



PETER GEORGE TOWN PLANNING

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M [REDACTED]

19 March 2025

Tom Ameson
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By email only: East3@planninginspectorate.gov.uk

Dear Mr Ameson

Final Comments

Appeal by Mr Bruce Parker

Appeal Ref: APP/X1925/W/25/3358840: Land to the East of Old Hale Way, Hitchin, Hertfordshire, SG4 0SA

Introduction

I write with reference to the above appeal and further to documentation forwarded to us via the Planning Inspectorate by email 06 March 2025. It was confirmed within the letter that the deadline for the submission of these final comments is **20 March 2025**.

The appellant is satisfied that the main thrust of his case is contained within their Statement of Case previously submitted at the outset of this appeal. However, the appellant has the following comments in response to third-party comments.

Third-Party Comments

The vast majority of the third-party comments focus on the following main issues: green belt, highways, ecology/wildlife, amenity, flood risk, and the need/justification for the proposed car park. The appellants response to each is as per the below.



Green Belt

As set out in the appellant's statement of case (ASoC), it is considered that the proposed development would not be inappropriate development in the Green Belt on the basis that it would involve a) the delivery of local transport infrastructure requiring a Green Belt location and b) the material change of use of land and the proposed development would preserve its openness and not conflict with its purposes. The appellants response to the reasons why third-parties is set out below.

Green Belt Openness

The proposed change of use involves little above ground development to be carried out. It primarily involves the laying of grasscrete for the surface of the car park, and post-and-rail fencing and a gate. The grasscrete surface would be at ground level and would not therefore reduce or otherwise interfere with the existing open views across the site, not least due to the existing earth bund situated adjacent to the front boundary of the site. In other words, the nature of the proposed grasscrete surface is such that it would preserve openness.

The proposed post-and-rail fencing and field gate would have some impact on openness due to their nature as above-ground features. However, such features are typical in an agricultural setting such as this with existing examples of such already found on the wider agricultural holding. Given their modest nature, it is considered that these aspects would preserve the openness of the Green Belt.

Regarding the use of the land, it is clearly intended that the site be used to accommodate the parking of vehicles. However, given the transitory nature of a car park, parked cars would not be a permanent fixture and thus any impacts on openness would not be permanent. Accordingly, the use of the land as a car park would preserve openness due to its transient and temporary nature.

Green Belt Purposes

The North Herts Green Belt Review 2016 identifies the site as falling within Parcel 13c. Accordingly, in terms of purposes A, it categorises Parcel 13c as playing a significant role in preventing urban sprawl northwards out of Hitchin. However, whilst the appellant accepts that, in its totality, Parcel 13c makes a significant contribution in preventing urban sprawl,



the appeal site is a very small composite piece of this much larger parcel of land. Indeed, the lack of any operational development of note as part of the appeal proposals would enable the land to continue to perform its function as part of the remainder of the parcel in limiting sprawl. Accordingly, there would be no conflict with purpose A of the Green Belt purposes.

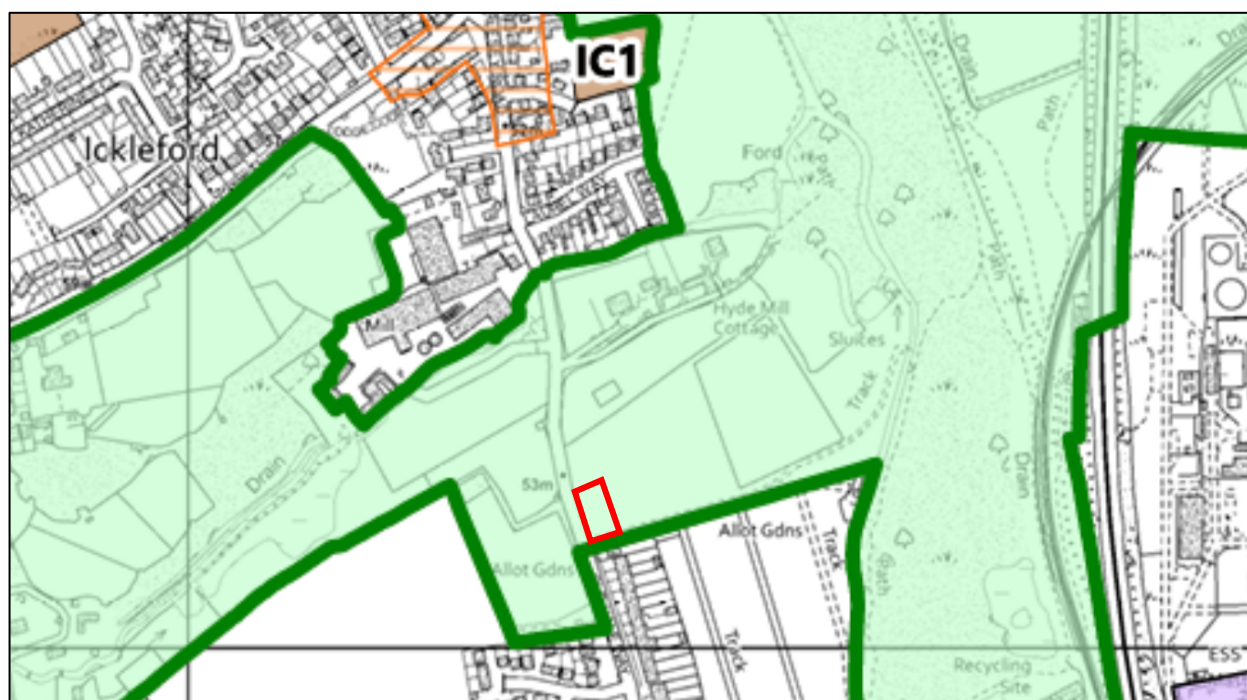


Figure 1 - Excerpt from Policy Mapping

Purpose B is not relevant as the site makes no contribution to preventing neighbouring towns from merging into one another (Ickleford is a village).

Regarding purpose C, as discussed, the development works involved in the proposed change of use are not significant whilst the use itself is transitory and would not be harmful to openness in any meaningful way. As a result, the appellant considers that the proposed development would not result in encroachment into the countryside and would thus not conflict with purpose C of the Green Belt.

In terms of purpose D, Hitchin is a historic town, but the site is at the edge of the settlement and makes little contribution to its setting. Accordingly, the proposed would not conflict with this purpose.



Highways Impacts

The highways authority did not raise any objections to the planning application on the grounds of highways safety. Indeed, the Transport Statement and associated technical drawings submitted with the original application demonstrate that the proposed alterations to the access and the associated use of the land as a car park would not be harmful to the safe operation and capacity of the local network.

The 'occasional' events proposed and to which the highways authority did object included car boot sales and farmers markets. However, these would be held on an occasional basis only, with such not proposed to be carried out more than 28 days a year in total. This would be a sufficiently small number to provide certainty regarding the use of the site, and to ensure that the proposed use of the land for these purposes would not have any meaningful impact on highway safety or the safe operation of the highway.

Third-party comments do not present any evidence that the proposed would be harmful in highways safety terms, or that the local highway network would be unable to cope with the small amount of additional traffic associated with same.

Ecology/Wildlife & BNG

The application was accompanied by an Ecological Impact Assessment (EclA) which concluded that the proposed use of the site would not impact upon any protected species. The appellant acknowledges that there are protected and other species using other parts of this large agricultural holding, but the appeal proposals would not have any impact on these as per the professional conclusions of his appointed ecologist.

Regarding Mandatory Biodiversity Net Gain (BNG), the appellant accepts that to deliver a post-development net gain of at least 10%, off-site mitigation would be required. However, this is a matter that can be dealt with through imposition of the biodiversity net gain condition; there is no need for this to be set out and secured at this stage through a legal agreement.

Flood Risk

The site is situated wholly in Flood Zone 1 and is not identified by Environment Agency flood mapping as being at risk of flooding from any other sources. Accordingly, there is no



basis to the notion that the proposed development would increase flood risk on the site or elsewhere.

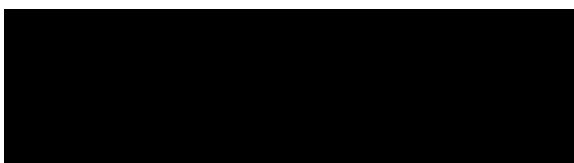
Justification/Need

Numerous comments are submitted regarding an alleged lack of clear justification/need for the proposed car park. The appellant sees an opportunity to hold farmers markets, car boot sales, and for the site to be used for parking for allotment users (the allotments adjacent to the site), and other users of the land (dog walkers, walkers, cyclists etc). No such car parking facilities are present on the site at present and therefore the proposed car park would meet this need. The existing Council-owned allotments to the east does have a car park, but this car park is intended to serve the users of these allotments and is not publicly available to all and sundry. Moreover, it is not very practical for users of the appellant's land given that there is no direct connectivity by foot between the allotments and the appellant's land. To this end, the proposal would meet an identified need for parking on the land.

Summary

On behalf of the appellant, I would respectfully request that the inspector takes this letter into account in their consideration of the appeal.

Yours sincerely,



Tom Donovan BA (Hons) MA MRTPI, Director

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