogen dioxide levels adjacent to Wood Green Timber on Coopers Lane exceeded air quality objectives when monitoring was also commissioned by the local Parish Council in 2017. As a result, an ongoing and full range of particulate testing must be performed by the Local Authority prior to granting permission for any developments within the vicinity. Increased traffic and congestion must be mitigated not facilitated by the Local Authority, especially in air quality hot spots, in its duty to protect public health.

Air quality is a fundamental public interest consideration. Residents of Firs Wood Close and Hook Lane live within close proximity to London and the M25 and are over reliant on car use due to the lack of an adequate footpath or public transport services. Local amenities are not within reasonable walking distance, especially for the older generation. The proposed development and the resulting negative impact on air quality through increased vehicular use is contrary to the aims of the Climate Emergency declared by Welwyn Hatfield Borough Council in June 2019, which seeks to achieve zero net carbon emissions by 2030.

## **Ground 12 - Article 2 European Convention on Human Rights - The Right to Life**

The Local Authority in its capacity as a policy maker must ensure that it does not undermine or threaten the health and well-being of the public through the implementation of policies which significantly diminish air quality within its jurisdiction. Such policies (including planning policies) must not exacerbate and/or cause or contribute to the physical illness of residents thereby increasing the risk of premature deaths.

## **GROUND 13 - Protocol 1, Article 1 European Convention on Human Rights: Protection of property**

Home owners in Firs Wood Close and Hook Lane have a 'legitimate expectation' based on a legal provision within the NPPF, that the Green Belt status afforded to the land surrounding their settlement would be permanently maintained for the preservation of the character and openness of the settlement and the prevention of urban sprawl. This expectation is reinforced by the rationale for Green Belt preservation which was to encourage development on existing built-up areas not in the countryside.

Any interference by the Local Authority with the peaceful enjoyment of residents' possessions can only be justified if it serves a legitimate public interest.

The European Court of Human Rights has held that the protection of the environment is a legitimate public interest consideration within the following cases; G.I.E.M. S.R.L. and Others v. Italy; Bahia Nova S.A. v. Spain; Chapman v. the United Kingdom.

On balance, the risks posed to the environment and public well-being outweigh the benefits of building a retirement village in this location.