

Henry Thomas
Planning Control
North Herts District Council
PO Box 10613
NG6 6DW

15th May 2025

Dear Mr Thomas,

Land rear of 29 Baldock Road, Royston

Permission in Principle Stage 1 application for the erection of a new self-build residential dwelling with associated parking and altered vehicular access along Mackerel Hall, and associated work.

Please find enclosed a Permission in Principle Stage 1 application for the erection of a new self-build residential dwelling to the rear of no.29 Baldock Road, Royston. This letter sets out the principle planning case for the development proposed. Along with this letter the following documents accompany the application:

- Location plan
- Existing illustrative site plan
- Proposed illustrative site plan
- Concept document

Included with the application is a copy of the pre-application response from North Herts Council dated 2nd September 2024 (LPA reference 24/01202/PRE). This pre-application response was in relation to the submission of a scheme for a single dwelling to the rear of the property, and includes a section about the Council officers views about the principle of the development proposed.

An email and attachments from Hertfordshire County Council's Rights of Way Officer sent on 21st September 2023 to the applicant, are also included with this submission. The email and attachments from the Rights of Way officer provide details of the right of way along Mackerel Hall heading northwards onto the junction with Cedar Crescent.

A copy of the applicant's property deeds for no.29 Baldock Road is also included with this application, which confirms that the applicant has vehicular access rights providing access to Mackerel Hall that connects the site to the junction with Cedar Crescent (please see at bottom of the first page of text within the deed for confirmation of access rights).

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Permission in Principle Stage 1

The NPPG confirms the scope of Permission in Principle Stage 1 is limited to:

- Location
- Land use
- Amount of development

All other matters should be considered at the Technical Details Consent Stage 2, that would follow a successful application for Permission in Principle Stage 1.

In this application, the Council should therefore be concerned with establishing whether the proposal for one self-build dwelling on the application site is acceptable in principle, given the location of the site, the land use and the amount of development involved.

Site Details and Proposed Development

The site to the rear of 29 Baldock Road is located within the built-up area of Royston, comprising a garden to a detached property fronting Baldock Road to the west of Royston's town centre and north of the Therfield Heath. This parcel of land has access onto Mackerel Hall heading northwards up onto Green Drift.

To the north of the site is a 4 bed bungalow and double garage on land that was originally part of No. 2 Cedar Crescent. This property was granted planning permission in the early 1990's (LPA reference 91/00058/1).

The proposed site for the new dwelling currently forms part of No. 29 Baldock Road's garden. The division of No.29 to create the curtilage will continue to allow for a substantial garden and private amenity space for the residents of the existing property. Similarly, the proposed new plot is large enough so that the proposed new dwelling will also have a generous size private garden area. The Design Development Report prepared by BBA goes into more detail, but the design concept has been to create a secluded form of development that has a lower roof level (single storey) to the main house at No.29. Whilst not an outbuilding, there will be an ancillary nature to the design and form of the new dwelling.

The design approach seeks to employ modern architectural features but reflects a traditional form, that will create a high quality designed scheme. The design and layout of the new house will give it a subservient feel to the properties along Baldock Road, and will thus not create visual harm to the surrounding area. The new dwelling will also be screened by existing trees and planting to the north (along the rear boundary of No.29) and both to the east and west.

The proposed new dwelling will comprise of 4 no. bedrooms, kitchen/dining/living area, study, snug and utility room, along with a bathrooms, en-suites, and workshop/garage.

Ample parking space is provided at the front of the property and the scheme has been designed to retain the row of existing mature trees located along the current rear northern boundary of the property at No.29.

Pre-application reference 24/01202/PRE

A pre-application enquiry submission for a dwelling on the application site was made to the Council in May 2024 under LPA reference 24/01202/PRE.

A copy of the pre-application response dated 2nd September 2024 is included with this application submission.

The pre-application response stated the following about the principle of development:

“The site is located within the Settlement of Royston where Local Plan Policy SP2 supports the development of housing within the settlement boundary. Development of the site for housing would therefore be supported in principle under Policy SP2.

It should be noted, however, that the development of the garden of no 29 could be classed as ‘back land’ development. Whilst there is no explicit Local Plan policy that addresses such development, a common-sense approach must be taken to proposals that are ‘back land’ to ensure that they are appropriate to the local context and that the impacts of such proposals would not cause harm to the wider locality.”

The pre-application response then reviewed the “Design”, “Access, Parking and Highways”, “Impact on Neighbour Amenity/Future Occupiers”, “Landscaping” and “Climate Change Emergency”.

In respect of “Design” and the ‘back land’ nature of the proposal the case officer considered the contemporary design proposed dwelling would be deemed to be broadly acceptable in the location of the site, and the new dwelling proposed would be suitably set away from the neighbouring dwellings and would not appear contrived or out of character of the area due to its single storey scale and access details. The officer considered the proposed subdivision of the existing spacious plot would leave a suitable amount of garden for both dwellings.

The officer did highlight in respect of access to the site that evidence would likely be required in an application that the owner has a right of vehicular access along the private road section of Mackerel Hall from its junction with Cedar Crescent.

Based on their pre-application review, the Council's case officer concluded that the principle of development would be acceptable in this case. The officer did highlight the need to give due consideration to 'back land' proposals, but considered the proposals to be supported in respect of scale, massing and impact upon neighbouring properties.

Local Plan Policies

The Council has adopted the new Local Plan 2011-2031 on 8th November 2022 and replaces the previous saved 2007 policies.

The site lies within the built-up area of Royston, therefore there is no objection in principle to new development, including housing.

In terms of the detailed consideration of a new house in the garden of No.29 Baldock Road, the new Local Plan sets out the following planning policy considerations that have informed the initial designs for this development.

Policy SP2: Settlement Hierarchy and Spatial Distribution - This strategic policy states that between 2011 and 2031, the Local Plan makes provision for at least 13,000 new homes. It also highlights that approximately 80% of the District housing development will be located within the settlement boundaries of the identified towns within the District, including Royston. The proposed development of a new dwelling on the application site within the built-up area of Royston therefore complies with the strategic policy.

Policy SP9: Design and sustainability – This policy requires good design to be a key aspect of sustainable development and highlights the Council will support new development where it is well designed and located and responds positively to its local context. It also highlights that the Council will adopt the Government's technical standards for the size of new homes, water efficiency and, in specified circumstances, accessibility, and directs consideration of schemes to the Council's Design SPD. The BBA design report provides more detail about the design approach, but high quality design has been a key consideration to the proposal, as well as the orientation of the new dwelling, maximising its southern aspect.

Policy SP12: Green Infrastructure, biodiversity and landscape – This policy seeks to protect, enhance and manage green infrastructure network and seek opportunities to create new green infrastructure. It also requires biodiversity networks to be protected and enhanced. Tree and ecological survey work will be undertaken as part of the Technical Details Stage 2 application process, but the applicant is committed to ensuring the existing mature trees will be protected and retained at the northern side of the application site and will ensure the scheme delivers the ecological requirements.

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Policy HS5: Accessible and adaptable housing – This policy generally requires at least 50% of homes to be built to M4(2) Accessible and Adaptable standard, and schemes of 10 or more affordable units, 10% shall be built to M4(3) wheelchair user standard. Whilst this scheme is for a single dwelling, it is notable that it has been designed as a single level property and therefore will strive to meet the requirements of M4(2).

Policy D1: Sustainable design – This policy lists a number of opportunities that need to be taken into account in designing schemes, including:

- i. create or enhance public realm;
- ii. optimise the potential of the site by incorporating Sustainable Drainage Systems (SuDS);
- iii. reduce energy consumption and waste;
- iv. retain existing vegetation and propose appropriate new planting;
- v. maximise accessibility, legibility and connectivity;
- vi. future proof for changes in technology and lifestyle;
- vii. design-out opportunities for crime and anti-social behaviour; and
- viii. minimise the visual impact of street furniture and parking provision.

In relation to opportunity iii. (reduce energy consumption and waste), it is the intention to build a house to passive house standards to reduce energy consumption, etc. Further details of this is provided within the BBA Design Development Report and will be included in the planning application.

Parts c. and d. of this policy also further emphasis the need to comply with the Council's Design SPD and for the development to meet or exceed nationally described space standards and the additional optional water efficiency standards.

The proposed scheme has been designed taking into account many of these considerations to create a high quality form of development that is located within a sustainable location.

Policy NE1: Landscape – Sets out how the Council will seek to ensure that development does not have a detrimental impact on the appearance of the immediate surroundings and landscape character. The location of the new dwelling has been position to minimise impact on existing trees and most importantly to retain the mature row of trees along the northern boundary of the property.

Policy NE4: Biodiversity and geological sites – This policy states that planning permission will only be granted for development proposals that appropriately protect, enhance and manage biodiversity, and should deliver a measurable net gain for biodiversity and geodiversity, contribute to ecological networks and the water environment. The policy requires the submission of an ecological survey that is commensurate to the scale and location of the development and likely impact on biodiversity. This requirement will be addressed through the Technical Details Stage 2 application.

Policy NE8: Sustainable drainage systems – This policy requires the most appropriate sustainable drainage solution is used taking into account technical, viability and design issues to reduce the risk of surface water flooding, enhance biodiversity, water quality and provide amenity benefits.

Policy NE10: Water conservation and wastewater infrastructure – This policy sets out requirements for complying with water environment and framework directives and requires adequate foul water treatment and disposal to exist or provided in time to serve the development.

In terms of Policy NE8 and NE10, more detailed consideration of these policies will be given through the Technical Details Stage 2 application and submission of drainage strategy.

Policy T2: Parking – Policy T2 sets out the need to provide parking for residential developments in accordance with the minimum standards set out in Appendix 4 of the Plan.

Appendix 4: Car Parking Standards – This sets out a minimum of 1 space per 1 bed dwellings and 2 spaces for 2+ beds, with 1 secure covered cycle space.

Visitor spaces should be between 0.25 and 0.75 spaces per dwelling. Garages should be 7m x 3m to count towards parking.

Two parking spaces are proposed at the front of the new property along with a double garage, providing up to 4 car parking spaces, ensuring the parking requirements for the property are achieved.

North Herts Council Design SPD 2011

Policy SP9 of the Adopted Local Plan requires developments to take into account guidance contained within the Council's Design SPD. The current Design SPD was approved in 2011 for development control purposes. The Design SPD is not prescriptive in terms of standards or requirements but encourages developers and designers to think about context of the site and how a development might contribute to and enhance the local area. The SPD guidance also seeks to ensure that a high quality design is achieved regardless of scale or location.

The SPD includes 9 no. headline Key Urban Design Principles that we believe have been incorporated within the design of the new property in this scheme, whilst taking into account local context and site specific issues that arise. The nine key urban design principles include:

1. Character (sense of place and history)
2. Continuity and Enclosure (distinguish between public/private space)
3. Quality of the Public Realm (sense of well-being and amenity)
4. Ease of movement (connectivity and permeability)
5. Legibility (ease of understanding)
6. Adaptability (ease of change)

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7. Diversity (ease of choice)
8. Quality of Private Space (usability)
9. Sustainability (reducing carbon and increasing efficiency)

Whilst this is a Stage 1 Permission in Principle application an illustrative layout and Design document have been included. The layout plan and document demonstrated how a new house can be located within the site; retain sufficient amenity space for the existing dwelling; provide adequate amenity levels for the occupiers of the proposed new properties and neighbours; and, achieve a high quality level of design.

More detailed plans of the new dwelling will be provided by the Technical Detail Stage 2 application. However, it is considered the illustrative plans in this Stage 1 application demonstrate that the principle of development complies with the objectives and considerations of the Council's Design SPD.

NPPF 2024

The NPPF was last updated in December 2024. Within the latest version of the NPPF Section 12 is titled *"Achieving well-designed places"*.

Paragraph 131 of the NPPF further explains that, *"The creation of high quality, beautiful and sustainable buildings and places is fundamental to what planning development process should achieve"*. We believe that the proposed development in this submission will achieve this level of quality and on that basis support should be given to the proposals in this Stage 1 application.

Paragraph 135 provides further guidance for Local Planning Authorities making decisions in that developments:

- a) *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) *establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) *optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*

- f) *create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

Paragraph 136 promotes the requirement to retain trees in that they make an important contribution to the character and quality of urban environments.

Paragraph 139 of the NPPF particularly highlights that significant weight should be given to development that reflect local design policies and SPD guidance; and/or, promotes outstanding or innovative designs that result in high levels of sustainability or help raise the standard of design more generally in an area. This factor requires the design to fit in with the overall form and layout of their surroundings.

The proposed new dwelling in this application will meet all of these aspirations and design guidance as set out by the NPPF and as such, significant weight should be given to this proposed development in this respect.

It should also be noted that Section 5 of the NPPF provides guidance on delivering a sufficient supply of homes, and paragraph 61 highlights the need to provide a significant boost for new homes, to meet housing needs, and to develop land with permission without unnecessary delay.

There is also support given to this proposal through Paragraph 73 of the NPPF 2024, which acknowledges that “small sites” (such as the dwelling proposed in this application) can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. This paragraph within the latest NPPF therefore supports the form of development proposed at this site, and encourages Councils to grant planning permission.

Paragraph 63 highlights the need for different groups in the community to be assessed and reflected in planning policies, including “people wishing to commission or build their own homes”. Footnote 28 provides the following further guidance when applying paragraph 63 to the consideration of the development and states:

Under section 1 of the Self Build and Custom Housebuilding Act 2015, local authorities are required to keep a register of those seeking to acquire serviced plots in the area for their own self-build and custom house building. They are also subject to duties under sections 2 and 2A of the Act to have regard to this and to give enough suitable development permissions to meet the identified demand. Self and custom-build properties could provide market or affordable housing.

There is therefore a requirement under this guidance contained within the NPPF for local authorities to ensure sufficient permissions are granted for self-build dwellings to meet the required need of the authority.

Planning principle considerations

In terms of principle of development in this Stage 1 application, a very substantial material consideration is the location of the new dwelling within the built-up area of Royston in compliance with Adopted Local Plan Policy SP2. It is noted that the location of the site is in a highly sustainable location within 650m of the town centre, 850m of the railway station, and many other services and facilities within walking distance of the application site.

The Council currently has an identified 5 year housing supply shortfall at around 3.9 years (as stated within the Council's Five-Year Housing Land Supply Update May 2024), and whilst the proposal is for one dwelling, it will contribute to the provision of a windfall site and meeting an identified District housing need. The proposals will also deliver a self-build dwelling assisting in meeting the needs of this form of housing within the town and across the District. These are therefore other significant material considerations in determining this application.

The very positive sustainability factors of the proposed development and delivery of a dwelling (self-build), are therefore significant material considerations that should be taken into account in considering the principle of development on this site.

In relation to the vehicular access to the new dwelling, the applicant has done a significant amount of work to establish the right of access along Mackerel Hall to the junction with Cedar Crescent to the north, including contact with Hertfordshire County Council's Right of Way officer. An email sent on 21st September 2023 from the Rights of Way officer is included with this application along with its attachments. The Rights of Way officer concluded in their email:

"Mackerel Hall/Royston Footpath 5 has been recorded as a public footpath (over a private road) since the production of the 1st Definitive Map in the 1950s. The northern half was later adopted as a public road and removed from the Definitive Map and Statement. No evidence has been found to show or suggest that higher public rights than that of a footpath exist over Royston 5. The 1978 Traffic Regulation Order was likely made to prevent public vehicular use of the footpath, despite the lack of evidence to show that public vehicular rights ever existed. The northern extent of the Order coincides with the rear access to Nos 27, 29 & 31 Baldock Road, seeming to allow continued access to these properties, via the access right set out in the 1899 conveyances."

A copy of No.29's property deeds is also included with the application for reference. At the bottom of the first page of text this document states that the owner of No.29 Baldock Road has the following rights along Mackerel Hall:

"To pass and repass along and over the back way 15ft shown on the said plan with or without horses, carts and carriages at all times for all purposes."

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These two submissions included with the application therefore confirm the vehicular access rights across the stretch of Mackerel Hall from the new property to the junction with Cedar Crescent, and that the proposed development of a new house with access along Mackerel Hall is acceptable in principle under this Stage 1 Permission in Principle application. Further details of the access improvements to provide vehicular access along Mackerel Hall will be submitted for approval under the Technical Detail Stage 2 application.

It should be noted that it is not proposed in this application to provide vehicular access the proposed dwelling along the stretch of Mackerel Hall heading southwards onto Baldock Road.

It should also be noted that the illustrative layout and Design document show how vehicles will be able to turn within the property, so that vehicles enter and exit in a forward gear. Final details of the driveway within the site will be addressed through the Stage 2 Technical Details application.

Conclusions

This Permission in Principle Stage 1 application has set out how the principle of the proposed development at land to the rear of no.29 Baldock Road for a self-build dwelling complies with both local plan policies and the NPPF.

The property at no.29 will retain a good level of amenity space and the proposed new dwelling will appear as a subservient structure to houses located along Baldock Road. This more secluded form of development will be screened from Mackerel Hall by existing landscaping both within the site and along the neighbours boundaries.

The shape and form of the new house has also been carefully designed to present a high quality architectural building and scheme, to ensure it is an attractive development that we believe is supported by Section 12 of the latest version of the NPPF.

The proposed scheme will also deliver a new self-build dwelling within a highly sustainable location of Royston in compliance with Policy SP2 of the Adopted Local Plan, which are significant material considerations in determining this application.

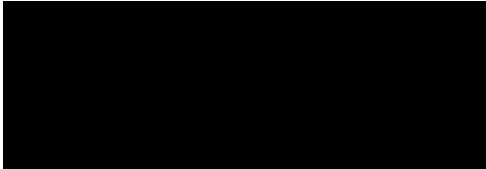
On this basis, it is considered that the principle of development for a new dwelling on the application site is acceptable and I request on behalf of the applicant that this Stage 1 Permission in Principle application be granted.

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If you have any queries, please do not hesitate to contact me.

Yours sincerely



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