

Application 2023/2418 – Northaw Kennels

I object to this application on the following basis.

### **Compliance with NPPF**

The applicant argues that the project is compliant with the NPPF . This is flawed analysis as set out below.

1. It is inconceivable that 150 units, some 3 stories high, plus ancillary facilities in this location would not be harmful to the Green Belt. It is therefore clear and self-evident that there would be significant impacts on the Green Belt.
2. In the light of this Green Belt assessment then it is by definition “Inappropriate Development”;
3. As it is Inappropriate Development then it can only be approved if “very special circumstances” exist that outweigh the harm to the Green Belt, or it falls within the NPPF definition of Previously Developed Land (PDL);
4. The applicant has failed to demonstrate the case for the existence of “very special circumstances”.
5. The arguments put forward in relation to PDL are seriously flawed for two reasons. Firstly, there has been no economic activity on the site for 40 years or so and there are no material above ground structures remaining on the site. The site has in planning law terms been abandoned and cannot now be considered PDL. Even if the case for PDL was accepted it would fail the NPPF test in relation to PDL as it would have a greater impact on the openness of the greenbelt than the existing development (which is non-existent) or would not cause substantial harm to the openness on the Green Belt (which it clearly would). For the applicant to claim that development of 150 units ,some 3 storey structures, does not impact on the openness or have a significant impact on the Green Belt is just not credible; and
6. In summary the applicant has submitted contrived analysis, and it is apparent that there are major conflicts with NPPF policy and therefore this application should be refused.

### **Compliance with the Local Plan**

The Local Plan has several provisions and policies which are germane to this application, as set out below.

1. The site lies within Northaw which is defined in the Local Plan as a “Green Belt Village”;
2. The Local Plan requires residential developments to include 35% affordable units. The financial viability assessment makes it clear that there will be no provision of affordable units. Recent case law, Rectory Housing vs Secretary of State, established that use class C2 should be treated in the same way as C3 in relation to affordable housing. The failure to provide 35% affordable housing is therefore not compliant with the Local Plan;
3. In the Local Plan the total 15 year demand for extra care facilities is set out as 200 beds. This development contains circa 300 beds and is therefore 50% more than the assessed demand.
4. The Local Plan requires C2 development to be in “excluded villages”. Northaw is a “Green Belt Village” and therefore is not an appropriate location for C2 development;
5. The site is in an unsustainable location;
6. The Local Plan requires that the 15 year provision should not all be in one place unless supported by the Health Authority. There is no evidence that the Health Authority supports this application and therefore concentration of 150 units in this location is contrary to the Local Plan requirements; and

7. In summary the application is not compliant with core Local Plan requirements in terms of location, concentration of supply or inclusion of affordable units. It should on these grounds be refused.