

From:

Cc:

[Planning](#)

Subject:

RE: 6/2019/0415/LAWP Land at Hook Wood Hook Lane Northaw EN6 4DA Certificate of lawfulness for the continuation of development of three dwellings with associated garages

Date:

22 March 2019 16:55:53

Please see our comments below as the planning portal wouldn't allow for comments over a certain amount of words.

Due to the number of years since the application was made we feel that this application would not meet the present day requirements for such an application to be approved e.g. No Special Circumstance, Design of Buildings, Infrastructure to support the buildings such as sewage & water supply. Circumstances have changed since the original application and now, the proposal, because of its location and remoteness from existing services and facilities would be an environmentally unsustainable form of development. No ecological survey or bat survey has been carried out (there are large trees on the site) and it is adjacent to a Local Nature Reserve (Fir and Ponds Wood). No environmental impact assessment or groundwater/drainage assessment has been made (the current Hook Lane Cottages are not on mains drainage).

No neighbours or consultees were considered in the original application. The current application is incorrect in that the site CAN BE SEEN from a public road. We have been advised that mature trees on the site have TPO's.

Was the law in 1974 the same as it is today (work should be started within 5 years)? Was this development included in later applications when the site was sold off and developed, e.g. for the Oshwal Centre, Firs Wood Close

We are curious to know why the site wasn't sold on to others with planning permissions when there was apparently no money to carry out the development originally. Also why didn't the development company who bought the site build the new properties? Was this because the planning permission had lapsed?

As this application could revolve around a point of law as to whether the planning application is still valid, we think that Planning should instruct Counsel for an opinion.

We trust that WHBC will take legal advice as to whether this planning application is still valid, is there a Statute of Limitation which would apply here and whether the original 1974 planning application can be overturned.

Kind Regards

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