



PLANNING STATEMENT

Little Arundel, Bedford Road, Holwell, SG5 3RX

Job Ref: 25/004

Date: June 2025



Prepared by Tom Donovan BA (Hons), MA, MRTPI on behalf of

PETER GEORGE TOWN PLANNING



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Section 1: Introduction & Background

Introduction

- 1.1 Peter George Town Planning has been instructed by Mr & Mrs Mardlin to prepare and make an application for full planning permission at Little Arundel, Bedford Road, Holwell SG5 3RX for **the erection of two detached dwellings.**
- 1.2 The purpose of this statement is to set out the proposals, provide an analysis against relevant national and local planning policy and ultimately make the case as to why planning permission should be granted.

Planning History

Ref.	Proposal	Decision (Decision Date)
07/01917/1	Section 73 Application: Variation of Condition 1 of Planning Permission 00/01261/1HH (granted 16.11.00) to allow use of annex as a separate residential dwelling. (Amended plan received 11.09.07).	Refused 17/10/2007
03/00674/1HH	Garden shed (as amended by location plan received 09/06/03)	Granted 20/06/2003



03/00637/1	Four-bedroom chalet bungalow following demolition of existing dwelling (as amended by drawing no. 97621.01A received 13.05.03)	Granted 10/06/2003
00/01261/HH	Erection of detached single storey building to provide self-contained residential annexe	Appeal allowed 06/09/2001
90/01166/1	Erection of detached two storey building for storage, office and distribution use. (Additional plan received 2nd October 1990)	Refused 25/10/1990
79/00757/1	Erection of single storey side extension to dwelling	Granted 11/05/1979
77/01264/1	Erection of single storey rear extension	Granted 28/10/1977
77/00794/1	Siting of mobile home	Granted 21/07/1977
74/00816/1	Extension to dwelling and erection of double garage	Granted 12/12/1974



Section 2: Analysis of the Site and Surroundings

The Application Site & Immediate Context

- 2.1 The application site is a roughly rectangular site currently forming part of the residential curtilage of Little Arundel which is a detached bungalow that fronts Bedford Road.



Figure 1 - Google Earth Snapshot

- 2.2 In addition to the existing dwelling, the site contains an existing garage to the side of the house and, to the rear, a single-storey annexe. The access drive leads to a hardstanding/driveway area in front of the annexe.
- 2.3 The remainder of the site is largely laid to grass with a small number of trees with boundaries largely demarcated by a combination of hedging,



low-level fencing and trees. A number of trees and other shrubbery is situated to the south-eastern boundary of the site.

- 2.4 The site has an existing vehicular access from Bedford Road (A600) which leads to a driveway which appears to accommodate at least 4 cars. The driveway is located between the existing dwelling and the associated garage.

Wider Surroundings

- 2.5 The site lies within a cluster of around 10 dwellings or so set to the western side of the Bedford Road approximately 500m to the south of Henlow Camp. The site is located within the Rural Area beyond the Green Belt.
- 2.6 Planning permission has recently been granted for new residential development to the rear of a number of other properties immediately adjacent to the site including:
- **Sunvale** (ref.15/03230/1 & APP/X1925/W/16/3156040): Detached dwelling to the rear following the demolition of existing outbuildings – appeal allowed 23/01/2017.
 - **Brookside** (ref. 19/01213/FP): Detached dwelling to rear following demolition of existing garage – granted 23/09/2019.



- **Conifer Dell** (ref. 19/02667/FP): Detached dwelling to rear – granted 06/02/2020.
- **Ramerick Nursery** (ref. 21/02463/FP): Detached dwelling and detached garage to rear – granted 11/11/2021
- **Sunvale** (ref. 21/00810/FP): Detached dwelling to rear (in addition to that granted at appeal in 2017) – granted 20/10/2021
- **Dunroamin** (ref. 22/00217/FP): Detached dwelling and detached garage to rear – granted 04/10/2022
- **Bramble Bank** (ref. 24/00717/FP): Detached dwelling to rear – granted 17/06/2024.
- **Bramble Bank** (ref. 23/01752/FP): Two detached dwellings to rear – granted at appeal 08/01/2025

2.7 A continuous public footpath is situated to the east side of Bedford Road connecting the site with Henlow Camp to the north and Holwell to the south/south-west. The footpath is continuous all the way to Hitchin and Ickleford and it is therefore not inconceivable that potential occupants of dwellings within this cluster of dwellings could choose to walk to either settlement.



2.8 Bus stops are located relatively close by with a pair at the Holwell turning some 1km south of the site, and another pair approximately 500m to the north at the edge of Henlow Camp. These bus stops are all accessible by foot due to the presence of the footpath on the eastern side of the road.



Section 3: The Development Proposal

3.1 The proposed development can be described as follows:

“Erection of two detached dwellings together with associated access drive, car parking, private gardens, hard and soft landscaping following the demolition of the existing detached garage and outbuilding.”

The Proposed Dwellings & Existing Buildings

Design and Layout

3.2 The proposed dwellings would be single-storey L-shaped bungalows spaced within the rear part of the site adjacent to existing approved dwellings of a similar size and design approved at the rear of *Bramble Bank* to the north.



Figure 2 - Proposed Site Layout



- 3.3 The dwellings would be constructed in brickwork and dark-painted horizontal boarding for the walls and would have a plain tiled roof. They would have a simplistic design, materiality and character commensurate with the design and character of nearby existing and approved dwellings.

Landscaping and Amenity

- 3.4 Each property will have a private garden commensurate to the size of the dwelling to which it relates, with a generous garden retained to serve the existing dwelling. Precise landscaping details are to be finalised but will include new planting and boundary treatment. The vast majority of existing trees are proposed to be retained.
- 3.5 An area for biodiversity net gain (BNG) is identified within the rear part of the site. This is proposed indicatively at this stage, with such being finalised as part of dealing with the BNG condition.

Access and Car Parking

- 3.6 The existing access that serves the property is proposed to be used for the development. No alterations are considered to be necessary to the access itself or the initial part of the driveway off Bedford Road.



- 3.7 A new access drive is to be constructed as an extension to the existing access drive that provides access to the rear of the site. This will lead to driveways for each property which will be sufficient to accommodate at least 4 cars (including within the proposed integral double garages).
- 3.8 Separate secure bin and cycle storage is proposed to serve each dwelling with a bin collection area to be provided to assist with rubbish collection.



Section 4: Relevant Planning Policy

National Planning Policy Framework

4.1 The Government policies on different aspects of planning are set out in the **National Planning Policy Framework 2024** (the Framework).

4.2 The relevant sections of the Framework are as follows:

- Section 2: Achieving sustainable development
- Section 5: Delivering a sufficient supply of homes
- Section 8: Promoting healthy and safe communities
- Section 9: Promoting sustainable development
- Section 11: Making effective use of land
- Section 12: Achieving well-designed places
- Section 14: Meeting the challenge of climate change, flooding and coastal change
- Section 15: Conserving and enhancing the natural environment

Development Plan

4.3 Section 38(6) of the Planning Compulsory Purchase Act 2004 states that:

“If regard is to be had to the development plan for the purpose of any determination under the Planning Acts, the determination must be made in accordance with the plan unless material considerations dictate otherwise.”



- 4.4 The development plan context for the planning application is provided by:
- **North Hertfordshire Local Plan 2011-2031 (adopted November 2022)**

- 4.5 The following policies are considered relevant to the consideration of this application:

Strategic Policies

- Policy SP1: Sustainable Development in North Hertfordshire
- Policy SP2: Settlement Hierarchy and Spatial Distribution
- Policy SP5: Countryside and Green Belt
- Policy SP6: Sustainable Transport
- Policy SP8: Housing
- Policy SP9: Design and Sustainability
- Policy SP11: Natural Resources and Sustainability
- Policy SP12: Green Infrastructure, Landscape and Biodiversity

Development Management Policies

- Policy T1: Assessment of Transport Matters
- Policy T2: Parking
- Policy D1: Sustainable Design
- Policy D3: Protecting Living Conditions
- Policy D4: Air Quality
- Policy CGB1: Rural Areas beyond the Green Belt
- Policy NE1: Strategic Green Infrastructure
- Policy NE4: Biodiversity and Geological Sites
- Policy NE7: Reducing Flood Risk
- Policy NE8: Sustainable Drainage Systems



- Policy NE9: Water Quality and Environment
- Policy NE11: Contaminated Land

Supplementary Planning Documents

- Vehicle Parking at New Development SPD (September 2011)



Section 5: Planning Analysis

Principle

Policy Background

- 5.1 The application site is located outside of a defined settlement boundary lying within the Rural Area beyond the Green Belt. Accordingly, relevant NHLP Policies are Policies SP5, CGB1 and CGB4. These Policies are part of the recently adopted Local Plan albeit they are considered to be only partially consistent with the Framework insofar that, whilst they seek to recognise the intrinsic character and beauty of the countryside, they take a slightly more restrictive and protectionist approach.
- 5.2 LP Policy SP5 indicates that the Council will operate a general policy of restraint in Rural Areas beyond the Green Belt through the application of detailed policies. This includes LP Policy CGB1 which indicates that planning permission will only be granted for new development in certain circumstances, whilst LP Policy CGB4 indicates that the re-use, replacement or extension of buildings in the Rural Area beyond the Green Belt will be granted in certain circumstances.



Discussion

- 5.3 Given that the site does not fall within a 'Category B' or other defined settlement boundary, it is acknowledged that the principle of new residential development in this location would not be strictly compliant with LP Policy CGB1. However, the overall acceptability of the principle of new residential development within this cluster of housing, has previously been a matter for debate in the determination of a number of applications for new dwellings.
- 5.4 Indeed, following an allowed appeal for the erection of a new detached dwelling at Sunvale (appeal decision and approved plans attached as **Appendix 1**), planning permission has been granted for new dwellings at Sunvale, Dunroamin, Brookside and Conifer Dell on the basis that the various proposals would not result in the outward expansion of new development into the countryside or be visually obtrusive or harmful.
- 5.5 Moreover, planning permission has subsequently recently been granted for two detached dwellings to the rear of Bramble Bank (decision notice attached as **Appendix 2**). In allowing the appeal, the inspector found, inter-alia, that a) the site would not be within an isolated location within the countryside and would not be part of the surrounding open and verdant



countryside, and b) that the two proposed dwellings would not be so visually or physically conspicuous so as to have a materially greater impact on the openness of the surrounding countryside.

- 5.6 In terms of access to essential services and facilities, in allowing the appeal for one new detached dwelling at Sunvale, the inspector stated that:
- “12. There is a continuous footpath on the opposite side of the road that connects the appeal site to the facilities in Henlow Camp. A walking/cycling distance of around a mile to these facilities is not unreasonable given the rural location. Whilst the footpath is located on the opposite side of a busy main road, there is good visibility in both directions. Accordingly, I am satisfied that there would not be a significant safety risk to future occupiers of the development in this regard. In addition, a number of bus services that run along Bedford Road stop at the nearby bus stop. These connect the site to nearby settlements, including Hitchin, where further services and employment opportunities are available. The appeal site therefore has relatively good access to public transport.”*

- 5.7 It was ultimately concluded by the inspector regarding this point that:
- “For the above reasons, I conclude that future occupiers of the development would not be unduly reliant on private transport. The development would*



therefore accord with the Framework, which seeks to actively manage patterns of growth to make the fullest use of public transport, walking and cycling.”

- 5.8 Following the conclusions reached by this appeal inspector, subsequent planning applications for new dwellings to the rear of other existing dwellings situation within this cluster of housing have been considered and approved by the Council. The application site clearly forms part of the cluster, and it is considered therefore that occupants of proposed dwellings in this location would have good accessibility to local services, facilities and public transport links in accordance with the earlier appeal decision and subsequent approvals.
- 5.9 Moreover, to reach such a view would accord with Paragraph 83 of the Framework which states that, *“To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities”* and that *“where there are groups of smaller settlements, development in one village may support services in a village nearby”*.



- 5.10 Regarding the visual impacts, these proposals have been designed and are presented very much along the lines of the earlier consents for new dwellings at neighbouring sites and would replace existing buildings and hardstanding located to the rear of the existing dwelling. As such, it is not considered that the proposals would result in the outward expansion of this cluster of buildings into the countryside or otherwise be visually harmful.
- 5.11 Moreover, the site is reasonably self-contained being situated amongst the other existing dwellings within the cluster, with new, existing and proposed dwellings situated to the northern boundary. Whilst the proposed dwellings would be partially exposed to the boundaries with the surrounding field system to its southern and western sides, the proposed dwellings would be single-storey only and, set against the backdrop of other existing and proposed dwellings, the development is unlikely to be unduly prominent in the wider context. To that end, the proposals are unlikely to result in any wider landscape or visual harms to the Rural Area beyond the Green Belt in this location.
- 5.12 It is moreover noted that, in allowing the afore-mentioned appeal at Sunvale, the inspector stated that:



“The appeal site is currently occupied by a number of single storey outbuildings that collectively have a larger footprint than the proposed dwelling. The appellant states that the replacement of the existing buildings would enhance the appearance of the site, and I concur with this view. Whilst an enhancement could similarly be achieved by demolishing the outbuildings and using the land as garden space, there is no indication that this is a likely outcome. In addition, the site is largely screened from longer views by trees and boundary planting. In these circumstances, I do not consider that the proposal would be harmful to the intrinsic beauty of the countryside in this location.”

5.13 And that:

“The proposed dwelling would be 1.5 storeys in height, which would be taller than the existing outbuildings. However, as I noted on my site visit, a number of the existing properties fronting onto Bedford Road are also 1.5 storeys in height. The consented dwelling on the adjacent land would similarly be 1.5 storeys in height, and the appeal proposal would therefore not appear out of keeping in this regard.”

5.14 The application has very similar circumstances to Sunvale insofar that the proposed development involves the replacement of existing outbuildings



with new dwellings, the site is largely screened from longer views by trees and boundary planting, and the proposed dwellings would have a height and scale in keeping with other existing dwellings fronting this part of Bedford Road.

- 5.15 Moreover, the recently allowed appeal at Bramble Bank largely echoed the sentiments of the above inspector in terms of the self-contained nature of the site, the likely limited wider visual implications of its development as proposed, and moreover the fact that the site is clearly not part of the surrounding countryside but rather part of an established residential outcrop.
- 5.16 The proposals would be set out in a similar fashion to the development approved at Bramble Bank insofar that each of the proposed dwellings would be sited in a similar position within the site, the dwellings would have a similar scale, form and design within the site; albeit they would have a reduced scale when compared with those approved at Bramble Bank given that they would be only single storey.
- 5.17 In design terms, Section 12 of the Framework deals with the design of development ultimately seeking to ensure that new development is visually



appropriate and accords with its surroundings. LP Policies SP9 and D1 are largely consistent with the aims of the Framework aiming to ensure that the design of new development would be of a high standard and sited appropriately.

- 5.18 The proposed development has been designed to have a character and appearance appropriate for the rural context. Accordingly, the proposed would have an L-shaped form consistent with other dwellings approved and constructed in the vicinity, with proposed materials including facing brickwork, horizontal boarding, and plain clay tiled roofs.
- 5.19 Accordingly, it is considered that the proposed development would be suitable in terms of its design and appearance, and that such would have an acceptable wider visual impact.

Summary

- 5.20 Relevant local plan policies that deal with development in the Rural Area beyond the Green Belt are only considered to be partially consistent with the Framework insofar that they advocate a more protectionist and stricter approach than that set out within Section 15 of the Framework which seeks



the protection of valued landscapes and recognise the intrinsic character and beauty of the countryside.

5.21 The principle of new residential dwellings within this cluster of housing is established through the earlier appeal, and several other recent planning permissions for new housing in this location. The question is therefore one solely concerned with the potential visual impact of the proposed development. To that end, it is considered that the proposed development would have a character, scale and form in keeping with existing, approved and constructed dwellings within the overall cluster of housing, particularly those approved at Sunvale and Bramble Bank which the proposals have largely been designed to relate to. Moreover, due to the self-containment of the site and the degree to which it is contained by existing trees and boundary planting, the proposed would not be significantly impactful in terms of wider countryside views.

5.22 As a result, the proposed would not have any adverse impact on the overall strategic aims of the Rural Area beyond the Green Belt insofar that the proposed would not cause any harm to the intrinsic beauty of the countryside or result in harm to a valued landscape. It is therefore considered that the proposals would accord with LP Policies SP2, SP5, SP9,



D1, CGB1 and CGB4 and Sections 5, 12 and 15 of the Framework and the principle of the erection of a new dwelling in this location would be acceptable.

Quality of the Proposed Accommodation

- 5.23 The proposed dwellings would have a generous internal area (GIA), with all rooms spacious in nature and suitable natural light and ventilation to all habitable spaces. They would both have a GIA significantly in excess of the minimum standards for dwellings of this size.
- 5.24 Both of the proposed dwellings would have large private gardens commensurate with their size. The dwellings would moreover be arranged/spaced on the site to ensure sufficient privacy for both dwellings and to ensure no other impacts on residential amenity.

Effect on the Living Conditions of Neighbouring Properties

- 5.25 The front wall of proposed plot 1 would be situated approximately 45m from the rear wall of the existing dwelling at its nearest point. Accordingly, neither of the proposed dwellings would be situated in such close proximity to the existing dwelling that they would be harmful to the living conditions of this property.



- 5.26 The proposed dwellings would be situated approximately 2.5m from the northern boundary with Bramble Bank. This, together with their low height, would ensure that the proposed dwellings are unlikely to be materially harmful to the living conditions of Bramble Bank or indeed the approved dwellings to the rear.

Highways Implications

- 5.27 It is proposed to utilise the existing access onto Bedford Road. No alterations are required to the access itself to ensure that it is safe and suitable to serve the proposed development.
- 5.28 The proposals involve the formation of a new private driveway which would include a turning head sufficient to turn emergency/delivery vehicles if necessary and to provide sufficient space for manoeuvrability of cars and other vehicles associated with the proposed dwelling.
- 5.29 The proposed dwellings would each have a minimum of three parking spaces ensuring a number of parking spaces in excess of the Council's adopted standards. A secure bike store is proposed to serve the dwellings



to encourage the use of the bicycle as a more sustainable form of transport.

- 5.30 In terms of trip generation, it is not considered that two additional dwellings would likely result in any significant or particularly noticeable increase in traffic.

Waste

- 5.31 There is an existing bin collection route along Bedford Road which serves the existing dwelling and others in the vicinity. Accordingly, waste collections for the proposed dwelling should be able to be accommodated safely from the kerbside and proposed bin collection/storage areas would be within the maximum accepted drag/collection distance.

Ecology & Trees

Ecology

- 5.32 The application submission is supported by an *Ecological Impact Assessment* (EclA) and *Biological Impact Assessment* (BIA), both undertaken by Morgan & Stuckey Ecological Consultants.



- 5.33 Firstly, the EclA concluded that the site provided negligible potential for protected or priority species and overall that legally protected areas of ecological importance would not be negatively impacted by the proposals.
- 5.34 Secondly, in terms of mandatory Biodiversity Net Gain (BNG), given the small nature of the site, it is not possible to deliver the required 10% BNG on site. Accordingly, it is proposed to meet BNG through the purchase of statutory biodiversity credits.

Trees

- 5.35 There are a number of trees on and adjacent to the site, however the vast majority of these are situated well away from the main part of the development site and are proposed to be retained. As such, it is not considered that the proposed development would result in any harm to existing trees on the site.

Other Matters

Contaminated Land

- 5.36 The site is not understood to be contaminated due to its historic use for residential. However, if a cautious approach is favoured by the Council's environmental health team, a condition could be added requiring a Phase I



Preliminary Risk Assessment (and any further related work) to be undertaken and submitted pre-commencement.

Flood Risk/SUDS

- 5.37 The site is located fully within Flood Zone 1 and is not located in an area known to be at any risk from flooding from surface water or similar. Accordingly, the proposals are considered to be acceptable from a flood risk perspective.



Section 6: Summary & Conclusions

- 6.1 This statement supports an application for planning permission for the erection of two detached dwellings to the rear of Little Arundel, Bedford Road, Holwell.
- 6.2 The Council are currently unable to demonstrate a five-year supply of land for housing and as such, paragraph 11d of the Framework is engaged and planning permission should be granted unless the benefits of granting planning permission are significantly and demonstrably outweighed by the negatives.
- 6.3 With that said it is not considered that the proposals would have any adverse impact on the overall strategic aims of the Rural Area beyond the Green Belt insofar that the proposed would not cause any harm to the intrinsic beauty of the countryside nor would it reflect an unsustainable pattern or form of development.



6.4 Other matters material to the consideration of this application have been considered and discussed in the foregoing and it is considered that the proposals would be fully compliant with relevant national and local planning policy.

6.5 In light of the above, it is respectfully requested that planning permission be granted for the proposed development.

APPENDIX

APPENDIX 1: Appeal Decision Letter Ref. APP/X1925/W/16/3156040

Appeal Decision

Site visit made on 1 December 2016

by Thomas Hatfield BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 23rd January 2017

Appeal Ref: APP/X1925/W/16/3156040

Sunvale, Bedford Road, Holwell, Hertfordshire, SG5 3RX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Ms Lynda Musgrove against the decision of North Hertfordshire District Council.
 - The application Ref 15/03230/1, dated 23 December 2015, was refused by notice dated 11 March 2016.
 - The development proposed is the erection of one new detached dwelling, associated landscaping and vehicle parking following demolition of existing residential outbuildings.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of one new detached dwelling, associated landscaping and vehicle parking following demolition of existing residential outbuildings at Sunvale, Bedford Road, Holwell, Hertfordshire, SG5 3RX in accordance with the terms of the application, Ref 15/03230/1, dated 23 December 2015, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: P182-01-B; P182-02; P182-03; P182-04-E; P182-05-D; P182-06-A.
 - 3) No development shall take place above slab level until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Application for costs

2. An application for costs was made by Ms Lynda Musgrove against North Hertfordshire District Council. This application will be the subject of a separate Decision.

Main Issues

3. The Council acknowledges that it is currently unable to demonstrate a 5 year supply of housing land, as required by the National Planning Policy Framework (the Framework). In such circumstances, paragraph 49 of the Framework
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states that relevant policies for the supply of housing cannot be considered to be up-to-date.

4. The Council's first reason for refusal cites a conflict with Policy 6 of the North Hertfordshire District Local Plan No 2 with Alterations (1996). This sets out criteria that development proposals must meet in order to be permitted in the 'Rural Areas beyond the Green Belt', in which the appeal site is located. Insofar as this policy restricts the locations where new housing can be developed, it can be considered a policy for a supply of housing with regards to paragraph 49 of the Framework.
5. There is a dispute between the parties as to whether the proposal would comply with part iii of Policy 6. This part of the policy allows for the construction of single dwellings on a small plot located within the built core of a settlement. However, no definition of a "settlement" is provided in the policy text, and the dispute relates to whether the appeal site is located in a "settlement" for these purposes. I return to this matter below in my conclusion.
6. In cases where paragraph 49 of the Framework applies, paragraph 14 states (unless material considerations indicate otherwise) that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. In that context, the main issues in considering this appeal are:
 - (a) The effect of the development on the character and appearance of the area;
 - (b) Whether future occupiers of the development would be unduly reliant on private transport; and
 - (c) Whether the proposed waste storage and collection arrangements would be appropriate.

Reasons

Character and appearance

7. The appeal site is to the rear of a short row of detached properties fronting onto Bedford Road, which mostly consist of bungalows. These properties are surrounded by open countryside and they are not within a built-up area. The appeal site is adjacent to the former Ramerick Nursery site that has recently been granted planning permission for a single dwelling (ref 13/01301/1).
8. The appeal site is currently occupied by a number of single storey outbuildings that collectively have a larger footprint than the proposed dwelling. The appellant states that the replacement of the existing buildings would enhance the appearance of the site, and I concur with this view. Whilst an enhancement could similarly be achieved by demolishing the outbuildings and using the land as garden space, there is no indication that this is a likely outcome. In addition, the site is largely screened from longer views by trees and boundary planting. In these circumstances, I do not consider that the proposal would be harmful to the intrinsic beauty of the countryside in this location.

9. The proposed dwelling would be 1.5 storeys in height, which would be taller than the existing outbuildings. However, as I noted on my site visit, a number of the existing properties fronting onto Bedford Road are also 1.5 storeys in height. The consented dwelling on the adjacent land would similarly be 1.5 storeys in height, and the appeal proposal would therefore not appear out of keeping in this regard.
10. For the above reasons, I conclude that the development would cause no significant harm to the character and appearance of the area. It would therefore be in accordance with Policy 57 of the North Hertfordshire District Local Plan No 2 with Alterations (1996). It would also accord with the Framework, which recognises the intrinsic character and beauty of the countryside.

Reliance on private transport

11. The nearest local shops and other facilities are in the centre of Henlow Camp, which is located approximately a mile away. In addition, a bus stop is located nearby on Bedford Road.
12. There is a continuous footpath on the opposite side of the road that connects the appeal site to the facilities in Henlow Camp. A walking/cycling distance of around a mile to these facilities is not unreasonable given the rural location. Whilst the footpath is located on the opposite side of a busy main road, there is good visibility in both directions. Accordingly, I am satisfied that there would not be a significant safety risk to future occupiers of the development in this regard. In addition, a number of bus services that run along Bedford Road stop at the nearby bus stop. These connect the site to nearby settlements, including Hitchin, where further services and employment opportunities are available. The appeal site therefore has relatively good access to public transport.
13. The Council has highlighted a number of appeal decisions that consider the accessibility of proposed housing sites in the Borough. The full details of those cases are not before me, and I further note that a number of these decisions were issued prior to the introduction of the Framework or relate to larger developments. I have, in any case, reached my own view on the appeal proposal on the basis of the evidence before me. Separately, I accept that the sustainability considerations that applied to the adjacent Ramerick Nursery site were not the same to the current appeal proposal.
14. For the above reasons, I conclude that future occupiers of the development would not be unduly reliant on private transport. The development would therefore accord with the Framework, which seeks to actively manage patterns of growth to make the fullest use of public transport, walking and cycling.

Waste arrangements

15. The development would include a bin storage area next to the proposed dwelling, and a bin collection area near to the road. The distance between these would be around 95m.
16. The distance between the proposed bin store and collection area would not comply with the Building Regulations. However, The Building Regulations do not form part of the planning regime in this respect, so are not relevant to the case. The Council also cite BSI 2005 BS 5906: Waste Management in Buildings

- Code of Practice. However, this document constitutes guidance only, and it provides a different standard to those set out in the current Building Regulations. Manual for Streets quotes both the Building Regulations and BSI 2005 BS 5906, but does not require that either standard is met in every case. Moreover, the Framework does not mention waste storage and collection arrangements.
17. Whilst the Council state that future occupiers of the dwelling would need to have their waste collected by a private contractor, it is unclear why this would be the case. The proposed waste storage and collection arrangements reflect the backland nature and layout of the site, and that of the adjacent site, and would not be unusual for a rural location. The Council do not identify any highway safety or amenity concerns that would arise from these arrangements, or any other planning harm. Accordingly, I do not consider that the location of the bin storage and collection areas would justify withholding permission in this case.
18. I conclude that the development would be served by appropriate waste storage and collection arrangements.

Other Matters

19. The distance between the proposed dwelling and the neighbouring properties would be considerable, and any views would be screened in part by existing boundary treatments. Accordingly, there would be no unacceptable overlooking of neighbouring properties.
20. Any damage to the boundary fence caused during the construction process, or by future occupants, would be a civil matter covered by other legislation.

Conditions

21. The Council suggested a number of conditions, some of which I have edited for clarity and enforceability. In addition to the standard time limit condition, I have imposed a condition that requires the development to accord with the approved plans. This is necessary for clarity and to ensure a satisfactory development. A condition requiring the submission and approval of external facing materials is also necessary in order to preserve the character and appearance of the area. However, it is not necessary that this condition be discharged before any development takes place, as initial demolition and preparatory works could be undertaken beforehand.
22. The Council suggested a further condition that would have removed a number of permitted development rights from the new property. However, there is no evidence before me that exceptional circumstances exist that would justify the removal of permitted development rights in this case. Accordingly, I do not consider that this condition is necessary in order to make the development acceptable in planning terms.
23. A neighbour has requested that a condition be attached that would require the removal of the existing conifer trees along the boundary, and their replacement with a 1.8 metre high close boarded fence. However, such a condition is not necessary to make the development acceptable in planning terms.

Conclusion

24. There is a dispute between the parties as to whether the appeal site is located within a "settlement" for the purposes of part iii of Policy 6 of the Council's Local Plan. In this regard, the policy allows for an exception where a single dwelling is proposed *"on a small plot located within the built core of the settlement which will not result in outward expansion of the settlement or have any other adverse impact on the local environment or other policy aims within the Rural Areas"*. However, even if I were to accept that the row of properties constituted a settlement, the proposal is clearly not within its 'built core', as it is in a backload location some distance from the road. The development is therefore contrary to Policy 6 of the North Hertfordshire District Local Plan No 2 with Alterations (1996). However, this conflict clearly carries less weight than it would if there were a five year supply of deliverable housing sites.
25. I have found that the development would not unacceptably harm the character and appearance of the area, and that future occupiers would not be unduly reliant on private transport. The proposed waste storage and collection arrangements would also be appropriate. There would therefore be no unacceptable environmental harm arising from the development.
26. The social effects of the development would include the provision of a new dwelling that would contribute to meeting the Borough's housing need. There would also be a modest economic benefit generated through employment and economic activity during the construction process.
27. Overall there are no adverse impacts that would significantly and demonstrably outweigh the benefits of the development. It would therefore constitute sustainable development as set out in the Framework.
28. For the reasons given above I conclude that the appeal should be allowed.

Thomas Hatfield

INSPECTOR



APPENDIX 2: Appeal Decision Letter Ref. APP/X1925/W/24/3348198



Appeal Decision

Site visit made on 18 December 2024

by **D J Barnes MBA BSc(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 08 January 2025

Appeal Ref: APP/X1925/W/24/3348198

Bramble Bank, Bedford Road, Holwell, Hertfordshire SG5 3RX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Hitchings against the decision of North Hertfordshire District Council.
 - The application Ref is 23/01752/FP.
 - The development proposed is the erection of two detached five-bedroom dwellings together with associated access drive, car parking, private gardens, hard and soft landscaping following the demolition of all existing detached structures.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of two detached five-bedroom dwellings together with associated access drive, car parking, private gardens, hard and soft landscaping following the demolition of all existing detached structures at Bramble Bank, Bedford Road, Holwell, Hertfordshire SG5 3RX in accordance with the terms of the application, Ref 23/01752/FP, subject to the conditions set out in the Schedule.

Procedural Matter

2. A revised version of the National Planning Policy Framework (the Framework) was published in December 2024. The content of the revised Framework does not materially change the national policy basis for the assessment of this appeal.

Main Issues

3. It is considered that the main issues are the effects of the proposed development on (a) the character and appearance of the surrounding area and (b) the safety of other highway users.

Reasons

Character and Appearance

4. The appeal site comprises land within the extensive rear garden of Bramble Bank which forms part of a group of residential and other buildings surrounded by open and verdant countryside. These other buildings include a range of single storey outbuildings and other structures of various sizes located within the rear gardens.
5. It is common ground between the parties that the site is not situated within a settlement as defined in Policy SP2 of the North Hertfordshire Local Plan 2011-

2031 (LP). Instead, the site is situated within the rural area where only certain types of development are acceptable in accordance with LP Policy CGB1. The erection of the 2 proposed dwellings could, as identified by the council, relate to the redevelopment of an existing rural building because of the outbuildings and other structures within the site.

6. LP Policy CGB4 refers to criteria against which the development of existing buildings should be assessed, including that the proposal does not have a materially greater impact on the openness, purposes or general policy aims of the rural area than the original buildings. The general policy aims of the rural area are stated in LP Policy SP5 and include a general policy of restraint to recognise the intrinsic value of the countryside.
7. As identified, the site is within the curtilage of Bramble Bank and it is physically and visually related to the gardens of the group of residential and other buildings rather than being part of the surrounding open and verdant countryside. There is residential development in depth which has occurred to the north of the site with the erection of dwellings to the rear of Dunroamin and Coniferdell. The proposed dwellings would not be in an isolated location within the countryside.
8. The appellants have identified that planning permission has been granted on appeal (Ref APP/X1925/W/16/3156040) and by the Council (Ref 21/00810/FP) for the erection of 2 dwellings to the rear of Sun Vale/Greenwood. Although these dwellings are not yet fully constructed, there is some evidence of groundwork having been undertaken to implement the permissions. The erection of these neighbouring dwellings would materially affect the character and appearance of the group of buildings within which the site is located by the intensification of built forms of development. This change to the context of the appeal site would accentuate the proposed dwellings being related to the existing group of residential and other buildings rather than the surrounding open and verdant countryside.
9. Further, planning permission (Ref 24/00717/FP) has also been granted for the erection of a single dwelling on the appeal site which would be located in the vicinity of the existing outbuildings in the general location of Plot 2 of the appeal scheme. This plot is located further to the west than Plot 1 which infills the gap between Bramble Bank and the approved dwelling. The council assessed that the approved dwelling would not have a materially greater impact on the openness, purposes or general policy aims of the rural area than the original buildings. This planning permission is given significant weight in the assessment of this appeal scheme and would result in Plot 1 being enclosed on 3 sides by existing or approved dwellings with the garden of Little Arundel, including an outbuilding which is used for domestic purposes, located to the south.
10. There are no outbuildings within Plot 1 but there are such buildings within the appeal site as a whole. By reason of being taller than the outbuildings and development occurring on Plots 1 and 2, the appeal scheme would increase the footprint of built development and, together with the height of the proposed dwellings, this would have an effect on the openness of the surrounding countryside. Although there is some screening by buildings and trees, parts of at least the roofs of the proposed 1½-storey dwellings would be visible along Bedford Road from the south across the garden of Little Arundel.

11. However, because of the existing dwellings fronting the road, the residential development in depth that has occurred, other structures within gardens and the identified approved housing schemes, the proposed dwellings would not be so visually or physically conspicuous so as to materially have a greater impact on the openness of the surrounding countryside than the current buildings. For the same reasons, the general purposes and aims of the rural area identified in the LP, including the intrinsic value of the countryside, would be preserved rather than unacceptably harmed.
12. On this issue it is concluded that the proposed development would not cause unacceptable harm to the character and appearance of the surrounding area and, as such, it would not conflict with LP Policies SP2, SP5, CGB1 and CGB4.

Highway Safety

13. The highway authority objected to the appeal scheme because of inadequate information having been submitted about the suitability of the proposed access serving the 2 dwellings and Bramble Bank. However, Drawing No. RSD-23-59 P02 Rev A identifies the proposed width of the proposed drive and access from Bedford Road. No additional evidence has been provided as part of this appeal but information has been provided about the access to the approved single dwelling scheme (Ref 24/00717/FA). This approved access is comparable to the proposals shown on Drawing No. RSD-23-59 P02 Rev A.
14. It is recognised that the approved access would serve Bramble Bank and a single dwelling rather than the 3 dwellings which would generate further traffic movements. However, although there would be an additional dwelling, there would still be a relatively low number of traffic movements which would not be materially greater than the approved scheme.
15. It was noted during the site visit that Bedford Road is the subject of the national speed limit at the access to Bramble Bank. The visibility along Bedford Road from the access enables drivers to be able to see vehicles entering or leaving the access so as not to create a danger to these highway users.
16. Currently, the access and initial drive's width are determined by the shared boundary with Greenwood and the soft landscaped element of Bramble Bank's front garden. Drawing No. RSD-23-59 P02 Rev A identifies that the width of the access and an initial part of the drive would be increased when compared to what was observed. The upgrading of the access and drive would be necessary to avoid vehicles turning into the access from potentially having to wait on Bedford Road if another vehicle is exiting the access. This is a case where the increase in the width of the access and initial part of the drive could be subject of a condition to approve the final design and secure its implementation.
17. Between the front garden and Plot 1, there would be a straight length of drive which would generally be about 3.7 metres wide. From what was observed, there could be a potential slight narrowing of the drive between the flank walls of Greenwood and Bramble Bank but this would be for a short length. No passing places are proposed along the drive but there would be adequate visibility for a driver to see an oncoming vehicle to enable another vehicle to wait either within the initially widened drive or adjacent to Plot 1. From what was observed, and even with a

potential slight narrowing of the width for a short length, the proposed drive would be sufficient for emergency vehicles to be able to access the proposed dwellings.

18. For the reasons given, and subject to an appropriate condition, it is concluded that the proposed development would not cause unacceptable harm to the safety of other highway users and, as such, it would not conflict with LP Policy T1 which requires development not to lead to highway safety problems or cause unacceptable impacts upon the highway network.

Conditions

19. The council has suggested conditions in the event that this appeal succeeds and they have been assessed against the tests identified in the Framework and the Planning Practice Guidance. For reasons of clarity, some of the suggested conditions have been amended.
20. For reasons of precision, it is necessary for a condition to refer to the approved drawings. By reason of the current use of the site, a simplified condition would be appropriate to address matters associated with potential ground contamination.
21. A Construction Method Statement is necessary to protect the living conditions of the occupiers of neighbouring properties during the construction period and to avoid contractor's vehicles being parked along Bedford Road. The suggested condition has been amended to reflect the nature, scale and location of the proposed development. As has been identified, a condition is necessary to secure the improvements to the existing access.
22. Conditions are necessary to require the external materials and landscaping to be approved to ensure that the proposed development would be well assimilated into the surrounding group of residential properties and other buildings. The appeal application pre-dated the mandatory requirements for Biodiversity Net Gain (BNG) albeit a Biological Impact Assessment which included a BNG calculation was submitted by the appellants. Instead of a specific condition to secure BNG, the recommendations of the Biological Impact Assessment should form part of the landscaping scheme.
23. A condition is necessary to secure the erection of obscure glazing for the first floor window within the side elevation of the dwelling which would be erected on Plot 2 to prevent overlooking and loss of privacy. However, a condition is unnecessary to secure charging for electric vehicles because this is a requirement of the Building Regulations.

Conclusion

24. For the reasons given, it is concluded that this appeal should be allowed.

D J Barnes

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: RSD-23-59 P01; RSD-23-59 P02 Rev A; RSD-23-59 P03; RSD-23-59 P04; RSD-23-59 P05; RSD-23-59 P06 and RSD-23-59 P07.
- 3) No development shall take place until an assessment of the risks posed by any contamination, carried out in accordance with *British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency, Land Contamination Risk Management (LCRM)* (or equivalent British Standard and Model Procedures if replaced), has been submitted to and approved in writing by the local planning authority. If any contamination is found, no development shall take place until:
 - a) a report specifying the measures to be taken, including the timescale, to remediate the site to render it suitable for the development hereby permitted has been submitted to and approved in writing by the local planning authority;
 - b) the site has been remediated in accordance with the approved measures and timescale; and
 - c) a verification report has been submitted to and approved in writing by the local planning authority.

If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended until:

- a) additional measures for the remediation of the site have been carried out in accordance with details that shall first have been submitted to and approved in writing by the local planning authority; and
 - b) a verification report for all the remediation works has been submitted to and approved in writing by the local planning authority.
- 4) No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The Construction Management Statement shall include details of:
 - a) access arrangements to the site;
 - b) location of construction and storage compounds, including areas designated for contractor's parking, the loading/unloading of delivery vehicles and turning areas;
 - c) siting and details of wheel washing facilities or other means to prevent mud or debris being deposited on the public highway; and
 - d) timing of construction activities (including delivery times and removal of waste).

The development hereby approved shall be carried out in accordance with the approved Construction Method Statement:

- 5) Prior to the commencement of the development hereby permitted details of the access and drive between Bedford Road and Plot 2 shall be submitted for approval in writing by the local planning authority. The dwellings hereby permitted shall not be occupied until the access and drive have been constructed in accordance with the approved details. The access and drive shall be retained thereafter.
- 6) No development shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 7) No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the local planning authority. The scheme shall incorporate the recommendations at Section 6 of the *Biological Impact Assessment* (Report No: J3178-0623) and shall also include details of:
 - a) all existing trees and hedgerows on the land, identifying those to be removed and those retained, including setting out measures for the protection of retained trees and hedgerows throughout the course of the development;
 - b) new trees, shrubs, hedges and grassed areas are to be planted, together with the species proposed and the size and density of planting;
 - c) the location and type of any new walls, fences or other means of enclosure;
 - d) any hard landscaping proposed; and
 - e) the design and external elevations of the cycle storage and bin storage.
- 8) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the dwellings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 9) The first floor window within the north elevation of the dwelling hereby permitted to be erected on Plot 2 shall be obscure glazed. Once installed the obscured glazing shall be retained thereafter.

SCHEDULE ENDS