

# West End Action Group (WEAG)

10 January 2020

## 74 HOUSES AT FENNS LANE REFUSED!

Dear WEAG supporters,

You may by now have seen it on Facebook, but if not, the great news is that last night the Borough's Planning Applications Committee (PAC) unanimously refused planning permission for the 74 houses proposed on Green Belt land at Fenns Lane (application 19/0154).

As you know, the situation in West End is that around 400 houses have been built in the last two years, on land classified as 'reserve land', which was reserved for building from 2026 onwards (if needed), but brought forward due to shortage of housing land. All the reserve land has now been used up, so developers are starting to attack the Green Belt around West End. Last night's verdict was vital in preserving the integrity of the Green Belt throughout Surrey Heath and elsewhere.

Here's broadly how the Planning Applications Committee (PAC) meeting went. The Case Officer outlined the application and said he recommended refusal. Then two speakers had a brief 4 minutes each to summarise reasons for refusal: for WEAG, I spoke about the Green Belt protection and why the developer could not get round the ban on building on the Green Belt. Jeff Llewellyn on behalf of West End Village Society (WEVS) spoke about the unsuitability of the lane, traffic problems, and flooding. Two speakers represented the developers, with arguments that failed to convince. Residents' interests were ably supported by our Councillors David Mansfield and Adrian Page, both of whom spoke as non-voting non-members of PAC, and Graham Alleway spoke as a PAC member. Committee members discussed a number of points, and when the vote was taken it was unanimous to refuse permission.

Central to this verdict was the planning regulations in the National Planning Policy Framework (NPPF, the bible of planning law). It says Green Belt should not be built on unless there are certain specified 'exceptional circumstances'. Fairfax Acquisitions, the developer, claimed that in this case the land met one of the exceptions, in being 'previously developed land' (PDL). Although the stables, other buildings and hard standing are PDL, most of the site is open fields; PAC did not accept that this constitutes PDL. In addition I had found and quoted a useful precedent: a planning

appeal in Saltburn, Yorkshire in 2018 was very similar to the Fenns Lane situation, and the Planning Inspector decreed that the paddocks attached to a riding school's buildings should not be classified as previously developed land.

Moreover a further requirement in NPPF is that the development would not have a greater impact on the openness of the Green Belt than the existing development. The application immediately failed here too, for it is nonsense to claim (as the developer did) that a housing estate of 74 houses wouldn't harm the openness of the Green Belt compared with the open fields that are there now. Thus the application failed to get round the ban on building on the Green Belt.

The developer has the right to appeal to the Planning Inspectorate, and may do so. It may be a few months before we know for sure. But for the moment a piece of West End's precious Green Belt has been saved.

Happy New Year!

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