



Appeal Decision

Site visit made on 11 August 2026

by F Bradley BRP (NZ) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 October 2026

Appeal Ref: 6009720

Land adjacent to 1 Ninesprings Cottage, Wymondley Road, Hitchin, Hertfordshire SG4 9QL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by Mr J Hill, Curtis Trust Limited C/O John Shilcock Limited, against the decision of the North Hertfordshire District Council.
 - The application ref is 26/00361/PIP.
 - The development proposed is described as permission in principle for the erection of one detached dwelling.
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Decision

1. The appeal is allowed and permission in principle is granted for residential development comprising a minimum of one and a maximum of one dwelling at Land adjacent to 1 Ninesprings Cottage, Wymondley Road, Hitchin, Hertfordshire SG4 9QL in accordance with the terms of the application, Ref 26/00361/PIP, dated 10 February 2026.

Procedural Matters

2. The proposal is for permission in principle. Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has two stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second stage ('technical details consent') is when the detailed development proposals are assessed. This appeal relates to the first of these two stages.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. All other matters are considered as part of a subsequent technical details consent application if permission in principle is granted. I have determined the appeal accordingly.
4. I have not used the site address provided in the application form as it did not clearly identify the site. Instead, I have used the address in the Council's decision notice and subsequently used by the appellant in the statement of case as it more accurately reflects the site's location.
5. During this appeal, a new National Planning Policy Framework (the Framework) was published on 17 August 2026. The main parties were given an opportunity to comment on the implications of the revised Framework for the appeal. Both parties provided responses, and I have taken those comments into account in reaching my decision.

Main Issue

6. The main issue is whether the site is suitable for residential development, with reference to whether the proposal is inappropriate development in the Green Belt.

Reasons

Background and policy context

7. The appeal site is within the Green Belt. Policy SP2 of the North Hertfordshire Local Plan 2011-2031 (the LP) sets out the district's settlement hierarchy and spatial distribution for development. The site is outside the settlement boundary of Hitchin where the policy states that development is only permitted if it is supported by an adopted Neighbourhood Plan, noting that Neighbourhood Plans cannot allocate development within or remove sites from the Green Belt. Policy SP5 of the LP reflects the Framework by only permitting development proposals in the Green Belt where they would not result in inappropriate development or where very special circumstances have been demonstrated.
8. The objective of Green Belt policies in the Framework is to prevent urban sprawl by keeping land permanently open. The government attaches great importance to Green Belts, the essential features of which are their openness and permanence. Policy GB2 of the Framework sets out the five purposes of the Green Belt.
9. The Framework, at Policy GB6, goes on to state that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Development in the Green Belt is inappropriate unless one of the exceptions listed in Policy GB7 applies. One exception includes where the proposed development would utilise grey belt land. Grey belt is defined in the Framework 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 the purposes (a), (b), or (d) in Policy GB2.
10. The North Herts Green Belt Review July 2016 (the GBR) identifies the parcel of land in which the appeal site is located as making a strong contribution to the Green Belt purposes through checking the unrestricted sprawl of large built-up areas and preventing neighbouring towns merging into one another. Annex E of the Framework provides considerations for informing judgements of the contribution to the purposes of the Green Belt, to which I refer below.

Purpose (a)

11. The assessment areas that contribute moderately are likely to be adjacent or near to a large built-up area but include one or more features that weaken the land's contribution to purpose (a). Such as, in this case, having physical feature(s) in reasonable proximity that could restrict and contain development and being partially enclosed by existing development, such that new development would not result in an incongruous pattern of development.
12. The site is free from existing development and is adjacent to the town of Hitchin which represents a large built-up area. The site would be partially enclosed by physical features including the existing residential development to the west, the elevated railway line and vegetation to the south and vegetation along the eastern boundary. The development would be broadly in keeping with the pattern of development on the adjacent residential properties fronting Wymondley Road. Due

to the site's partial enclosure and relationship to the adjacent residential development, the proposed development would not result in an incongruous pattern of development. These features would also serve to restrict and contain the proposed development to an extent. Accordingly, the site makes a moderate contribution to purpose (a) of the Green Belt as set out in the Framework.

Purpose (b)

13. The GBR identifies the parcel of land in which the site is located as making a significant contribution to purpose (b) by preventing the merging of Stevenage and Hitchin. The site itself however forms a very small part of the gap between the two towns. Due to its small size and the existing intervening features between the towns, including roads and vegetation, the site could be developed without resulting in the loss of visual separation between the towns. Accordingly, the site makes a moderate contribution to purpose (b) of the Green Belt.

Purpose (d)

14. Hitchin is a historic market town. The parties have not identified any visual, physical or experiential connection to the historic aspects of the town and none were visibly apparent during my site visit. Accordingly, the site does not contribute towards purpose (d) of the Green Belt.
15. To conclude, the site does not strongly contribute to the relevant purposes of the Green Belt and therefore comprises grey belt land.
16. As stated above, Policy GB7 of the Framework sets out categories of development that are not inappropriate in the Green Belt and therefore should not be regarded as harmful to the Green Belt or be required to demonstrate very special circumstances. In this case, part (1)(g) of the Policy is relevant which provides that development must meet four criteria to which I refer below.
17. The proposed development would utilise grey belt land. Due to the scale of the proposed development, its congruity with the settlement pattern and the degree of enclosure, any encroachment into the countryside would be limited. Consequently, and for the reasons given above, the proposal would not fundamentally undermine the purposes of including land within the Green Belt when taken together. Accordingly, criterion i. is met.
18. The Council cannot demonstrate a five year supply of deliverable housing sites, therefore there is an evidenced unmet need for the residential development proposed, hence criterion ii. is met.
19. Policy TR3 of the Framework seeks to ensure that development is located where it can support sustainable patterns of movement, enable good accessibility for different users and make the most of existing and proposed transport infrastructure. There are bus stops and footpaths in close proximity to the site which would be available for use by future occupants to access Hitchin town centre. Due to its proximity to, and access to, different modes of transport, the site would be in a sustainable location.
20. In its response to the implications of the Framework on the proposed development, the Council refers to a lack of footway at the front of the site and potential conflict between pedestrians and cycle users to and from the site and vehicles along the road. Notably this was not a reason for refusal as the Council was satisfied this

matter could be dealt with at the second stage of the permission in principle process and as the site is in a sustainable location. I agree with these conclusions. Even if it was considered as part of this first stage, due to the scale of the development, it would not result in a significant adverse impact on the transport network. Consequently, the proposal accords with Policy TR3 of the Framework and meets criterion iii.

21. The proposed development is not major development therefore criterion iv. is not relevant.
22. As the proposed development meets the relevant criteria in part (1)(g) of Policy GB7, it is therefore not inappropriate development in the Green Belt. Accordingly, there is no need to consider its impact on the openness of the Green Belt.
23. To conclude, the proposed development would not be inappropriate development in the Green Belt and is suitable for residential development, having regard to its location, the proposed land use and the amount of development. As I have found the proposal is not inappropriate development, it is consistent with Policy SP5 of the LP which seeks to protect the Green Belt from inappropriate development. The proposed development would conflict with Policy SP2 of the LP which seeks to restrict development outside the settlement boundary. The weight I attach to this conflict is addressed below.

Other Matters

24. Matters including details of access to the site, ecological impacts, surface water drainage, and design and appearance would be dealt with at the technical details stage. Any potential impacts arising from the overhead lines which are in proximity to the site would also be considered at that stage.
25. Concerns have been raised by third parties about the proposal setting a precedent for further development. In this case, due to the site's degree of containment and relationship with the adjacent residential development, I am satisfied the permission would not set a precedent for similar development.
26. The appellant contends that the site is within Flood Zone 1 and the Council raises no objection on flood risk grounds. While third parties have raised concerns regarding flood risk no technical evidence has been provided to demonstrate that the development could not be carried out within an area of low flood risk.
27. The site is located approximately 500 metres from the edge of Great Wymondley. Due to the distance from the village and intervening fields, the small scale of the proposed development and as the proposed dwelling would be viewed in the context of the adjacent residential development, there would be no appreciable harm to the setting of heritage assets in the village.
28. The Council states that the proposed development conflicts with part (1)(j) of Policy S5 of the Framework. However, part (5) states that the policy does not apply to development proposals within the Green Belt, which should instead be determined in accordance with Policies GB6, GB7 and/or GB8, as appropriate. It further provides that where development would not be inappropriate through the application of Policy GB7, proposals should be approved unless their benefits are substantially outweighed by any adverse effects when assessed against the national decision-making policies in the Framework and having regard to part (2)

of Policy S5. As I have found that the proposal would accord with Policy GB7 and would not constitute inappropriate development in the Green Belt, the decision is to be made by applying the approach set out in part (5) of Policy S5 rather than part (1)(j).

Planning Balance and Conclusion

29. I have identified conflict with Policy SP2 of the LP however I have found that the site is in an accessible location and any encroachment into the countryside would be limited. For these reasons and having regard to part (5) of Policy S5 of the Framework, I give limited weight to the conflict with this policy.
30. I have found that the site is suitable for the proposed development having regard to its location, the proposed land use, and the amount of development. Substantial weight is given to the provision of a new dwelling in accordance with Policy HO7 of the Framework, with the proposal providing a modest contribution to the Council's housing supply. Economic benefits would result from the construction of the proposal, as well as from future occupiers supporting local services and facilities, and together are afforded limited weight.
31. I have not identified any adverse effects that would substantially outweigh the benefits. Accordingly, the presumption in favour of sustainable development, as set out in Framework Policy S3, applies. Furthermore, as the proposed development is not inappropriate development in the Green Belt, it would not conflict with the national decision-making policies referred to in part (2) of Policy S5, which indicate that development proposals should be refused in specific circumstances.
32. The PPG indicates that, unless some other period is clearly justified, the default duration of a permission in principle is three years. I have no reason to consider that a departure from the default duration would be justified in this case.
33. For the reasons set out above, the appeal is allowed.

F Bradley

INSPECTOR