

**Borough Green                    TM/16/03763/FL**  
**Borough Green And Long Mill**

**Demolition of existing office building and the erection of 10 residential dwellings. Access from existing Quarry Hill Roundabout, provision of public open space, works associated with de-culverting and diversion of the watercourse, sustainable urban drainage systems; associated landscaping, infrastructure and earthworks at Quarry House 81 Quarry Hill Road Borough Green for Crest Nicholson Eastern**

Private Reps:

One additional letter received, objecting on the grounds that the development takes no account of local infrastructure and the increasing pressure being placed on medical facilities and the busy surgery car park.

Additional Information:

I understand that since publication of the main agenda, the applicant has written to all Members of the Area Planning Committee addressing certain aspects of the assessment and conclusions made within the report, in particular in connection with the assessment concerning plots 9 and 10 and the land on which they are proposed to be sited.

Whilst I do not intend to reproduce the contents of that email in full, the applicant sets out that they do not agree that this part of the site has any particular value as Green Belt, that it is small, well contained and is visually seen within the context of surrounding development (and ultimately the other 8 units proposed by this application). They therefore argue that there would be no harm to the Green Belt arising from the development of plots 9 and 10.

The applicant also provides a reiteration of what they consider to be the very special circumstances of this case, which have been addressed in detail within the main report.

In addition, additional information has been submitted concerning matters of viability, following on from the independent viability appraisal. The latest information provided by the applicant suggests that neither an 8 unit nor a 10 unit scheme is technically viable.

DPHEH:

Quite apart from the applicant's stance that there would be no "actual" harm to the Green Belt arising from the development of plots 9 and 10 which is disputed for the reasons set out at paragraphs 6.12 and 6.13 of the main report, I would emphasise again that the

development of this part of the site amounts to inappropriate development which is substantially harmful by definition.

I would also stress that in terms of the policy underlying Section 9 of the NPPF any inappropriate development in the Green Belt is by definition harmful and harms openness as a result. Quite simply, it is well established in law that the absence of harm in the way the applicant is setting out here is not a factor capable of amounting to very special circumstances.

The applicant also seeks to make some distinctions concerning the visual impact of the scheme. To clarify, the designation of land as Green Belt is not a landscape designation and is not intended to protect visual quality in any way. The assessment concerning the visual quality and design of the scheme has no bearing on the conclusions given on matters of Green Belt harm.

Officers have sought further comments from the independent consultant on this additional information and they continue to advise that an 8 unit scheme (removing the part of the scheme that conflicts with Green Belt policy) would result in a reasonable profit which could be achieved by the developer.

In any event, it is quite clear from paragraph 6.32 of the main report onwards that this matter is not determinative in this case given that the LPA is not seeking to unnecessarily burden the developer through planning obligations.

It remains my judgement that the circumstances put forward by the agent in seeking to justify this development are either not capable of amounting to very special circumstances as a matter of law or, where they are capable of amounting to very special circumstances, do not outweigh the harm to the Green Belt in this case sufficiently to allow for a grant of planning permission.

**RECOMMENDATION REMAINS UNCHANGED**

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