

DELEGATED FILE NOTE

CASE OFFICER: ...Thomas Howe.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
26/00361/PIP	Erection of one detached dwelling	Land Adjacent To 1 Ninesprings Cottage Wymondley Road Hitchin Hertfordshire SG4 9QL

Submitted Plan Nos

010 021 Rev A

1.0 Policies

SP2	Settlement Hierarchy and Spatial Distrib
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SP5 Countryside and Green Belt

SECN13 Protecting Green Belt Land

2.0 **Site History**

2.1 No relevant history.

3.0 **Representations**

3.1 **Neighbour Consultation** – None received.

3.2 **Environmental Health:**

Noise – Expects submission of noise assessments due to proximity to the railway tracks.

Contamination – No Objection. Seeks phased contamination investigation reports to ensure that land is suitable for residential use.

Air Quality – No Objections.

3.3 **Highways** – Recommends refusal. Unlikely that visibility splays could be achieved. No active travel infrastructure supports the site.

3.3 **Parish Council** – Objection:

- Contrary to Green Belt policy.
- Inappropriate development.
- Would erode protected land.
- Harm to visual amenities of the area and the intrinsic open nature and character of the area.
- Out of context with existing developments patterns, which is limited to established cottages with large gardens and open spaces.
- Ecological sensitivity to the site.
- No evidence of safeguarding of ecological assets.
- Unsafe vehicular access to the site and poor pedestrian access.
- Harmful precedents would be set.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The application site comprises a parcel of land adjacent to No. 1 Ninesprings Cottage, Wymondley Road, Hitchin. It is within the Green Belt, and is in close proximity to the

settlement boundary of Hitchin. To the west is a pair of dwellings, Nos. 1 and 2 Ninesprings Cottages. To the south of the site is a railway line, with residential dwellings to the north-west. Open countryside borders the site to the east.

4.2 **Proposal**

- 4.2.1 The application seeks permission in principle for the erection of a single dwelling. The submitted plan 251 021 shows a two-storey dwelling set centrally behind a grouping of trees. Access would be provided by a private drive off Wymondley Road, with a turning head and driveway for vehicles. Amenity space is shown to the front and rear.

4.3 **Key Issues**

- 4.3.1 Planning Practice Guidance (PPG) explains that permission in principle is an alternative way of obtaining planning permission for housing led development as part of a two-stage procedure. Stage 1 ('permission in principle stage'), is limited to the consideration of location, land use and the amount of development which, in the event of an approval, would leave the remaining matters to be considered in a technical details application (Stage 2) (i.e. the 'technical details consent').
- 4.3.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission, which would include applications for permission in principle (PIP), must be determined in accordance with the development plan, unless material considerations indicate otherwise. This application is a Stage 1 PIP application therefore the three matters are considered below.

Location

- 4.3.3 The application site is located outside of the settlement boundary of Hitchin and is within the Green Belt and therefore does not comply with the approach to development hierarchy and distribution of homes as set out in Local Plan Policy SP2.

Local Plan Policy SP5 confirms support for the principles of the Green Belt and the intrinsic value of the countryside and that development proposals within the Green Belt would not result in inappropriate development or where very special circumstances have been demonstrated. It is not considered that that the proposed development would fall within an exception for development as defined by Paragraph 154 of the NPPF. Therefore, the development is considered to comprise inappropriate development in the Green Belt.

- 4.3.4 Amendments to the NPPF in December 2024 introduced the concept of Grey Belt and exceptions set out at Paragraph 155 advises:

"The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all the following apply:

- a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;*
- b. There is a demonstrable unmet need for the type of development proposed;*
- c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and*
- d. Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 below."*

The NPPF Definition for Grey Belt is:

“For the purposes of plan-making and decision-making, ‘grey belt’ is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. ‘Grey belt’ excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.”

The five purposes of the Green Belt are set out below:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

- 4.3.5 The North Herts Green Belt Review identifies the parcel of Green Belt that the site is within (10b) as making a strong contribution to purposes A and B of the Green Belt. It is noted that the site sits at the periphery of Hitchin and would comprise the last dwelling to this part of Wymondley Road before entering open countryside to the east of Hitchin towards Wymondley and Stevenage. This would amount to the extension of the residential and urban core of Hitchin out into the Green Belt and onto this green field site, resulting in an encroachment and outward sprawl into the countryside. The PPG sets out the features that would make a strong contribution to purpose A of the Green Belt. This describes how a site free of existing development and physical features in reasonable proximity that could restrict or constrain the development, and would be adjacent to a large built-up area, or result in an incongruous pattern of development. I consider that the site is green field in nature, and is free from existing development and lacks physical features. It is noted that the train line is to the south and west of the site, and this can be considered as being a physical feature, particularly given its raised elevation. However, the site would remain open to the east and would not be enclosed or restricted by this feature. The site would be adjacent to a large built-up area. In circumstances I consider that the site makes a strong contribution to Green Belt purpose A round, and that the development would therefore conflict with the aims of that purpose. The site is therefore not grey belt.

It is difficult to properly consider whether there are material considerations that together constitute very special circumstances that would clearly outweigh the harm to the Green Belt by reason of inappropriateness and any other harms, this may rely on matters that would be considered at Stage 2, but certainly requires a robust evidence-based case, which is not evident.

- 4.3.6 Turning to the sustainability of the site, it is noted that the Highways Authority have objected to the sustainability and safe access of the site. Their concerns of safety rest on a lack of a footway to the site to provide a safe pedestrian link into Hitchin and concerns of the feasibility of the vehicular access. Matters of safe access are a Stage 2 matter, and are therefore not for consideration at this stage.
- 4.3.7 Paragraph 110 of the NPPF emphasises how development should be focused on locations that would offer a genuine choice of transport modes. Given the proximity to Hitchin and associated bus stops and footpaths into the wider area, the location is

considered to be suitably sustainable in the view of Stage 1. The site is considered to be sufficiently sustainable.

4.3.8 The National Planning Policy Framework also supports achieving sustainable development provided the economic, social and environmental objectives are met.

4.3.9 In conclusion on this matter, the site is within the Green Belt and the proposed development would be inappropriate development in this location as the proposal would not meet any of the exceptions set out at NPPF 154 and 155. The development would therefore fail comply with Policy SP5 of the Local Plan and is not an acceptable location for the proposed development in Green Belt policy terms.

Land Use:

4.3.10 The site is adjacent to residential dwellings and is close to Hitchin. I consider that its location is not unsuitable for residential uses, and would not result in conflicts with nearby land uses. However, built form related to residential use would be inappropriate in this Green Belt location, for the reasons given above.

Amount of Development:

4.3.11 This application seeks confirmation of whether a single dwelling in this location would result in an acceptable amount of development. The site is deep and relatively constrained in width. The development density and amount of the site that would be developed would result in a majority of the plot remaining as green field, or landscaped, though the entirety would be residential curtilage. The site could accommodate a single dwelling. It would be unlikely to result in a constrained form of development, or an overdevelopment of the site, and would also result in a development density similar to nearby plots, notably Ninesprings Cottages to the side. The development amount would therefore be acceptable.

Other Matters:

4.3.12 Matters such as the feasibility of vehicular access and pedestrian access, parking, scale, design and appearance, landscaping, relationship with neighbours and environmental matters such as land contamination, flood risk and ecological issues would be considered at the technical details stage (stage 2) should permission in principle be granted.

Procedural Matters:

4.3.13 The DLUHG sets out guidance (Gov.uk) on what is required in the determination of a 'permission in principle' application. No conditions can be attached to the grant of permission only confirmation of site location, the type of development and the amount of amount development (Paragraph: 020 Reference ID: 58-020-20180615).

4.3.14 The default duration of permission in principle is 3 years therefore there is no requirement to specify the time limit (Paragraph: 014 Reference ID: 58-014-20180615)

4.3.15 Local Planning Authorities can inform applicants what they expect to see at the technical details stage (Paragraph: 045 Reference ID: 58-045-20180615). It is recommended that this can be done by attaching an informative to the grant of permission in principle. In this case the following matters would be expected to form part of a technical details consent application:

- ☐ Scaled drawings showing all floor plans and elevations and slab levels of the proposed dwellings
- ☐ External materials and details of hard and soft landscaping including boundary treatment
- ☐ Preliminary Risk Assessment concerning land contamination
- ☐ Noise Impact assessment
- ☐ Provision of electric vehicle re-charging infrastructure
- ☐ Pedestrian and vehicular visibility splays
- ☐ Vehicle tracking to demonstrate safe and usable parking spaces
- ☐ Construction management statement
- ☐ Cycle parking
- ☐ Drainage details
- ☐ Details of refuse and recycling provision

However, in this case it is recommended that the Stage 1 application for permission in principle be refused.

4.4 **Conclusion and Planning Balance**

- 4.4.1 The proposed erection of a dwelling in this location would comprise inappropriate development in the Green Belt. No benefits associated with the delivery of a dwelling have been identified that would outweigh the harm to the Green Belt. Therefore, this application should be refused as it would contravene Policies SP2 and SP5 of the Local Plan 2011-2031 and Section 13 of the NPPF.

4.5 **Alternative Options**

- 4.5.1 None applicable.

5.0 **Recommendation**

- 5.1 That planning permission be **REFUSED** for the following reasons:

1. The proposal would comprise inappropriate development in the Green Belt and it is considered that the proposed dwelling in this location would be unacceptable for this reason. Therefore the proposed development would contravene Policies SP2 and SP5 of the North Hertfordshire Local Plan 2011-2031 and Section 13 of the NPPF.

Proactive Statement:

Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council has not acted proactively through positive engagement with the applicant as in the Council's view the proposal is unacceptable in principle and the fundamental objections cannot be overcome through dialogue. Since no solutions can be found the Council has complied with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

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Signed  Shaun Greaves Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 22 April 2026	