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6 October 2025

Dear Mr Glover,

**Reference: 25/02064/OP: Land Adjacent To 10, Hambridge Way, Pirton, Hertfordshire.
Letter of Objection:**

Preamble:

I am a chartered civil engineer, a former Hertfordshire Local Authority Chief Executive and was previously appointed as a Government Planning Inspector for national infrastructure projects. I am also a retired Fellow of the Institute of Highways and Transportation and a resident of Pirton.

I acknowledge that following retirement I am not entirely up to date with changes in planning legislation, regulations and government guidance. However, as a qualified and experienced professional, knowledgeable about the village affected by this proposal, I believe I can make a reasoned and sound case why this application should be refused.

I have previously lodged an objection to planning application 25/01696/OP: Land East of Drovers Way, Pirton. In my view, and taken together, both applications if approved, will create the same impact and cause the same harm to this village. My objection to this application is therefore based essentially upon the same reasons I made previously, and this will be reflected in my submission herein.

In my view both applications should be considered at the same time and both refused.

However, in the unlikely event that NHDC approves application 25/01696/OP, Land East of Drovers Way, Pirton, before considering this application, I wish to articulate the much greater cumulative impact upon the village this application will create, and the even greater harm which will considerably exceed any benefits. For that reason I have therefore expanded upon my reasons for objecting to application 25/01696/OP and these are as follows:

There are wider material considerations than just the requirements of limb (ii) of Paragraph 11 d) of the National Planning Policy Framework (NPPF):

As you, and the members of your Planning Committee know, planning legislation* requires decisions on planning applications to be made not only in accordance with the NPPF, but based upon the authority's own Development Plan and any material considerations. That procedure establishes a principle that if the harms outweigh the benefits, planning permission should be refused.

*(*Town and Country Planning Act 1990 Act, section 70(2) and Planning and Compulsory Purchase 2004 Act section 38(6))*

I appreciate that the concept of demonstrating a 5 year housing land supply (5YHLS) first introduced in 2012, also became a central planning policy. It was amended to incorporate a 4 year supply in 2023. Those targets were meant to reflect the national housing need. It also provided for a balanced approach permitting local development plans to be considered when planning authorities determined applications.

That approach was supported following two significant Court of Appeal cases: *Gladman Developments Ltd. v the Secretary of State* in 2021 and *Peel Investments (North) Ltd.* in 2020. In the first of these cases the Court confirmed that the tilted balance under paragraph 11 d)(ii) of the NPPF does **not** require the wholesale disregard of up to date local planning policies. In the second case the court stated that local policies should **not** be automatically considered as being out of date, even where a 5YHLS cannot be demonstrated.

In May 2024, NHDC's 5YHLS position statement indicated that the deliverable housing supply within the district equated to a 5-year land position of 3.9 years, very close to the Governments earlier 4 year target. I am sure NHDC based that estimate upon housing need using the standard method, the known number of deliverable housing sites and local factors and knowledge.

I understand that NHDC adopted the local plan in September 2024. In the process, the immediate need for the 2023 NPPF's 5YHLS requirement was removed. A statement was issued indicating that the Council would continue to update and maintain it's 5 year supply. This was clearly a considered and professionally determined strategy which sought to recognise the practical implications of delivering unrealistic and unfounded targets against known local factors.

All the forgoing was effectively dismissed by Government in December of 2024 by the inclusion of limb (ii) of 11 d) of the NPPF. This artificially creates arbitrary housing land supply criteria to tilt the balance in favour of permitting development in areas that historically have been protected. That includes green belt land and rural areas beyond the green belt. That unilateral, and narrowly drawn criteria is to be applied irrespective of local need and context. It ignores years of evolved and professionally established planning principles and the intrinsic value of locally derived Development Plans.

However, the two Court of Appeal cases mentioned above still hold, and they effectively permit planning authorities to consider existing local development plan policies, even those considered to be out of date where a planning authority cannot demonstrate a 5YHLS position. This offers a game changing opportunity for NHDC when considering these applications.

I can understand why the officer who provided the pre-application advice to the developer indicated that the change in the NPPF arising from limb (ii) of 11 d) could lead to approval. As a former officer myself I too would have acceded to the will of Government to protect my Council from the risk of an expensive appeal and possible legal challenge. But elected Members of the planning committee have a duty to represent their communities and can look at the wider consequences and the local impact. As a resident, I would look to them to protect Pirton from harmful unsustainable development.

The Committee can request planning officers to undertake a balancing exercise, taking into account all relevant policies in the Development Plan, which then become material considerations. Such an approach will tilt the exercise back towards requiring applicants to demonstrate compelling reasons for permission to be granted. Not the other way round, as indicated in the pre-application advice. Never has that opportunity been more relevant than in this application and in making this objection I am going to assume the Members will do so.

My own reasons for objecting are as follows:

The Applicant has failed to make a ‘Case of Very Special Circumstances’:

The site identified in this application is designated as a ‘Rural Area beyond the Green Belt’ in the Council’s adopted Local Plan 2011 to 2035. The National Planning Policy Framework (NPPF) outlines the principles that must be satisfied for development in rural areas before applications can be approved. Those principles set out in the NPPF have therefore, quite properly, been reflected in the policies and conditions contained in both the local plan itself and the Neighbourhood Plan for Pirton.

Council Planning policy SP5 states that rural areas beyond the green belt are policy designations restricting the types and amount of new development that can occur. In terms of intrinsic character and beauty, such areas contain some of the highest quality countryside in this part of Hertfordshire, no less evident than here in Pirton. Outside of the defined village envelope shown in the Development Plan map, amongst other considerations, this site is not well located in relation to key services. SP5 therefore seeks to restrain the types of development allowed and this application falls squarely within this category.

It is therefore incumbent upon the applicant to demonstrate a very compelling case of special circumstances to justify development in this area. Section 13 of the NPPF sets out the reasons for such justification and the ‘Golden rules’ which applicants should satisfy in their applications. Those provisions were amended in December 2024 but essentially the principles remain.

This application has not complied with these requirements, particularly in relation to infrastructure improvements, and fails to make a case of special circumstances to justify encroachment into the designated rural area surrounding Pirton. It therefore fails these key tests and should, in my view, be rejected.

The existing Transport & Highways infrastructure cannot accommodate further growth:

There is one bus service serving Pirton. Bus journeys from the village towards Hitchin, the main shopping, commercial and source of employment locally, are confined to the mornings into the mid afternoons on weekdays. There are just 8 times scheduled at sporadic intervals. Similarly, return journeys from Hitchin to Pirton are mostly confined to the afternoons into the early evenings, again at sporadic intervals. The service is reduced further on Saturdays and there is no service at all on Sundays.

There are just 3 highway routes into and out of the village. They are all classified as minor roads and are narrow, making passing traffic difficult to navigate in some locations, not least for the bus service. In many places there are no pedestrian footpaths which create conflicts between pedestrians and vehicles and are potentially dangerous.

There are very few street lights making that situation even more hazardous in the hours of darkness. Residents have to resort to using torches to find their way at those times and to alert oncoming vehicles that they are on the road.

Within the village itself, there is a small shop only able to stock the most basic provisions. Were it not for the incorporation of a Post Office, the shop would likely prove financially unsustainable, evidenced recently when it was offered for sale. There is no scope within the existing premises for expansion or development.

There is a primary school, but no junior or middle school and parents and children have to commute to those schools outside the village. There is very limited local employment, save for local maintenance services, no Doctors surgery or pharmacy. In short Pirton has nothing much to offer its local inhabitants.

This means that private motorised travel forms a necessity for all of Pirton's residents, which for most are daily journeys, to take children to schools, go to work, shop, and seek commercial, social, and entertainment pursuits. They cannot rely on the sporadic bus service and the roads are already hazardous and becoming ever more congested as further developments emerge further afield.

The proposed development will add a further impact to that already unsustainable traffic and transport situation. I therefore cannot see that a strategic environmental assessment and sustainability appraisal can find favour in the proposal, that being a requirement enshrined not only in Government Guidance, but also a feature of the Local Plan Policies adopted by NHDC.

Overdevelopment:

The Pirton Parish Council makes the point in their objection to application 25/01696/OP, that the village has already accepted a 28% increase in housing since 2011. I concur with their view that this is significant for a village that had just 530 dwellings before then.

The true potential impact becomes more apparent when looking at the numbers involved if one, or both of the developments proceed. The population of Pirton recorded in the 2021 census was just 1,452 residents. Taking the two applications together a further 180 dwellings would be added to the village.

The the Office for National Statistics (ONS) estimates that household size in the UK was 2.36 people per household in 2022 and that has remained relatively stable for many years. On that basis if both developments proceed, they will add an additional 428 residents. That represents a population growth of 29% to a village with no bus service to speak of, only a very small shop, no doctors surgery, no pharmacy, no employment and hazardous, unlit, and narrow roads with limited pedestrian footpaths.

The average number of vehicles per household in the UK measured in 2023 was 1.29 vehicles. These developments will therefore add an additional 232 vehicles onto the local road network, almost all of which will be using routes into, and out of the village on a daily basis. This can only increase congestion, road safety and increase the conflicts between vehicles and pedestrians.

Pirton, currently with its small population, is a village where everyone knows everyone even if it is on a passing, nodding acquaintance. To compensate for a lack of facilities, residents have created ad hoc clubs and societies to provide community support for one another. Regular shopping trips and hospital visits are arranged for those unable to drive, a range of social activities have become valuable annual events. Taken together these arrangements unite the community to overcome the lack of facilities.

The impact of 29% growth amounting to the addition of over 400 new residents and 232 vehicles will damage the delicate social fabric which provides Pirton with its community spirit. It will do immeasurable harm and damage the identity the village enjoys. There is a real danger that the village would become little more than a dormitory.

Whilst the NPPF does not provide a direct, single definition for “over-development”, it addresses the concept through policies that guide local authorities to make efficient use of land and to ensure that development is well-designed, attractive, and sympathetic to its surroundings.

Overdevelopment is typically assessed by whether a development would cause significant harm to the local area, considering factors like the prevailing character and setting, the capacity of existing infrastructure, and the design's visual appeal.

Amongst the key principles, LPA's are required to consider infrastructure capacity and I have made reference to the limited services available in Pirton and the way in which the community has sought to overcome those limitations. These applications, whether considered together or separately offer nothing to reinforce or improve those services and will clearly place an unacceptable strain on what is currently available.

I note that the applicant has made a proposal to contribute to the community through a Section 106 agreement. However, there are no infrastructure or development plans, or proposals specifically for Pirton that I am aware of. That means that for the most part, those contributions cannot be directed towards local service or infrastructure improvements and therefore they will be absorbed by the authorities in the wider Hertfordshire environs and make no or little contribution to Pirton.

Taking all these considerations into account I can find nothing to merit the applications at all. I therefore object to both applications whether considered together or separately. They would result in significant over-development in return for no improvement in local services and considerable harm to Pirton. Those harms outweigh any sustainable benefits and both applications should be rejected.

I would be grateful if you could incorporate my objection into the planning committee report for the Members consideration please.

Looking Forward:

I believe I have presented compelling reasons for the Planning Committee to reject not only this application, but Application 25/01696/OP as well. However, I am mindful that both applicants will almost certainly appeal such decisions. Whilst the basis of refusal will be strong, the person who considers such appeals may be of the view that the wider, national issues outweigh the local context and the harms the developments will impose on this community. Approval may eventually result.

Being a realist, I request the Committee to consider how the harms and impact might best be mitigated should they decide to give approval. That could involve negotiating a range of benefits targeted toward improvements for the village which might help accommodate the increased population. I would volunteer the following suggestions:

1. The World Health Organisation recommends a doctor to population ratio of 1:1000. In England, the number of patients per fully qualified GP was around 2,258 in May 2025. If both these developments are eventually approved the population of Pirton will be increased to nearly 2000 persons. This would justify the incorporation of a Doctors surgery being incorporated within the developments. The resultant reduced trips into Hitchin for medical treatment would provide improved sustainable transport and a positive benefit,
2. Likewise, an improved, more frequent regular bus service would be a welcome improvement,
3. As I have evidenced above, the local shop appears barely able to make ends meet and will be too small to satisfy the demands of a larger population. Improved, larger premises, which retain

the Post Office, would be better able to offer a wider range of household groceries, and in my view, would also render Pirton a more sustainable settlement. A new, and more suitable shop unit, available for the current shop proprietors to consider, could also be negotiated. Such a unit would allow the existing shop premises to revert to a residential dwelling and help offset financial costs,

and finally,

4. Pirton Sports and Social Club are looking for additional funds to complete the new premises presently under construction. A financial contribution towards that project would be a welcome benefit, again, for the residents of Pirton.

I remain of the opinion that both applications can justifiably be rejected. I know they present both the officers and the Planning Committee with difficult and finely balanced decisions. Should the outcome be to grant approval, I respectfully request that favourable consideration be given to incorporating the benefits I have suggested as part of the S106 negotiations.

I would be grateful that this letter be presented to the Committee for consideration please.

Thank you.

Ronald Higgins