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| <b>DELEGATED FILE NOTE</b> |
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**CASE OFFICER:** ...William Thompson.....

| APPLICATION<br>REFERENCE | BRIEF DESCRIPTION OF<br>DEVELOPMENT | APPLICATION SITE                                                                                          |
|--------------------------|-------------------------------------|-----------------------------------------------------------------------------------------------------------|
| 25/03014/PIP             | One self build custom dwelling      | Land Adjacent To 4<br><br>Lower Titmore Green<br><br>Little Wymondley<br><br>Hertfordshire<br><br>SG4 7JT |

**Submitted Plan Nos**

Location Plan

|        |                                          |
|--------|------------------------------------------|
| D1     | Sustainable design                       |
| SP2    | Settlement Hierarchy and Spatial Distrib |
| SP9    | Design and Sustainability                |
| SECN12 | Achieving well-designed places           |
| SECN13 | Protecting Green Belt Land               |
| SP5    | Countryside and Green Belt               |
| SECN9  | Promoting sustainable transport          |
| SECN11 | Making effective use of land             |

## 2.0 **Site History**

2.1 90/00252/1 - Detached dwelling and detached garage. New vehicular and pedestrian accesses.

**Refused – Appeal Dismissed**

2.2 89/00428 - Detached dwelling with double garage. (Outline - all matters reserved)

**Refused**

## 3.0 **Representations**

3.1 **Wymondley Parish Council** – None received.

3.2 **HCC Highways – Objection.**

- Stated that the site is not in a safe or sustainable location.

3.3 **NHC Ecology – Objection based on lack of information. (not relevant at Stage 1)**

3.4 **HCC Archaeology – No comments.**

3.5 **Environmental Health (Combined) – No objection with recommended condition for land contamination and EV charging.**

3.6 **HCC Waste and Recycling – None received.**

3.7 **Site Notice and Neighbour Consultation –**

7 comments have been received from members of the public. 2 in objection, 1 neutral and 4 in support. Full comments can be seen on the Council's web site.

The comments in support are summarised as:

- Site currently unused and unattractive, so the proposal would result in betterment.
- Highways concern over flooding have been resolved since the drain was cleared.
- Traffic concerns mitigated as it is a dead-end lane and only 1 new dwelling is proposed.
- Proposal complies with the spirit of NPPF para 115: Developing an adjoining plot optimises site potential and is a more efficient use of land.
- Septic tank to be replaced and relocated with new suitably sized one.

The comments in objection are summarised as:

- Concerns over septic tank cost and suitability (since addressed)
- Parking concerns
- Impact on rural character and visual amenity
- Wildlife impact

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The application site is located at the southern end of the cul-de-sac of Lower Titmore Green and lies within the Green Belt. To its south-east, the land is adjacent to a set of 4 late Nineteenth/early Twentieth Century, two-storey, terraced cottages with a material palette consisting of facing brick walls and slate roofs. Parking is to the front of each dwelling, accessed

from Lower Titmore Green. Adjoining to the northwest of the site is No. 5 Lower Titmore Green, a post-war, two-storey, detached dwelling. Next to No. 5 there is a collection of mainly single storey former equestrian buildings (now converted into a dwelling) known as 'Wrens Acre'.

- 4.1.2 The subject plot is approximately 0.06ha in area (600m<sup>2</sup>) and is broadly rectangular. The plot currently mostly unused and heavily overgrown. The subject land is considerably higher than the road, but the plot itself appears broadly level. There is a septic tank towards the front of the site which serves the 4 properties in the adjacent terrace. It is informally recorded that the subject land was formerly in use as a builder's yard and there was previously a timber building on the site used as storage. However, other than visible debris, this cannot be confirmed. There is a network of public rights of way in close vicinity of the site.

#### 4.2 **Proposal**

- 4.2.1 The application seeks permission in principle for the erection of one self-build custom dwelling. Access is proposed via the front of the site, utilising the existing dropped kerb. There are no elevational or floor plan details and the submission is reflective of the permission in principle type of application where the scope of such an application is limited to location, land use and amount of development.

#### 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. Permission in principle applications involve two stages. 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, and therefore appeals and permission in principle, must be determined in accordance with the development plan, unless material considerations indicate otherwise.

This application is a Stage 1 Permission in Principle application therefore the following matters are for consideration:

##### Location

- 4.3.3 The application site is located within the Green Belt, south of the settlement boundary of Little Wymondley and west of the settlement boundary of Stevenage. Policy SP1 of the Local Plan supports the principles of sustainable development in North Hertfordshire within key settlements as the main focus for housing, employment and new development. Policy SP2 of the Local Plan identifies that no provision is made in the NHLP for housing development within Titmore Green.

### Green Belt

4.3.4 The site is in the Green Belt, as designated by the Local Plan 2011-2031. Paragraphs 154 and 155 within the NPPF set out which types of development are not inappropriate, with those paragraphs stating:

154. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
  - not have a greater impact on the openness of the Green Belt than the existing development; or
  - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

155. Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

- a) mineral extraction;
- b) engineering operations;
- c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- d) the re-use of buildings provided that the buildings are of permanent and substantial construction;

e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and

f) development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

4.3.5 Turning to Paragraph 154 of the NPPF, the application site lies within a hamlet, not a village; therefore, while a dwelling in this location would be infilling a row of houses, exception e) does not apply. While the applicant states that the site constitutes PDL, given the lack of evidence of structures and hardstanding on site, this does not appear to be the case. I, therefore, conclude that the proposal does not meet the exceptions set out in paragraph 154.

4.3.6 The revision to the NPPF in December 2024 introduced the concept of ‘Grey Belt’, which is defined in the NPPF glossary as follows:

*“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”.*

4.3.7 This application for permission in principle for the erection of a single dwelling is submitted on the basis that the site constitutes ‘Grey Belt’ land. The first step is to therefore consider whether the site meets the definition of Grey Belt. The site is not previously developed land and is therefore submitted to be any other land that does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. The Planning Practice Guidance (PPG) and case law advise on how sites should be appraised against these purposes.

4.3.8 In respect of purpose a), *to check the unrestricted sprawl of large built up areas*, the PPG is clear that villages should not be considered large built up areas. Given that Titmore Green is designated as a hamlet under Policy SP2 of the Local Plan, the site cannot strongly contribute to purpose a).

4.3.9 In respect of purpose b), *to prevent neighbouring towns merging into one another*, the PPG is clear that this purpose solely relates to towns merging, given Titmore Green is a hamlet, and the site does not form a gap between towns in any case, the site cannot strongly contribute to purpose b).

4.3.10 In respect of purpose d), *to preserve the setting and special character of historic towns*, Titmore Green is not a town, and the site would not strongly contribute towards purpose d).

4.3.11 Following on from this, paragraph 155 of the NPPF addresses 'Grey Belt', which states as follows with justification set out:

*"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;*

The site may meet the initial definitional points of Grey Belt but the highways authority has objected on the grounds of sustainability evidencing an assessment that the application site is not in a sustainable location, further explained under point c. Ergo, as the application site is not in a sustainable location, the application site cannot be considered as Grey Belt land and, therefore, fails to comply with paragraph 155 a).

*b. There is a demonstrable unmet need for the type of development proposed;*

The Council cannot demonstrate a five-year housing land supply with the figure sitting at 2.6-3.3 years. There is clearly a demonstrable unmet need for housing which the proposal would deliver, in accordance with part b).

*c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework*

The Highways Authority have objected on the grounds that the site is not within a sustainable location, stating *"Navigating Lower Titmore Green by foot or cycling during any time of the year especially evenings, winter months, or adverse weather fronts is unsafe. There are no nearby bus stops within acceptable safe walking distances. This goes totally against all current sustainable*

*and accessibility policies. Key references include paragraphs 115 - 117 of the NPPF, and our LTP4 policy 1.*” The site is located outside the defined settlement limits of Wymondley and Stevenage, which are designated as a Category B village and a town respectively under Policy SP2 of the Local Plan. The nearest available bus routes in the vicinity (Routes 92, 92A, & 391) are located in Perranporth Lane (~800 metres away from the site), at Todds Green (~800 metres via Stevenage Road) and Chantry Lane (~1.3km). While NPPF paragraph 110s recognises that “opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making”, these public transport options would lie outside of what could be considered a safe walking distance, especially given the lack of pavements and footpaths to said options. This is exacerbated by additional safety concerns, highlighted in the “Highways and Parking” section. Therefore, I consider that the development would not be in a sustainable location and, as such, fails to comply with paragraph 155 c).

4.3.12 Therefore, the application site would not constitute Grey Belt land and, given the above, I conclude that the proposal would constitute inappropriate development in the Green Belt. The applicant has not provided a case for Very Special Circumstances to overcome the above assessment that the proposal would constitute inappropriate development in the Green Belt.

4.3.13 As for the presumption in favour of sustainable development under paragraph 11(d) of the NPPF (2024) which states:

*where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date<sup>8</sup>, granting permission unless:*

- i. the application of policies in this Framework that protect areas or assets of particular importance<sup>7</sup> provides a strong reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination<sup>9</sup>.*

As the proposal would constitute inappropriate development in the Green Belt, the tilted balance would be disengaged. I afford this harm significant weight.

#### Summary on the Location of the development

4.3.14 The site does not constitute Grey Belt land. The application site is not in a sustainable location. The proposal would constitute inappropriate development in the Green Belt. This is afforded significant weight. Residential development is not appropriate for the site's location.

#### Land use

4.3.15 The proposal seeks the provision of one self-build custom dwelling on a windfall site. The proposed land use for housing would be consistent with this prevailing land use along Lower Titmore Green.

4.3.16 NHLP SP8 Paragraph 4.117: "Small developments, often delivered by local builders and companies, have historically made a valuable contribution to housing land supply in North Hertfordshire... We will continue to support small windfall schemes where they are compatible with the policy framework of this plan."

4.3.17 The existing use of the site is unclear with the applicant suggesting a previous use of a builder's yard, which would fall under Sui Generis. Given the above location assessment, a residential (C3) use would not be appropriate.

#### Summary on the proposed land use

4.3.18 It is considered that residential redevelopment of the site is not an appropriate form of land use.

#### Amount

4.3.19 The proposal would propose a low density of development that would be in keeping with the low density of housing of the local area.

4.3.20 This proposal is for a plot situated between a detached dwelling and a row of terraced dwellings. Therefore, a detached dwelling on this site would form a continuation of a row of dwellings. The provision of one dwelling on this site would, given its size, be likely to maintain the prevailing spacious, low density environment of Lower Titmore Green and therefore would be consistent with the requirements of Policies SP1, SP9 and D1 of the 2011-2031 Local Plan and sections 2 and 12 of the National Planning Policy Framework 2024.

#### Summary on the amount of development

4.3.21 In isolation, the proposed amount of development, comprising of one dwelling, would be a quantum of development that could be accommodated comfortably within the site without detracting from the character and appearance of the area. The provision of an additional dwelling is afforded moderate weight.

#### Highways and Parking

4.3.22 The Hertfordshire County Council Highways Authority have objected to the proposal on the basis of potential safety and sustainability concerns.

*Carriageway Conditions: The carriageway width does not allow the passing of two vehicles unless an area is found to pull over. However, there are very few of these areas, if any, depending on the weather conditions, especially as local flooding occurs in places along the carriageway with standing water and muddy ruts totally obscuring the carriageway edge on almost the whole length of the road.*

*Sustainable Access: Navigating Lower Titmore Green by foot or cycling during any time of the year especially evenings, winter months, or adverse weather fronts is unsafe. There are no nearby bus stops within acceptable safe walking distances. This goes totally against all current sustainable and accessibility policies. Key references include paragraphs 115 - 117 of the NPPF, and our LTP4 policy 1.*

4.3.23 Any subsequent dwelling is likely to have a driveway which may be used as a turning point. It has been stated in a neighbour comment that flooding has significantly reduced since the drains were cleared. The proposed dwelling would be situated within an existing row of dwellings and is unlikely to result in such an additional number of vehicles on the road as to make a significant difference to traffic concerns. Parking matters are to be addressed in any subsequent Stage 2 'Technical Details' phase. However, the safety concerns for sustainable travel remain prevalent and outweigh the above technical factors.

#### Planning Balance

4.3.24 The NPPF requires for Council's to maintain the provision of a five-year supply of land for housing development. It is acknowledged that, at present, NHDC cannot demonstrate a 5-year housing land supply, so the provisions of paragraph 11(d) of the NPPF are of relevance. However, as stated above, the tilted balance is disengaged due to the proposal being considered as inappropriate development in the Green Belt. Therefore, I conclude that the harm presented by inappropriate development in the Green Belt, afforded significant weight, would *significantly and demonstrably outweigh the benefits* of the provision of a single additional dwelling, afforded moderate weight.

#### 4.4 **Conclusion**

4.4.1 The proposed planning in principle should thereby be **REFUSED** as it would be contrary to applicable policies in the NPPF (2024), and no other material considerations would indicate that a decision should be made to the contrary.

#### 4.5 **Alternative Options**

4.5.1 None applicable

#### 5.0 **Recommendation**

5.1 That permission in principle be **REFUSED** for the following reason:

1. The proposal would constitute inappropriate development in the Green Belt due to failing on sustainability grounds. The harm presented by inappropriate development in the Green Belt would significantly and demonstrably outweigh the benefits of the provision of a single additional dwelling. The proposal would therefore conflict with Section 13 of the National Planning Policy Framework.
2. The Highways Authority have objected on the basis of highway safety due to the unsuitable and substandard carriageway conditions. Therefore, the application would be contrary to paragraphs 115 - 117 of the NPPF (2024) and Policy 1 of the Hertfordshire County Council's (HCC) Local Transport Plan-4 [2018-2031, May2018].

**Proactive Statement:**

Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council acted proactively through positive engagement with the applicant in an attempt to narrow down the reasons for refusal but fundamental objections could not be overcome. The Council has therefore acted proactively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

|                                                                                                                                           |                                                                                                                                                     |
|-------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|
| <div>Signed</div> <div></div> <div>Anne McDonald</div> | <div>Development Management<br/>North Hertfordshire District Council<br/>Council Offices<br/>Gernon Road<br/>Letchworth<br/>Herts<br/>SG6 3JF</div> |
| <div>Determining Officer</div> <div>Date: 21 April 2026</div>                                                                             |                                                                                                                                                     |