

## BARLEY PARISH COUNCIL

### Minutes of the extraordinary meeting on 23 November 2021

#### PRESENT

Cllr Jerry Carlisle (Chair), Cllr Brian Haughey, Cllr Ali Hearn, Cllr David King, Cllr Yvonne Lee, Cllr Ian Turner.

#### IN ATTENDANCE

Mel Chammings (Clerk), County Cllr Fiona Hill, District Cllr Gerald Morris, District Cllr Tony Hunter  
One member of the public.

#### CONTEXT

This meeting was called to discuss and agree the Parish Council's response to the planning application reference **21/02973/PIP Land East of Picknage Road and Adjacent to 36 Picknage Road Barley Hertfordshire**

The Council noted the differing views of the villagers expressed about the application at an open meeting on 22<sup>nd</sup> November 2021 and having due regard to planning situation and policies relating to the site the Council unanimously resolved to object to this application. The comments below were sent to NHDC planning department on 3 December 2021.

*Barley Parish Council objects to this application and ask NHDC in arriving at their own decision to take the following comments into account: -*

- *This application is for a Permission in Principle (PIP) consent which we understand is an alternative way - compared to a full detailed planning application - of obtaining planning permission for **minor housing-led development only**. Such applications separate the consideration of matters of principle for proposed development from the technical detail of the development such as detailed design, layout, access etc. etc.*

*The permission in principle route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable for development in principle and the second (technical details consent) stage is when the detailed development proposals are assessed.*

*The applicant is applying for a PIP consent which is supposed to be reserved for minor housing led development only. In this case however, is the applicant applying for 9 market residential units with a shop being offered as planning gain or is it for the development of a new shop which requires substantial enabling development of 9 residential units to justify its delivery?*

*The distinction is important. The applicant has distributed literature to most of the residents of Barley seeking their support for the proposal which states "Your chance to support the relocation and improvement of Barley Stores and Post Office". This is a clear statement that the proposal is about the proposed*

*relocation of the shop – Barley Stores and Post Office – and only incidentally the provision of 9 residential units. On this basis a PIP application is not the right application, and it should fail automatically.*

- *The site identified for development in this application falls outside the defined village boundary for Barley of not only the current NHDC Local Plan No 2 with Alterations but also of the Emerging Local Plan. Policy SP2 of the Emerging Local Plan directs that development within Cat A villages, of which Barley is one, will be allowed but only within the defined settlement boundaries.*

*NHDC's housing provision has been the subject of several recent planning appeals and in all instances the inspectors have been satisfied with the provision and not considered it to be failing such that exceptions should be made to policy.*

*The planning policies of the Emerging Local Plan all direct that development in Cat A villages should be restricted to within the defined settlement boundaries.*

- *When the site allocations for housing in Barley were being considered by NHDC for inclusion in the new local plan various sites on Picknag Road were put forward by the landowner, including land of which the site in this application forms part, between 2008 and 2013. BPC opposed this site being included in the new local plan as suitable for development and in the studies undertaken by NHDC all the sites including this one were discounted as development in this location would: -*
  - *Not protect and enhance the landscape*
  - *Would change the character of the edge of the village*
  - *Not enhance the historic environment*
  - *Not meet sustainability criteria*
  - *Compromise protected species located close by*

*It is clear from NHDC's policies that development could only be considered in this location if an applicant were able to prove exceptional circumstances. In the opinion of BPC, the applicant has failed to do so.*

- *The whole of the frontage to and part of the site lies within the Barley Conservation Area and the proposal would cause significant harm to the Conservation Area where development proposals should maintain or enhance the character of the Area which this proposal would clearly fail to do.*
- *Barley Parish Council unequivocally supports the village shop and the contribution it makes to our community. It is a highly valued village amenity. We recognise and understand the comments made by the current tenant and his desire to be able to expand and acknowledge the points he makes in his letter dated 29<sup>th</sup> April 2021 to the Parish Council which forms part of this application.*

*However, after careful consideration BPC has unanimously concluded that they cannot support this application:*

- *The site is located outside the village settlement boundary and is contrary to the policies of the Emerging Local Plan and the Current Local Plan.*
- *The development would cause significant harm to the Barley Conservation Area.*
- *The site was considered and rejected by both BPC and NHDC as suitable for development as part of the new local plan review process of suitable sites for development.*
- *We have not been provided with a copy of the Indicative Build Cost Plan referred to by the applicant but must question the assertion that the build cost for the shop would be some £1.5m (excluding land cost) for 265sqm of space. That is clearly excessive and is being used to argue the case that the shop would only be feasible if some enabling development in the form of 9 open market residential units were built which is also clearly wrong.*
- *While it is unlikely that BPC would come to a different conclusion, we do not believe that a PIP application is the correct form of application in this case. Potentially a consent could be granted for the principle of development on a site that is contrary to policy for up to 9 residential units and a shop without having been given the opportunity to fully challenge and consider the full implications of design, layout, access, parking etc. etc. which we would expect to be able to do as part of the process to determine whether consent to develop should be granted which a full planning application would allow.*

*It is our opinion the development is in direct conflict with the policies of the NHDC District Local Plan No 2 with Alterations and with those contained in the Emerging Local Plan together with the NPPF and BPC consider that this application should be refused, and we urge NHDC to do so.*