

CODICOTE PARISH COUNCIL
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26th February 2020

Ms Louise St John Howe
Programme Officer
P O Services
P O Box 10965
Sudbury
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CO10 3BF

Dear Ms St John Howe,

**North Hertfordshire District Council Local Plan – Main Modifications 2019 Consultation
Response to MM139 and MM385 (NHDCs responses to the Inspector regarding actions from
the Hearing on 1st March 2018 are in red:-**

Codicote Parish Council contests the findings of the January 2018 Gypsy and Traveller Accommodation Assessment Report and the assessment of housing need: by its own admission the evidence upon which it is based was supplied solely by Mr J Connor on behalf of all residents. The residents are comprised of several related families who have connections to families in other parts of the country, some of whom move freely between sites; other occupants are migrant workers who reside on all sites in the parish and while some of these individuals are seen in the vicinity for six to eight months of the year, many are based here all year.

NHDC states that the sites in the parish of Codicote have a 'low resident population' and identify four children living on pitches at Pulmer Water and four children living at Woodside Place, Danesbury Park Road. Both these facts are inconsistent with local knowledge and presumably based on the responses supplied by Mr J Connor, where is the supporting evidence?

At the time of writing this statement, the Gypsy and Traveller site at Danesbury Park Road is the subject of an enforcement action as the occupiers are already in breach of the agreed numbers of pitches. This is a pattern that is repeated across the sites in the parish of Codicote and NHDC has demonstrated that they are reluctant to apprise themselves of an accurate assessment of the situation or to carry out enforcement. In a meeting with Codicote Parish Council an Officer from NHDC admitted that they do not enter the sites and we therefore conclude that there exists no true evaluation of need that would demonstrate the necessity for the Danesbury Park Road site or, indeed, to allow further development of the Pulmer Water/Wexford site.

Eye witness accounts testify that all the occupants of the Danesbury site are migrant workers; the two families who originally occupied the site following an alleged family dispute have now returned to their previous home in Welwyn Hatfield District, on the nearby Four Oaks site.

NHDC states that there exist special exceptional circumstances for the release of the green belt for CD4 and CD6. We dispute their assertion that there is a lack of a five year supply for the travelling community and find nothing in their response to evidence this or to support the Danesbury Park Road site as being the most appropriate site given availability at Pulmer Water. 'The personal circumstances of the families' and 'an understanding of the requirements of the families currently residing at the unauthorised encampment' presumably allude, in part, to the early assertion that the two families who occupied the Danesbury Park Road site were fleeing from danger. As previously stated this matter has obviously now abated as the two families in question have now returned to their previous home leaving the site occupied by migrant workers.

In response to queries raised in the Schedule of Further Matters, Issues and Questions, January 2020 (page 6):

25.1 bii) The adjacent footpath has been compromised by the fenced boundary to the site which impinges on the path and has affected the safety of pedestrians. The constant movement of large vans and trailers affects the safety of pedestrians and vehicle users alike. Visibility has been affected by the introduction of the fence and the planting of the laurel hedge.

Biii) Have the relevant checks been carried out by NHDC on the installation of services and infrastructure at the site? It is unclear as to the destination of waste products, and eye witness accounts testify that the resident migrant workers are required to use the neighbouring countryside to carry out their ablutions – as indeed they are required to do at the Pulmer Water site; this is obviously a matter of health and safety, having a detrimental and dangerous effect on the surrounding countryside and the legitimate use thereof.

NHDC is uncertain if the site will help to reduce pollution from any source and state that there is 'potential land contamination'. Codicote Parish Council requests the District Council to be clearer as to their concerns regarding this matter in order for the appropriate checks to be carried out and, if necessary, action to ensue.

c) Codicote Parish Council maintains that the development of Danesbury Park Road is totally unjustified owing to the fact that the necessity for the occupation of the site no longer exist and all of the original occupants have returned safely to their previous home.

25.2 a) As above, no exceptional circumstances exist to warrant this site's allocation as no vulnerable members of the family continue to reside at the site.

NHDC states that 'regularisation of the existing unauthorised site may reduce potential local animosity'. If this refers to the alleged ill-feeling between the families what is the evidence of the animosity; how has it impacted on both the traveller community and the neighbouring community; where is the evidence to suggest that it could be ameliorated by an additional site in such close proximity to existing sites?

b) Prior to the unauthorised occupation of the site it was a heavily wooded parcel of land comprising broadleaf native trees – these have now all been felled to make way for the hardstanding for the static caravan etc. The boundary of the site has been planted with laurels. The area previously served as a natural screen, for both visual and audible benefit, from the traffic on the A1M. It would also have served as a green corridor for the abundant local wildlife. There is evidence that more trees are being removed or undermined on the embankment of the motorway leading to destabilisation, this poses a potential danger to motorists using the A1M as does the precarious stretch of fencing bordering the motorway embankment.

NHDC states that the land is designated as 'urban', Codicote Parish Council queries this definition – the area mainly comprises low density residential, woodland and agricultural land. They also state that the site has a neutral contribution to protect and enhance biodiversity because 'the site is mainly hardstanding, apart from some trees on the site boundaries'. This statement represents the current picture and not the nature of the site before the unlawful development, this does not constitute evidence for the site's continuing existence.

NHDC states that 'the site is adjacent to the A1M and is not likely to have a significant impact on landscape'. The site is adjacent to the A1M on only one of its boundaries and has already impacted on the landscape by the removal of the native trees, the installation of hardstanding and high panelled fencing and the planting of fast growing laurel hedging.

NHDC is uncertain if the location of the site improves conditions that engender good health, and state that 'potential impacts from noise and air pollution need to be mitigated'. Can they provide evidence that discussions to this end have taken place with the owner of the site, and what mitigation measures are proposed?

Codicote Parish Council is aware of at least two proposed developments in the green belt that have been refused by NHDC and the Planning Inspectorate:-

- Land adjacent Windmill Cottage 16/00364/1 – APP/X1925/W/16/3156512
- Land between Gragil and 29 Danesbury Park Road 17/00320/1 – APP/X1925/W/17/3181783

d) The green belt function of the adjacent green belt would definitely be undermined by this development in that it no longer assists in safeguarding the countryside from encroachment; this is an unlawful occupation of green belt land and there is circumstantial evidence to suggest that the development could encroach on to the neighbouring green belt site.

g) The boundary around the new land is fluid and ill-defined. The roadside boundary encroaches on to highway land and the boundaries to the A1M and the adjacent parcel of land are unclear.

With regard to the Pulmer Water site, we find NHDC's response to the Inspector's queries unsound, based as they are on the assertions of the site owner alone. Codicote Parish Council requests NHDC to carry out a more robust and thorough investigation to determine a better understanding of the site's occupation; for instance: 'The Pulmer Water proposed allocation site has capacity for eight pitches for which a planning application has recently been received. There is no capacity within the rest of the site as all pitches are occupied, including the two that were previously identified as vacant in the previous capacity study'. Again, where is the evidence for both the previous study and the more recent study; on whose evidence is this based? Local accounts and knowledge of such matters as school attendance testify to a far more fluid occupation of the site than the picture presented here.

It is the opinion of Codicote Parish Council that the lack of evidence in this matter undermines the soundness of the draft Local Plan, and therefore does not justify the continuing occupation of the Danesbury Park Road site, or the unchecked and unmonitored expansion of Pulmore Water.

Yours sincerely,

Lorraine Ellis
Clerk to Codicote Parish Council

Chairman: Cllr Helena Gregory
Vice Chairman: Cllr Bryan Hillan
Clerk: Lorraine Ellis