

**Mr Roger Halford**  
**Chapter 5, Policies BISH5 & BISH6**

**EXAMINATION IN PUBLIC**

**District Plan Hearing Part 2**  
**4<sup>th</sup> November 2017**

**Response to Policy Issues on Bishop's Stortford South**

1. I am Roger Halford. I have lived with my family in Pig Lane for 40 years and I am appearing here on behalf of myself and others of like mind.
2. I respond below, in para 19, to the Inspector's Issues 5, 6 & 7 in Chapter 5 [policy BISH5]. As supportive evidence I attach Appendices A, B, and C which contain edited extracts from the Thorley Parish Council Proof of Evidence submitted in August 2011 to a Public Inquiry. This had been called to decide on an Appeal objecting to a planning permission refusal to allow relocation of two town secondary schools and rebuilding on greenbelt land referred to in the District Plan as Bishop's Stortford South [BISH5].
3. This Appeal was refused on grounds of Appellants' failure to provide overriding reasons of 'very exceptional circumstances' that would justify inappropriate development on greenbelt.
4. I also comment below, in para 20, on BISH5 policy provisions (a) through (r) set out in the District Plan Pre-submission version.
5. I should inform the Inspector that we fully support all points made in the Thorley parish council response to the East Herts District Plan pre-submission consultation 2016 document and also in the parish council hearing statement highlighting salient points in the Inspector's Chapter 5 Issues.
6. I draw attention to the hearing statement submitted by Bishop's Stortford Civic Federation. As members of a residents' association with Civic Federation membership, we endorse the arguments put forward in favour of retention of metropolitan greenbelt boundary in Bishop Stortford South.

7. For the rest of the time I shall concentrate attention on the severity of harm to Thorley community and countryside that would ensue from removal of greenbelt protection and from allocation of this site for the purpose of meeting the East Herts OAN housing requirement.
8. We point out that mention of Thorley often has ambiguous meaning with respect to where its civil, greenbelt and neighbourhood plan boundaries lie in relation to each other. Boundary overlapping has consequences that need to be well understood in context, if sound District Plan policies are to be adopted as legally binding for the next 15 years. [Appendix A, points 3-5, 8-13]
9. As a starting point, we confirm that we are strongly opposed to the redrawing of Thorley greenbelt boundaries, all the more so when we note that the Council's intentions with respect to this proposal are:
  - a. to facilitate the secondary school relocation [refused earlier at Appeal in 2011] of an existing and already highly achieving town secondary school;
  - b. to open up the rest of the allocated greenbelt site as land immediately available to developers looking to meet the OAN for an as yet indeterminate 5-year town housing supply, and
  - c. to provide tight and tidy containment of the town's built-up southern urban area by virtue of the BISH5 development edge running through Thorley parish alongside St James Way bypass.
10. NPPF offers no narrative that we can find in support of these intentions.
11. School relocation (a) is now educationally non-urgent, which removes the argument for 'exceptional circumstances'. Inadequate traffic infrastructure, however, will continue to block the sustainability of any largescale development at this site. [Appendix B]
12. The allocated site (b) is high grade 2 arable farmland. Its OAN allocation is based on questionable assessment of the 5-year housing supply requirement. Its availability is not considered to be immediately essential, given the availability of other options, albeit discounted for unclear reasons. It follows that no claim of 'exceptional circumstances' can therefore plausibly be made for its development.
13. Rationalising the inner greenbelt boundary edge (c) can be challenged by examination of relevant shading on Local Plan maps and by the existence - as a result of earlier planning design - of a lasting robust demarcation line between town 'urban' and parish 'greenbelt rural' that more or less follows their shared civil boundary. This line is ancient Thorley Lane. [Appendix A, points 9-13]

14. Several further issues of concern are as follows.
15. Thorley holds Category 3 Village status, which should afford protection from excessive development, but this has been totally ignored by EHDC - in our view, putting District Plan policy in contravention of NPPF law and guidance, and having seriously lasting adverse impact. Encroachment from largescale housebuilding in the 1990s doubled Thorley electorate, but without any beneficial effect for the parish.
16. Parishioners administratively belonging to Thorley 'rural ward' have been deliberately excluded from voting with fellow parishioners belonging to Thorley 'urban ward' in the recent Southern Bishop's Stortford Neighbourhood Plan Referendum. This came about through the town's choice of boundary for the 'neighbourhood area' and East Herts district officer approval. That 'part of Thorley' comprising the greenbelt site earmarked for development [namely Bishop's Stortford South] was 'annexed' by the town for the sole purpose of gaining a controlling influence over future planning in Thorley once the greenbelt boundary had been redrawn in the District Plan. This is in our view is undemocratic, unacceptable domination by the town, deplorable in the context of adoption of sound District Plan policy, and arguably in breach of the Localism Act 2011 and government's aspirations for the good of communities.
17. We return again to the ever vexing question of Pig Lane traffic movement. We believe that, in view of the length of time before District Plan expiry date 2033 and the inevitability of far reaching demographic change influencing planning decisions, the District Plan should address what the future realistically holds for east-west linking of traffic flow between London Road and arterial routes across our county border with Uttlesford, and in particular how the near intolerable traffic congestion problems in Pig Lane could be solved. [Appendix B, point 16]
18. With regard to housing supply, no account seems to have been taken of the fact that the figure of 1000 houses originally planned for the Bishop's Stortford South site in Thorley [BISH5] has been reduced to 750. This is misleading because the 150 now additionally planned for the school's vacated site in London Road [BISH6] in effect take the number up to 900.
19. Nor has account been taken of the adverse effects resulting for the Twyford Park community should policies BISH5 and BISH6 go ahead, in which case school access and town linking roads and pathways will need to have been built across Whittington Way.

20. At the Public Inquiry in 2011, mitigation measures were considered for protection of the landscape setting of the Thorley section of the Hertfordshire Way cross-county walk running through the BISH5 site. These were found infeasible and The Herts Way Trust was prepared to take the route onto other paths, bypassing Bishop's Stortford.

21. For Thorley residents to be reassured that the District Plan is sound and its policies justifiable and sustainable, we would need to be convinced of the following:

- that all alternative options with regard to site allocation had been properly assessed
- that planning permissions granted in Thorley would be commensurate with its Category 3 Village status
- that Referendum disenfranchisement of 'part of Thorley' could be shown as a democratic decision in line with Localism principles or redress taken
- that proposed development in Thorley [regardless of greenbelt boundary changes] would not cause harm of such lasting severity that it would negate all the existing assets of countryside and living environment that Thorley dwellers already enjoy [Appendix C]
- that when a housing development clearly brings disbenefits to a community, mitigation would be guaranteed
- that lessons would be learned from the failures of previous rural developments

22. Response to the Inspector's Matters and Issues Part 2 is as follows:

ISSUE 5      Are the allocations BISH4 and BISH6 available for development? Can they be relied upon to deliver housing in the expected timescales - for example BISH6 II indicates that 150 homes will be delivered between 2017 – 2022?

ISSUE 6      BISH5 – is this the best option for Bishop's Stortford having regard to loss of Green Belt?

ISSUE 7      Are the allocated sites appropriate and deliverable, having regard to the provision of the necessary infrastructure and facilities, and taking account of environmental constraints?

Re point 5, it all depends on how confident developers are that the Boys High School will relocate to Thorley, given removal of greenbelt. But local opposition is very strong, and even if the Boys High School prevails, there are agreements still to be made and roads to be built with respect to access through Twyford Park for existing residents and occupants of the 150 new houses to be built on the vacated school site in London Road [BISH6]. There are too many unknowns for there to be a sound basis for assuming anything with respect to delivery or timescales.

Re point 6, the loss of greenbelt from the site called Bishop's Stortford South will not be felt by the townspeople, who for the most part are unaware of the site's existence. Loss of greenbelt ensuring openness in permanence and protection against sprawl, coalescence and encroachment will, however, have significantly adverse impact for people living in the Thorley area. It is only the town councillors who see loss of greenbelt as a benefit, simply because it will afford them the opportunity to 'shape' their 'southern gateway' into town and create a business park attracting job opportunities. It will allow them to extend their built up southern area into parish territory, so as to give reality to their claim in para 5.1.7 that 'the A1184 bypass and A120 will continue[?] to provide a boundary to development and retain the town's compact character'. These are not reasons for deciding on best option. We hold that Thorley Street is already an attractive approach to the market town of Bishop's Stortford, and that development on the rising land abutting it will not only be detrimental and out of keeping with Thorley character but also add to the already high levels of pollution and traffic congestion in town. Regardless of the site being greenbelt or not, this is not even an appropriate option.

Re point 7, since the landowners have long been agreeable to selling their farmland, since developers are well advanced with plans to go ahead, and since the Boys High School continues determined to move to the Thorley site, retention of greenbelt remains the sole obstacle to achieving what these interested parties want. The land is deliverable, but not appropriate. Crucial supportive transportation infrastructure is claimed by HCC Highways to be deliverable but in light of experience we seriously doubt that claim. [Appendix B]

### 23. Comments on District Plan Policy BISH5 provisions and issues (a) through (r):

- (a) a range of dwelling type and mix, in accordance with the full provisions of Policy HOU1 (Type and Mix of Housing)
- (b) affordable Housing in accordance with Policy HOU3 (Affordable Housing);
- (c) a care home/ flexi-care or sheltered properties in accordance with the provisions of Policy HOU6 (Specialist Housing for Older and Vulnerable People);
- (d) Self Build Housing in accordance with Policy HOU8 (Self Build Housing);

Sensitivity to this highly visible location and desirable setting of site would preclude such a wide mix of housing; 'affordable' in such a desirable prime area would not mean 'within reach' for a wide range of people.

- (e) education facilities, including land for a two-form entry primary school with an Early Years facility with room to expand to three-forms of entry; land for a six-form entry secondary school (co-educational or single sex), with room to expand to eight-forms of entry to meet longer term needs;

School expansion means more building; will this take more footprint or go even higher than 2 stories on land that is already at or above roof level of Thorley Street houses? There will be additional need for intrusive lighting and physical containment of sports areas for security.

- (f) indoor and outdoor sports facilities will be provided as part of the secondary school (where available for community use) and/or by other means;

Why isn't the School planning to use their sports ground on the Gt Hadham road? Or does the School need two sports areas? How much guaranteed community use of sports facilities will be allowed? For how long every day and at weekends will there be intrusive activity associated with noise and traffic?

- (g) a neighbourhood centre in an accessible location, providing local retail and community uses including a healthcare facility;
- (h) a 4-5 hectare business park of landmark design, in an accessible location;
- (i) appropriate access arrangements, which will not include direct vehicular access on to London Road, and wider strategic and local highways mitigation measures, including improvements along London Road;

If site access is to be from the bypass, and not from Thorley Street, will existing residents visiting shops and business park etc. be obliged to share a busy bypass cum distributor road with busy commuter and lorry 'through' traffic as well as with school traffic? What does 'accessible location' take account of? The business park and advertising will need to be clearly visible at the Thorley Wash 'southern gateway' to town; this is not in keeping with landscape character. What mitigation and improvements are envisaged?

- (j) sustainable transport measures which encourage walking and cycling through the site and beyond, including:

- the provision of cycleways and footways that provide links into the existing residential areas;
- appropriate treatment of the Hertfordshire Way, including the retention of an open southerly aspect;
- enhancement of other Public Rights of Way, making new east-west connections across London Road;
- enhanced passenger transport services to the town centre and station, including the creation of a sustainable route through the site;

All four measures are desktop led and totally unrealistic 'on the ground' as we have learned from examination of these matters at the 2011 Public Inquiry and from our own experiences as Thorley dwellers. Cycling along the towpath to town is currently a hot issue, but not mentioned here. Does the provision of links with existing residential areas have relevance for Twyford Park, which is an area where BISH5 development will have adverse impact? There is no 'appropriate treatment' acceptable for Hertfordshire Way, the only option being to reroute it and bypass Bishop's Stortford. Clearly, the full implications of the proposal to make new east-west connections across London Road [presumably Thorley Street?] have not been thought through. Over the years the parish council has pressed for safe pedestrian crossings, but to no avail.

- (k) responding to the existing landform, incorporating existing landscaping within new streets, paths and spaces, creating quality local green infrastructure which maximises opportunities presented by existing landscape features including

watercourses, to create net gains to biodiversity through additional planting and other measures;

- (l) sustainable drainage and provision for flood mitigation
- (m) a variety of public open spaces across the site, including the provision of play areas and opportunities for indoor and outdoor health and fitness activities, as well as space for wildlife;
- (n) connections to existing green infrastructure assets such as Southern Country Park and the Thorley Flood Pound SSSI and nature reserve;
- (o) layout and orientation of spaces to facilitate views and vistas beyond the site, in particular towards Thorley Church, protecting and enhancing the setting of listed buildings along London Road where necessary;

Again desktop led. It cannot be guaranteed that the site will provide enough space for all these measures to be carried out, given the need for the different kinds of restraint inherent in good, sound and effective planning. What kind of play areas would there be for what age of child: swings, zip wire, informal football? Dog areas, fitness activities and wildlife are unlikely to fit well together. Trees in the Southern Country Park will have to be cut down to reveal lost sight lines to the church, and none replaced.

- (p) necessary utilities, including integrated communications infrastructure to facilitate home-working, and upgrades to the localised sewerage network;
- (q) the delivery of all other necessary on-site and appropriate off-site infrastructure;

The Thorley Wash reservoir project is relevant, but not mentioned. What are 'necessary onsite and appropriate offsite infrastructures'?

- (r) other policy provisions of the District Plan, Bishop's Stortford Town Council's Neighbourhood Plan for All Saints, Central, South and parts of Thorley Wards and any other relevant matters, as appropriate.

The Neighbourhood Plan is flawed as it excludes views of parishioners who will be adversely impacted by some of these issues. What are 'other relevant matters'?

24. In conclusion, we believe that retention of metropolitan green belt, as it stands at present around Bishop's Stortford, will not block town aspirations nor impede the progress of EHDC in carrying out government requirements regarding house supply as this affects Bishop's Stortford. Rather, it could serve as a complementary factor in realising the vision that both authorities have for the good of their citizens.
25. We further believe that it is only metropolitan greenbelt that has preserved our rural character and unique identity. We rely on its continuing protection, and on its emphasis on openness and permanence (i) to ward off threat of landscape domination by inappropriate development proposals that may come forward in the future, and (ii) to prevent setting precedent for encroachment across greenbelt borders that would in all likelihood lead eventually to extinguishment of ancient Thorley as a parish.

## **Appendix A**

### **Topography, planning history, boundaries**

1. We are one of the smallest rural parishes in Hertfordshire, with a strong sense of community, as is evident from the successful celebration of the published *Chronicles of Thorley*, compiled by the people of the parish. Parishioners are from old established Thorley families, or are young incoming families who have decided to stay. It is often expressed that it is a privilege to live here. People know each other and of each other.
2. Its rural population has long been concentrated along two country roads, one being Thorley Street along the Stort valley (where live 50% of the population), the other Pig Lane (35%), with the remaining 15% scattered in farming settlements centring on the 14<sup>th</sup> century church and Thorley Lane, which historically was the parish backbone.
3. Records show that the original parish acreage was 1527 at the beginning of the 1900s, but that after two civil boundary changes in 1910 and 1933, when parish land in the north was lost to the market town of Bishop's Stortford, this acreage was reduced to less than half, as was its population. As a rough estimate based on this archived information, the [BISH5 development] would take up as much as 10% of parish land. The site is prominently located in the parish, giving the 'new build' a dominating aspect in every direction. It is at high elevation on ground sloping down to Thorley Street, the main residential street on its eastern boundary. Inhabitants of new housing would outnumber people in the local community by something like 12 to 1.
4. Currently, the parish [total electorate some 480 people] is divided into two wards, represented by different/overlapping councillors at three tiers of local government. Broadbrush figures show that the rural ward totals some 55 people, and the urban ward totals 425 people [167 of whom are long established parishioners living mainly in Pig Lane and Thorley Street, and 258 of whom are 1990s incomers inhabiting that part of St Michael's Mead development [representing a total of 911 houses] that extends into Thorley parish Uplands, across the civil boundary, in the far corner of Thorley beyond the Southern Country Park where the greenbelt boundary veers to the south.
5. 'Carving up' of the parish began with this encroachment, which was marketed as a 'new village community' which it failed to become. At the same time, the town bypass was constructed by agreement with developers through Thorley greenbelt farmland. Repercussions have had longterm divisive and adverse impact for the integrity of the village; its lanes have been severed, hamlet dwellers cut off from the village, footpath and road networks weakened, its electorate doubled, and community life made difficult.
6. Further development, as proposed in BISH5, would not only be inappropriate but also disproportionate, out of keeping with the rural character, and unsustainable.
7. BISH5 proposals do not meet Sustainability criterion (i) set out in SD1, which calls for 'healthy, socially integrated communities'. St Michael's Mead has already been a failure in this respect, and it is difficult to see how BISH5, comprising a large school and 750 houses plus retail and business park located in the very centre of Thorley village and visibly and intrusively etched into the very essence of parish countryside and life, can in any way be claimed as sustainable development. It will affect everyone in the Thorley area and bring yet more insoluble problems, [especially with regard to traffic flow, safety and congestion].
8. The openness of the countryside, the clear vistas in all directions across rolling farmland to the horizon and the sunsets are not only enjoyed by parishioners, but importantly also widely appreciated by the town residents of Thorley Manor, Twyford Park and St Michael's Mead, the town housing estates juxtaposed on the northern parish border.

9. Sustainable, viable and mutually beneficial town and village separation should be retained where it already in reality exists, as in Thorley. The Local Plan Proposals Map 2007 helps define the parish and green belt landscape boundaries.
10. The simplest way to view the division between Bishop's Stortford and Thorley is to take Thorley Lane as the separator, because the parish civil boundary and the Metropolitan green belt boundary both effectively run in close parallel following the route of Thorley Lane, [which serves as a physically visible and lasting demarcation line that very positively reflects a definitive change from built-up urban to open rural character]. There is no frontage of new town housing on Thorley Lane, the only link being definitive or permissive footpaths which give townspeople access to the countryside.
11. It can be seen from the Local Plan Proposals Map 2007 that a continuous stretch of green countryside runs smoothly and visibly around the town following the route of Thorley Lane. There is no impairment to long range vistas across rolling farmland, save for the natural sloping of the terrain and the trees and hedges that give dimension and change to the seasons. The bypass is not seen where the route takes it under Church Lane, now a road bridge. The whole area is seen as continuous agricultural land farmed with old field divisions abandoned or unmarked.
12. This continues in crescent shape eastwards across Thorley Street, the railway line and river into Uttlesford greenbelt, with its inner boundary edge curving northwards across Pig Lane into town. The proposed 'new build' [on the Bishop's Stortford South site] will cause a sharp edged dent in that smooth line of inner edge separation, made all the more prominent by the landscape of the Southern Country Park in greenbelt on the western side of Obrey Way. New housing cannot extend along the whole of the bypass as claimed by EH planning officers.
13. The EHDC proposal that the western side of Thorley Street should lose its greenbelt status in order to define a 'lasting' eastern edge to BISH5 site boundary only emphasises the jaggedness of line, and is indefensible as a sustainable measure in that it would unfairly discriminate between parishioners, weaken planning control of the picturesque street scene, and add more confusion to parish boundary issues.

## **Appendix B**

### **Transportation**

1. The three main roads serving Thorley parish are Thorley Street, Pig Lane and Obrey Way. The impact of increased traffic on the main parish roads will also be felt by Uplands residents in Church Lane and the severed Moor Hall and Butler's Hall Lanes.
2. Thorley Street is the only road accessing Bishop's Stortford from the south and is by its nature very busy. Thorley Park estate, providing some 2,400 houses in the 1970s, brought much more traffic into Thorley Street/London Road, along with increased noise and higher risk of air pollution. Thorley Street consequently became a seriously dangerous road for residents crossing to the bus stops, to the letter box, to the allotments, to the Coach and Horses, and also for walkers following any one of the three public footpaths that cross Thorley Street, one of them being the Hertfordshire Way. There have been fatal road accidents, near misses and minor injuries.
3. Parish records show that there have been many transport meetings attended and requests made to police and district/county council officers to carry out surveys and find solutions. A number of traffic calming and speed reducing ideas have been considered, but the underlying problem is that the London Road [formerly the main London/Cambridge A11 trunk route before the opening of the M11] is still a narrow country road [now de-classified].
4. All of the above is considered relevant information, because it is indicative of the seriousness of the Thorley Street situation existing today. As the 2011 road traffic survey shows, the volume of traffic flow is in excess of 12,000 daily. If [development] goes ahead in Thorley, the traffic load for Thorley Street will be much increased on account of school traffic being directed to access the site from the bypass. The alternative and longer route would be along the bypass itself, which would also be used as the distributor road for the BISH5 provision of 750 houses plus business park and community centre usage.
5. Pig Lane will similarly face problems of increased traffic. This is narrow and winding, with a horse riding centre on a severe bend; it passes over a canal lock and a weight restricted rail bridge. Its houses in the vicinity of Twyford Lock give directly onto the lane. It has no footpath and it too is a constant problem and a hazard for residents. It is totally unsuitable as the London Road congestion escape route and as the unofficial town bypass which it has now become. At one end it carries Proctors Way traffic from some 50 houses before joining London Road at a T junction near the Boys High School location [which when vacated will accommodate 150 new houses].
6. Obrey Way is a slip road built across farmland contiguous with the Appeal Site and was originally provided as mitigation for the disadvantaged Upland parishioners who were cut off from access to church and village by construction of the town bypass slicing through the farmland. Traffic backs up daily in Whittington Way and Thorley Street during term time peak hours, and Obrey Way has now become the escape route to the bypass for Twyford Park, Thorley Park and Uplands residents in Thorley Lane and Church Lane, all trying to avoid localised congestion in the vicinity of Whittington Way.
7. A traffic survey was carried out in Thorley Street from 18 June to 24 June 2008, and over this 7-day period it was found that a total of 82,434 vehicles travelled along Thorley Street and London Road. This is 11,777 vehicles daily or 12 per minute in a 16-hour day. This enormous number shows how busy Thorley Street was even at that time nine years ago.

8. A further road traffic speed and volume survey, carried out three years later in 2011, from 23 to 29 March, showed that **12571 vehicles travelled daily** along Thorley Street, representing an increase in traffic flow. It should be noted that in reality the increase shown here is smaller than it would have been if the survey had not coincided with four days of work on the traffic lights at the Whittington Way junction with London Road when diversion signs were in operation.
9. Thorley highways infrastructure is too frail to cope with the traffic that will be generated as a result of the BISH5 development.
10. Legal agreements for school coaches to approach Whittington Way via London Road/Thorley Street instead of Obrey Way, which is too narrow for heavy two-way traffic, will bring greater carbon emission and noise to residents from denser traffic flow.
11. Shared-car traffic cutting through Pig Lane from school catchment areas to the east will make negotiation of its narrow twists and turns and weight restricted bridge even more hazardous than now.
12. Residents of Proctors Way needing to exit via Pig Lane will be more severely disadvantaged than was recognised at the Pig Lane Garden Centre Inquiry in 2005
13. Obrey Way itself will be more heavily used by Thorley Park drivers avoiding the school access routes in Whittington Way, which will mean that Uplands traffic needing to leave or access Church Lane or Thorley Lane East will be put at further inconvenience trying to join Obrey Way. Residents have no other egress option because Highways planners had earlier severed Thorley Lane.
14. This particular junction is yet another instance of harm imposed by planning decisions. Thorley Lane at this location is particularly hazardous owing to the constant traffic needing to access the Church, St Barnabas community centre, Premier Court residential home, the cricket pitch, the scouts HQ and the Southern Country Park car park. Moreover there are increasingly more pedestrians, cyclists, joggers and dog walkers using this junction, also children, fishermen and health walkers.
15. Excessive traffic will generate greater numbers of accidents on parish roads, heavier and longer periods of congestion, and increased difficulty for residents turning into and out of driveways and for children and elderly crossing the roads. Walking along London Road/Thorley Street, and along Pig Lane, will become more of a safety hazard than it already is. Schoolchildren encouraged to travel to school from town by walking or cycling will be too many for safe passage along London Road and will undoubtedly need to find alternative routes through the estate roads north of Whittington Way.
16. Development in Thorley will mean many more people driving in Pig Lane trying to get to the M11 and other north easterly destinations, rather than joining traffic using the planned new road taking commuters through the Goods Yard development [BISH7].

## Appendix C

### Impact from loss of Metropolitan green belt

1. It is insensitive and unsustainable planning that destroys the wellbeing of people, the survival of wildlife and the beauty of landscape. The true value of greenbelt is to keep harm at bay. The impact of greenbelt loss is huge for our parish because Thorley's sense of community, rich network of rights of way, and countryside attractiveness are all widely enjoyed assets. We are constantly under threat, and thanks only to greenbelt protection and the failure of developers and planning officers to make robust enough a claim that 'extraordinary circumstances' override greenbelt law, we have weathered several 'assaults'.
2. The amenities we have in Thorley are a scouts group, a village cricket ground, vibrant church and community centre activities, thriving allotments, a public house, angling and canoeing, livery stables, parkland, and a number of commercial ventures mostly in redundant barns. Additionally, and very close by, there is a sizeable shopping complex with *inter alia* post office, newsagent, petrol station, pharmacy, doctor and dentist, restaurants, charity shop, play area and schools. All of these amenities are within range of a footpath or bridleway or green wedge linking to town or countryside.
3. Our opinion is that any largescale development would be excessive for the parish of Thorley. Our arguments and fears about the harm that loss of greenbelt and development of the BISH5 site would bring with respect to Lighting, Noise, Flood risk, Heritage, Rights of Way, Recreation and Transportation remain unchanged; Transportation is of the most immediate concern.
4. **Lighting.** School and games activities will generate noise and light nuisance throughout school hours, extending into the evenings and weekends when use is made by the public of the schools' [amenities].
5. It is claimed ..... that there will be minimal impact from .....lighting as there is already street lighting in Thorley Street, but this ignores the fact that on one side of Thorley Street the lighting will now come into the houses and gardens in both front and back windows.
6. **Noise** disturbance affects health and wellbeing. People living and working in rural environments such as Thorley are particularly susceptible to any noise (particularly aircraft noise) because its impact is markedly different from noise impacts in bustling towns. An article published in the medical journal *Lancet* has reported findings on the effects of aircraft noise on children's health and learning. In this context it is of concern that schools should be rebuilt under a flight path in full knowledge of the risk of exposure to schoolchildren.
7. **Flood risk.** The Appeal Site is on farmland colloquially known as 'the Valleys' which slopes downwards to the River Stort into the flood plain of Thorley Wash, which is fed by the underground streams providing field drainage from the Uplands farms.
8. Flooding and drainage problems are highly likely to occur more frequently than normal in Thorley Street as the result of run off from the terracing of ground for school building construction and the levelling of field surfaces at higher than existing road levels.
9. The submitted land site plan [produced in 2011] shows that several ponds at the southeast corner of the Appeal Site would capture the site drainage which would then filter down to the existing ditch south of the ponds. Within the vicinity of the ditch

there are located underground streams, and past flooding has occurred at the Thorley Street road culvert. We are convinced that not enough attention has been paid to the potential for disaster (ie flooding and subsidence) in the Thorley area. Nor are we convinced that proper access to the Thorley Wash wildlife site would be guaranteed.

10. There are 14 listed buildings in Thorley Street, one of which has bedroom windows on a level with the field site and will be at risk. There is also one listed building on the eastern side of Thorley Street which is constantly flooded owing to the driveway sloping down to the house from street level. The houses in Hawthorne Rise and Highland Road have short access roads which slope steeply down to Thorley Street and can be hazardous in wet and icy weather.
11. **Heritage.** Local research during preparation of the *Chronicles of Thorley* gave interesting glimpses into the prehistory of the medieval village of Thorley (or Torlei) which is recorded in *Domesday* and grew as scattered agricultural settlements on the western side of the river Stort. Ordnance Survey maps show that Thorley remained without radical change through to the twentieth century. Archaeological discoveries, made during trench digging carried out in the 990s prior to extensive housebuilding across Thorley Common, have revealed evidence of prehistoric occupation from the Neolithic, Bronze, Iron and later Roman periods. The earliest evidence discovered was of a burial of a 45-year old Neolithic man in a grave dated 2,900-2,750BC. Discovery of pottery dating from around 300BC indicates that the inhabitants of Thorley at that time, as to a lesser degree now, were arable and animal farming communities. Historical records show that small settlements existed into the early Romano-British era. An extensive enclosed-field system was identified, and deep ploughing in 1954 revealed a villa or farmhouse. Last year, a local metal-detecting enthusiast found a coin of Cunobelinus, a leader of the Catuvellauni tribe known to occupy territory in the area.
12. As has already been learned from investigation by the Appellants' consultants, discoveries have been made at shallow depths across the whole of the Appeal Site. This has engaged the interests of County experts, who now consider Thorley as probably second in importance of all archaeological sites identified in Hertfordshire. I will not repeat here what can be read in the Environmental Survey, but note with interest that the assessment carried out by the consultants concludes that the 'magnitude of impact is extensive' and 'would be of major significance'.
13. The indications are that further investigation could be uniquely and educationally informative. Brutal disturbance of the top layers of sloping terrain by diggers brought in for levelling prior to school building and playing field construction could destroy historical knowledge for ever, as was the case on Thorley Common in the 1990s when St Michael's Mead housing estate was built.
14. **Rights of Way.** Large scale building will affect two definitive Rights of Way, one of which forms a section of the long distance route named the Hertfordshire Way. This footpath is an important integral part of the rich Thorley network of 32 public rights of way. There is no possibility of diversion, the Appeal Site being in effect an 'island' of farmland surrounded by a 'moat' of highway.
15. This is a daily route for local people who walk dogs, jog or simply go there to walk through the oak copse into the fields and along the hedgerow and enjoy peaceful views and relaxing quiet of the countryside. A survey taken over a period of 9 days in 2008 showed that this is a favourite path for families walking with children at weekends, as well as a popular path linking the Twyford lock tow path to the parish church. It is an important path in the overall ROW network., and the metalled surfaces of crossing points will destroy its character totally. The high fencing and

hedging of those sections remaining as footpath will do little to restore its character and will close it off to views on both sides, making it claustrophobic.

16. The extra width will encourage its use as a place to loiter and litter. It is inevitable that sooner or later there will be complaints about the safety and protection of children, there will be call for more security measures or path extinguishment, and the Hockerill scenario will be re-enacted in Thorley.
17. For walkers there will be noise, lights in the evening when the shared recreational facilities are in use, incidents with dogs, fumes, vandalism, anxiety and unease. There will be irrevocable disfigurement of a pleasingly open field footpath, destruction of wildlife habitat, severe loss of amenity, and eventual disuse and dereliction.
18. The Appellants' own expert consultants on planning and urban design, Vincent and Gorbing, have been forced to admit that the proposals will have 'a direct impact on footpath 4/34 (Hertfordshire Way)'; that 'the character of the path will inevitably change', and that 'the proposed buildings within the building area will have a significant impact on the character of the footpath and on views from the footpath'.
19. No amelioration measures will adequately protect the setting of this section of cross county trail, and the Herts Way Trust is prepared to reroute it to bypass Bishop's Stortford.
20. **Recreation.** Greenbelt farmland in Thorley provides open space, criss-crossed by an extensive network of circular and linked footpaths and bridleways for the enjoyment of everyone wanting to walk or ride for leisure, health or exercise. The southern park, river and towpaths additionally provide opportunity for fishing, canoeing and children's play. The town already provides sports and recreation clubs, gyms and swimming pools for those who want more strenuous training or team games, and schools already offer facilities to the public in residential areas. Providing such facilities in Thorley at the expense of countryside open space, represents a loss that people do not want either for themselves or their children.