

DESIGN, ACCESS AND PLANNING STATEMENT

Erection of Four Dwellings

25 Lower Road, Breachwood Green, Hertfordshire SG4 8NS

Prepared for Mardoc Properties Ltd

Pentangle Design Group | Job Reference 3870 | August 2026

1. Introduction

This Design, Access and Planning Statement has been prepared by Pentangle Design Group on behalf of Mardoc Properties Ltd. It accompanies a full planning application for the erection of four dwellings, with associated access, parking, landscaping and boundary treatments, on land at 25 Lower Road, Breachwood Green, Hitchin, Hertfordshire, SG4 8NS.

The application follows formal pre-application engagement with both North Hertfordshire Council (Ref: 25/01026/PRE, dated 6 June 2025) and Hertfordshire County Council as Highway Authority (Ref: NH/27240/2025, dated 20 January 2026). A follow-up meeting was held on 16 March 2026 with the case officer, Henry Thomas, at which the revised scheme was discussed in detail. The officer indicated that the amendments addressed the concerns raised in writing, and the scheme has progressed to full submission on that basis.

This document sets out the site context, the design rationale, the access strategy and the planning policy considerations relevant to the application. It should be read alongside the drawings and supporting reports listed at Section 9.

1.1 The Applicant

Mardoc Properties Ltd is a small, locally based developer with experience of bringing forward sensitively scaled residential schemes in north Hertfordshire.

1.2 The Author

Pentangle Design Group is an established Hitchin-based architectural practice with over fifty years of experience working across north Hertfordshire and the surrounding area, and a strong record in residential and infill development.

1.3 Policy Position at the Date of Submission

Two changes to national policy have taken effect immediately before this application was made, and both are directly relevant:

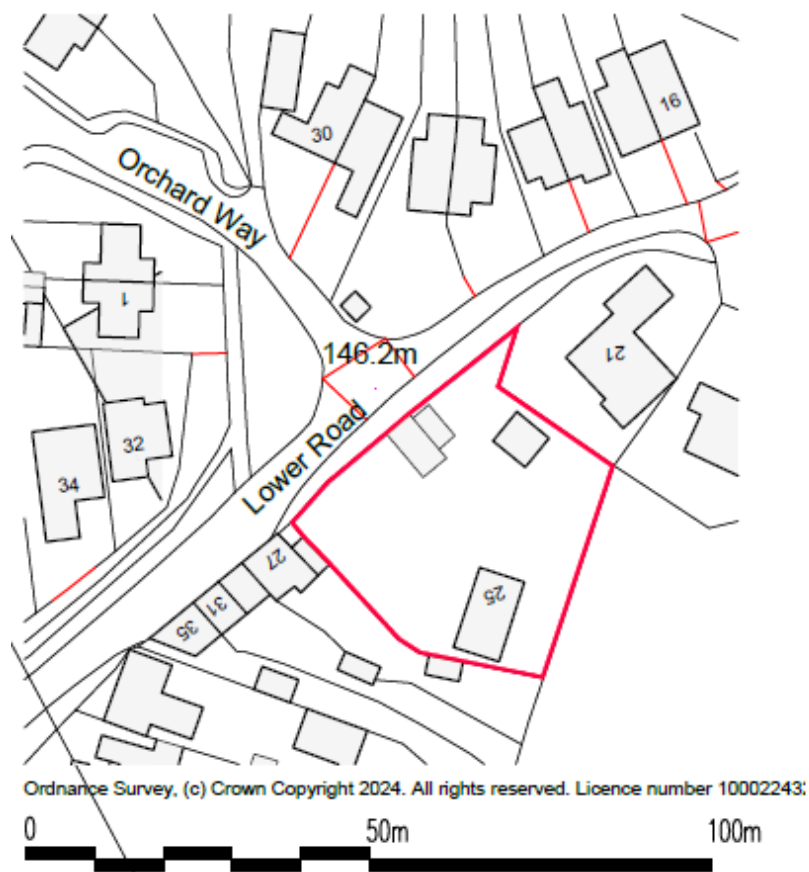
- **The National Planning Policy Framework was replaced on 17 August 2026.** The Framework now applies a clear presumption in favour of development within defined settlements. The application site lies within the settlement boundary of Breachwood Green, and the proposal is assessed against the new Framework at Section 6.
- **The Biodiversity Net Gain regulations were amended with effect from 6 August 2026.** Non-major development on a site of 0.2 hectares or less is now exempt from the statutory biodiversity gain

condition. The application site extends to 1,398 sqm (0.14 ha) and the exemption applies. This is explained at Section 5.2, together with the biodiversity enhancements the scheme delivers in any event.

2. The Site and Its Surroundings

2.1 Site Location and Description

The application site comprises 25 Lower Road, Breachwood Green - a residential plot of 1,398 sqm on the eastern side of Lower Road, opposite the junction with Orchard Way. The site lies within the defined settlement boundary of Breachwood Green, identified as a Category A village in the North Hertfordshire Local Plan. It is not within a Conservation Area, is not affected by any listed building, contains no protected trees, and lies within Flood Zone 1.



The application site in its village context. Refer to drawing 3870/01B for the formal location plan.

The site is broadly rectangular, with a frontage to Lower Road at its western end and a long axis running east towards open farmland. Levels across the site are gentle. The eastern and western boundaries are defined by native hedgerows with trees, which are retained.

2.2 Site History and Present Condition

Until 2026 the site was occupied by a two-storey detached dwelling set well back from the highway, together with two outbuildings, one of which sat prominently on the road frontage. The existing house was cramped, had low ceiling heights and a poorly arranged internal layout; bringing it up to current

standards of thermal performance, accessibility and fabric quality would have required very substantial intervention, with significant elements of the original structure remaining a long-term risk. Drawing 3870/04 records the building as it was.

The buildings have since been demolished and the site cleared. Demolition was carried out following liaison with Building Control and service of a demolition notice. The sequencing of the works was informed by the ecological advice held for the site:

- Demolition of the residential building followed completion of two dusk emergence surveys, on 22 May 2026 and 30 June 2026, which confirmed that the building did not support a bat roost.
- Removal of trees and shrubs was carried out outside the bird nesting season.
- The native hedgerows to the eastern and western boundaries have been retained.

The site is therefore now a cleared, level plot with retained perimeter vegetation. The photographs below record its present condition. Photographs of the site and buildings prior to clearance are retained on file and are available to the Council on request.



The site following clearance, August 2026. Left: view from Lower Road looking east across the cleared site, with No. 23 Lower Road visible to the left of the frame. Right: view along the southern boundary, with open fields beyond.



View from Lower Road looking south-east, towards the position of the former house. The native boundary hedgerows and trees are retained.

2.3 Surrounding Context

Lower Road has a notably mixed building line and character. To the south-west of the site lies a terrace of traditional Victorian cottages (Nos. 27-29 and beyond) which sit close to the back of the highway. To the north-east, properties form a looser, more detached pattern set back from the carriageway, including the cul-de-sac arrangement at Orchard Way directly opposite the site. On the western side of Lower Road, dwelling types are similarly varied.

The prevailing character is one of two-storey traditional dwellings, predominantly in red brick with clay tile or slate roofs, and a mixture of gabled and hipped roof forms. There is no single dominant architectural type, which gives the street an organic, evolved village character.

[photos over page]



Context photographs, recorded prior to site clearance. From top left, reading across: view from Lower Road looking east towards the site; view down Orchard Way towards the site; view down Lower Road looking north-east; view down Lower Road looking south-west towards the site; 27 Lower Road viewed from the site; the former house on the site.

2.4 Planning History

The relevant planning history of the site is limited:

- 88/00698/1 - Approval of details for erection of detached house (1988).
- 84/01805/1 - Erection of detached house (1984).

2.5 Pre-Application Engagement

Two parallel pre-application enquiries were undertaken to inform the design:

- **NHDC Pre-Application Advice (Ref: 25/01026/PRE)** - issued 6 June 2025, considering an earlier scheme of four new dwellings alongside the retained existing house (five units in total).
- **HCC Highways Pre-Application (Ref: NH/27240/2025)** - issued 20 January 2026, providing comments on access, visibility, parking, refuse and emergency access.

A subsequent meeting was held with the case officer on 16 March 2026, at which the revised scheme described in this document was reviewed. The officer expressed support for the amendments made. Section 7 sets out, point by point, how the scheme responds to the advice received.

- **Central parking court.** A small communal parking court sits between the frontage pair and the rear plots, accessed from a single new vehicular entrance. The court is broken up by planting and screened from the highway by a new native species hedge.
- **Rear pair (Plots 3 and 4).** Two detached houses at the rear of the site take advantage of the deeper plot, providing generous private gardens to the east with views over the adjoining countryside.
- **Boundary planting and trees.** The existing perimeter hedgerows and trees are retained, with new tree, hedge and shrub planting added as part of the landscape strategy.

3.3 Scale, Character and Appearance

The dwellings use a traditional palette which responds to the local vernacular. An indicative materials sample board has been prepared and is reproduced below; final materials would be confirmed by condition in the usual way.



Indicative materials sample board: Cedral Rivendale slates; Vandersanden 'Old Forge' red multi facing bricks; off-white through-coloured render; white painted or UPVC casement windows; black cast-iron-effect rainwater goods; white fascias and soffits.

- **Roofs:** Cedral Rivendale slates, with pitches calibrated to the surrounding context.
- **Walls:** Vandersanden 'Old Forge' red multi facing brick, with off-white through-coloured render to selected elements of Plots 3 and 4 to provide visual punctuation.
- **Windows:** white painted casements in traditional proportions.
- **Rainwater goods:** black cast-iron-effect profiles.
- **Chimneys:** included on Plots 1 and 2 to reinforce the cottage character of the frontage pair, in response to the case officer's suggestion at pre-application stage.

Plots 1 and 2 follow the scale of the adjoining cottages, with front-elevation gables providing punctuation to the street scene. Plots 3 and 4 are similar in scale but use a hipped roof form to reduce

visual bulk - a form which the case officer specifically endorsed at pre-application stage as appropriate to the wider street character.



Illustrative perspective view from the east, drawing 3870/11B. The illustrative visuals show indicative photovoltaic panels; these do not form part of this application - see Section 3.6.



Illustrative perspective view from Orchard Way, drawing 3870/12B.

3.4 Amenity for Future Occupiers

Each of the four dwellings provides a high standard of amenity:

- All units exceed the Nationally Described Space Standards.
- All habitable rooms benefit from good natural light and outlook.
- All four plots have well-proportioned private gardens. The revised layout - with the former house removed and Plots 3 and 4 reconfigured - provides demonstrably better garden sizes than the original pre-application scheme, directly addressing the officer's earlier concern.
- South-facing living spaces and gardens are provided where the layout permits, supporting passive solar design.

Aircraft Noise

The site lies beneath the broad approach corridor for London Luton Airport, and aircraft noise is a known characteristic of the area. A Noise Impact Assessment by Anglia Consultants (December 2025) accompanies the application. It assesses the site as medium risk under ProPG: Planning and Noise, and concludes that the ProPG internal noise guidelines can be met through the recommended mitigation, namely:

- appropriate glazing specification, calculated in accordance with BS 8233:2014 Annex G2;
- enhanced sound insulation to the roof construction;
- whole-house MVHR ventilation, so that windows need not be opened for background ventilation and acoustic trickle ventilators are not required;
- minimising window sizes to bedrooms to maximise composite facade attenuation.

These recommendations will be incorporated into the detailed design and can be secured by a suitably worded condition requiring internal noise levels to be demonstrated prior to occupation.

3.5 Impact on Neighbouring Properties

- Plots 1 and 2 follow the established building line of Nos. 27 and 29 Lower Road and do not affect the outlook or amenity of those properties.
- Plot 3 sits towards the north of the site, with No. 23 Lower Road beyond. The building has been positioned a comfortable distance from the shared boundary, and no side-facing first-floor windows to habitable rooms are proposed on that elevation.

There is some potential for overlooking between the rear elevations of Plots 1 and 2 and the front elevation of Plot 4. This has been addressed through:

- angling the relationship of the buildings to reduce direct overlooking;
- locating the bathrooms of Plot 4 on the front elevation at first-floor level, with obscured glazing;
- positioning the Bedroom 3 window of Plot 2 on the side elevation.

The minimum distance between any directly facing first-floor habitable room windows is 18.9m, comfortably exceeding typical separation distance guidance. The relationships are illustrated on drawing 3870/16 (Overlooking Study).

3.6 Photovoltaic Panels and the Illustrative Visuals

The illustrative perspective views show indicative roof-mounted photovoltaic panels. The elevations, roof plan and site plan do not. This is deliberate, and the position is as follows:

- Planning permission is **not** sought for photovoltaic installations as part of this application.
- The installation of roof-mounted photovoltaic panels on a dwellinghouse is permitted development under Class A of Part 14 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015, subject to the limitations in that Class. The site is not within a Conservation Area and contains no listed building, so those limitations are readily met here.
- The applicant anticipates installing photovoltaic panels in due course under those permitted development rights, and in any event to the extent required by the Building Regulations in force when the dwellings are constructed.

The applicant would be grateful if any condition relating to roofing materials or external finishes were worded so as not to preclude the subsequent installation of photovoltaic panels under permitted development, and asks that permitted development rights are not removed by condition.

4. Access

GH Bullard & Associates have prepared the supporting highways evidence for this application: a visibility assessment and speed survey (ref 029/2026/01-CAG) and a separate note on the access position (ref 029/2026/02-DJB). This section should be read alongside those documents.

4.1 Vehicular Access

A single new vehicular access is proposed onto Lower Road, 4.8m wide to allow two vehicles to pass. The access serves the small communal parking court behind the frontage dwellings.

The access has been the subject of pre-application engagement with HCC Highways, and the comments raised in the response of 20 January 2026 are addressed in the GH Bullard evidence. In summary:

- **Visibility splays.** A seven-day automated traffic count recorded 85th percentile approach speeds of 20.1 mph and 21.6 mph. On the Manual for Streets basis these give required visibility splays of 2.4m x 25m and 2.4m x 27m. These are achieved within the application site and adjoining highway land, clear of the third-party boundary fence and following cutting back of the frontage hedge. The splays are shown on drawing 3870/05J; the achievable visibility in practice exceeds these figures.
- **Junction proximity.** The new access lies opposite the existing three-way junction with Orchard Way. GH Bullard's evidence sets out that the access functions as a direct access rather than a priority junction under CD123 of the DMRB, and that the 10-metre junction offset in HCC's dropped kerb policy is directed at accesses on the same side of the road rather than those directly opposite one another. On that basis the position accords with local and national guidance and does not have a severe impact on the operation of the junction.
- **Swept path analysis.** The access and parking court are laid out so that vehicles, including the HCC-preferred 4.7m estate car, can enter and leave the site in forward gear, as required for a classified road. The swept path is shown on drawing 3870/05J.

4.2 Parking

Nine parking spaces are provided on site: two allocated spaces per dwelling plus a single visitors' space. This accords with the minimum standards in Appendix 4 of the Local Plan and the NHDC Vehicle Parking SPD. Bays are dimensioned 5.0m x 2.5m in line with the HCC Place and Movement Planning and Design Guide, with any bay adjoining a wall, fence or hedge widened to 2.7m in accordance with that guide.

Each dwelling is provided with a 7kW electric vehicle charge point adjacent to one of its parking spaces, in accordance with Part S of the Building Regulations.

4.3 Cycle Parking

Each dwelling is provided with a garden shed sized to accommodate cycles together with garden tools and outdoor household items, responding to the case officer's suggestion that storage should be considered alongside cycle parking. Capacity comfortably exceeds the minimum requirement of one secure covered space per dwelling, with provision for three to four cycles per house.

4.4 Refuse and Recycling

Bin storage has been substantially revised in response to the case officer's detailed comments regarding the four-bin and food caddy regime adopted by NHDC. Drawing 3870/05J shows:

- discrete bin storage areas allocated to each dwelling, located so as to be screened from the principal frontages and from the rear amenity space;
- a defined bin set-out area adjacent to the access on collection day, so that crews are not required to enter the parking court;
- a maximum carry distance from any dwelling to the set-out point well within the 30m guidance in Manual for Streets.

The arrangement is intended to avoid the bin blight identified by the case officer as a common issue on similar sites, while remaining practical for residents on collection day.

4.5 Pedestrian Access

Internally, the dwellings are designed in accordance with Part M of the Building Regulations, with clearly identified entrances reached from the parking court by well-defined paths.

On the wider network, the scheme proposes a new footway along the site's Lower Road frontage. There are currently no footways directly fronting the site; the nearest footway runs along Lower Road to the west, on the opposite side of the road. The proposed frontage footway would connect to that existing provision, closing a gap in the pedestrian network and improving walking access from this part of the village towards the bus stops and local amenities. It responds directly to the pedestrian access and connectivity points raised by HCC at pre-application stage.

The footway would sit within the site frontage and the adjoining highway. Its precise extent, levels and tie-in to the existing network - including any dropped-kerb crossing point - would be agreed with HCC as Highway Authority and are likely to be delivered under a Section 278 agreement, secured by planning condition.

4.6 Public Transport

Bus stops in nearby Oxford Road and Chapel Road are within a five to fourteen minute walk and are served by the No. 88 service running between Hitchin and Luton, with stops in the surrounding villages.

4.7 Emergency and Service Access

All parts of every dwelling are within 45m of a fire appliance parked in the access, in accordance with Approved Document B. Lower Road is suitable for refuse and delivery vehicles, and carry distances meet the Manual for Streets guidance. Refuse will be collected from the roadside, with a set-out area provided for bins.

4.8 Site Adoption

It is acknowledged that HCC are unlikely to adopt the internal access road. The applicant intends to address ongoing maintenance through a private management arrangement, which can be secured by planning condition or obligation if required.

5. Landscape, Ecology and Sustainability

5.1 Landscape Strategy

The native hedgerows and trees around the perimeter of the site are retained, preserving the planted character of the site and its contribution to the wider street scene. Internal trees and shrubs - largely ornamental garden planting, laurel and bramble scrub - have been removed to facilitate the development. This loss is mitigated through:

- a new native species front hedge providing screening to the parking court and reinforcing the rural village character;
- additional tree planting and pollinator-friendly shrub planting throughout the site;
- a designated species-rich grassland area of approximately 278 sqm, established and managed as wildflower grassland rather than amenity lawn;
- permeable surfaces to driveways and parking areas.

An Arboricultural Impact Assessment, Tree Protection Plan and Method Statement by Harrison Arboriculture accompanies the application. It identifies the trees to be retained, together with the root protection areas and protective fencing required during construction.

5.2 Ecology and Biodiversity

Statutory Biodiversity Net Gain

The Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) Regulations were amended with effect from 6 August 2026. Non-major development on a site of 0.2 hectares or less, where no on-site priority habitat is negatively affected, is exempt from the statutory biodiversity gain condition. The transitional provisions apply the previous rules only to applications submitted before that date.

The application site extends to 1,398 sqm (0.14 ha) within the red line boundary, as shown on drawing 3870/01B, and the proposal is for four dwellings. The development is therefore non-major and falls below the 0.2 hectare threshold. The native boundary hedgerows are retained in full. The statutory biodiversity gain condition accordingly does not apply to this application, and no biodiversity gain plan is required.

Ecological baseline and protected species

Notwithstanding the exemption, the site has been the subject of a full ecological assessment, and the following documents accompany the application:

- **Preliminary Ecological Appraisal** - Coyne Environmental, April 2026 (revised June 2026).
- **Bat Emergence Survey Report** - Coyne Environmental, July 2026.

The Preliminary Ecological Appraisal found that the site supported habitats of limited ecological value: an unmanaged former garden, introduced shrub planting, bramble scrub, bare ground and boundary hedgerows. The native hedgerows along the eastern and western boundaries, and the proximity of Watkins Wood ancient woodland approximately 130 metres to the north, provide the principal ecological context. No protected species constraints were identified that would prevent the application proceeding, subject to precautionary working methods for nesting birds and reptiles.

The former residential building was assessed for bat roosting potential, and two dusk emergence surveys were undertaken on 22 May 2026 and 30 June 2026, in accordance with the Bat Conservation Trust Good Practice Guidelines (4th edition, 2023). Neither survey recorded any emergence or re-entry. The report concludes that the building did not support an active bat roost and that no further survey or licensing is required. Bat activity recorded on site was consistent with commuting and foraging along the hedgerow network, which is retained.

Site clearance was sequenced accordingly: the residential building was demolished only after the emergence surveys were complete, and vegetation clearance was undertaken outside the bird nesting season.

Biodiversity enhancements

The scheme delivers a range of biodiversity enhancements, responding to Policy N2(1) of the Framework and to the substance of Local Plan Policy NE4. The interaction between Policy NE4 and the statutory exemption is addressed at Section 6.3.

- retention of the native boundary hedgerows and boundary trees;
- new native species hedgerow planting along the front boundary;
- a small wildlife pond of approximately 5.4 sqm;
- integrated swift bricks and bat boxes at high level on the new dwellings, as annotated on drawing 3870/05J, in accordance with Policy N2(1)(f) of the Framework;
- hedgehog-permeable boundary treatments, with 13cm x 13cm gaps.

These measures can be secured by condition through a landscape and ecological enhancement plan.

5.3 Sustainability

The detailed sustainability strategy is set out in the accompanying Sustainability Statement. In summary the scheme provides:

- a fabric-first approach, with high levels of insulation, low air permeability, minimal thermal bridging and high-performance glazing;
- air source heat pumps to all four dwellings, with no fossil fuel heating;
- whole-house mechanical ventilation with heat recovery, consistent with the recommendations of the Noise Impact Assessment;
- 7kW electric vehicle charge points to every dwelling;
- permeable surfacing and a SuDS-led drainage approach, with infiltration prioritised subject to ground investigation;
- overheating mitigation in accordance with Part O, through orientation, glazing specification and ventilation strategy;
- provision for photovoltaic generation, to be installed under permitted development rights as set out at Section 3.6.

6. Planning Policy Context

6.1 The Statutory Framework

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for the site is the North Hertfordshire Local Plan 2011-2031 (adopted 2022).

The National Planning Policy Framework was published on 17 August 2026 and its national decision-making policies took effect from the day of publication. Annex A provides that development plan policies which are materially inconsistent with those national decision-making policies should be given very limited weight, but also that other development plan policies should not be given reduced weight simply because they were adopted before the new Framework. The relevant Local Plan policies here - in particular Policy SP2, which supports residential development within the settlement boundaries of Category A villages - point in the same direction as the new national policy, and no material inconsistency arises on the matters relevant to this application. The single exception concerns biodiversity net gain, which is addressed at Section 6.3 below.

The following documents are also relevant:

- NHDC Vehicle Parking at New Developments SPD (November 2011)
- NHDC Design SPD (July 2011)
- NHDC Sustainability SPD
- Hertfordshire County Council Local Transport Plan 4
- Hertfordshire Place and Movement Planning and Design Guide (2024)
- Manual for Streets (2007) and Manual for Streets 2 (2010)
- ProPG: Planning and Noise - Professional Practice Guidance on Planning and Noise (2017)
- National Design Guide and the Design and Placemaking planning practice guidance

6.2 National Planning Policy Framework (August 2026)

The presumption in favour of sustainable development - Policies S3 and S4

Policy S3(1)(a) provides that Policy S4 should be applied when considering development proposals within settlements. Policy S4(1) provides that:

"Development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework."

The application site lies wholly within the defined settlement boundary of Breachwood Green. Breachwood Green is a settlement within the meaning of the glossary at Annex B, being a village and a predominantly built-up area. Policy S4 is therefore the governing policy, and Policy S5 has no application.

Policy S4(2) sets out the circumstances in which the benefits of approving development are likely to be substantially outweighed by adverse effects. None of them arises here:

- The site is not allocated or safeguarded for another use in the development plan.

- The site does not engage the policies for existing recreational land and facilities (HC7), Local Green Space (HC8), areas of particular importance for biodiversity and geodiversity (N6) or Protected Landscapes (N4).
- The proposal is a comprehensive redevelopment of a cleared plot, not additional development within a retained residential curtilage, so the criteria at Policy L2(1)(d) are not engaged.
- No undeveloped land used for a cemetery, burial ground, water storage or flood risk management is affected.
- The proposal does not fail to comply with any national decision-making policy which requires refusal in specific circumstances. Those policies are addressed in turn below.

This is the central point of policy in this case. The scheme delivers four family homes inside a settlement boundary, on a site where the principle of development was expressly confirmed by the case officer at pre-application stage, where the design was agreed in principle at a meeting on 16 March 2026, and where the highways, noise and ecological positions have been assessed and are capable of being controlled by condition. There are no adverse effects of a scale capable of substantially outweighing those benefits.

Chapter 3 - Decision-making policies

Policy DM1(1) applies to major development. This proposal is not major development, but this Statement performs the function of the planning statement described in that policy, and Section 7 records the outcome of pre-application engagement and the extent to which the scheme has changed in response to it. Policy DM1(2) provides that other types of development should be supported by the minimum necessary information requirements to enable a decision, and Policy DM2 confirms that local validation requirements should be proportionate to the scale of development and its potential impact.

Policy DM3 asks local planning authorities to work positively and proactively with applicants, to take a proportionate approach, to take account of positive responses given at pre-application stage, to consider whether conditions could make an otherwise unacceptable proposal acceptable, and not to refuse applications which should clearly be approved. The scheme has been shaped throughout by pre-application dialogue with both the Council and the Highway Authority, and the applicant has set out at Section 7 the specific changes made in response to it.

Chapter 5 - Meeting the challenge of climate change

Policy CC2(1) asks that proposals accord with Policies TR3 and TR4 so that sustainable patterns of movement are prioritised and infrastructure is provided to support the transition to zero-emission vehicles; use design approaches which conserve energy in accordance with Policy DP3(2)(b); and take advantage of opportunities to reuse existing structures and materials, including by reusing non-contaminated excavated soil and hardcore within the site. The scheme provides a 7kW electric vehicle charge point and secure cycle storage to every dwelling, air source heat pumps in place of fossil fuel heating, a fabric-first specification and passive solar orientation. Material arising from the clearance of the site has been crushed and retained on site for reuse as fill and sub-base where suitable, directly addressing Policy CC2(1)(d).

Policy CC3(1) asks that proposals be located where flood risk is minimised, incorporate sustainable drainage in accordance with Policy F8, use design approaches which minimise overheating, and include green infrastructure and suitable tree planting in accordance with Policies DP3(2)(c) and N3. The site is in Flood Zone 1; surface water is managed through permeable surfacing and infiltration-led SuDS;

overheating is addressed under Part O of the Building Regulations; and new tree, hedge and species-rich grassland planting is provided.

Chapter 6 - Delivering a sufficient supply of homes

Policy HO7 provides that substantial weight should be given to the benefits of providing homes which contribute towards meeting the evidenced accommodation needs of the community. The scheme delivers four family-sized dwellings in place of the single dwelling which formerly occupied the plot, a net gain of three, in a Category A village where the Local Plan supports residential development within the settlement boundary. It is precisely the kind of small-site windfall development which comes forward quickly and without the lead-in times associated with larger allocations.

Chapter 12 - Making effective use of land

Policy L2(1) provides that substantial weight should be given to the benefits where a development proposal would achieve one or more of a list of outcomes. Two apply here:

- **Policy L2(1)(a)** - remediating despoiled, degraded or derelict land. The site had become an abandoned residential property with an unmanaged former garden, bramble scrub and vehicle-damaged bare ground, as recorded in the Preliminary Ecological Appraisal.
- **Policy L2(1)(b)** - making better use of vacant and underutilised land and buildings. The plot was substantially underutilised, occupied by a single constrained dwelling and two redundant outbuildings on a serviced site within the settlement boundary.

Policy L2(1)(d) is directed at additional development within existing plots, including additional units within residential curtilages. That is not what is proposed. The former dwelling and outbuildings have been removed and the site is proposed for comprehensive redevelopment, so the criteria at L2(1)(d)(i) to (iii) are not engaged.

Policy L3(2)(a) provides that, within settlements, residential development proposals should contribute to an increase in the density of the area in which they are situated, and Policy L3(4) provides that proposals which do not make efficient use of land in accordance with that paragraph should be refused. The scheme takes the site from one dwelling to four on 0.14 hectares, a density of approximately 29 dwellings per hectare, and so plainly contributes to an increase in density. The existing character of the area has been taken into account in accordance with Policy DP3, as set out below, and the density arrived at is the one the case officer accepted at the meeting on 16 March 2026. The site is not within reasonable walking distance of a well-connected station, so the minimum densities at Policy L3(2)(c) do not apply.

Chapter 14 - Achieving well-designed places

Policy DP3(1) requires development proposals to respond to their context so that they integrate with and enhance their surroundings, through the arrangement of plots and buildings, the use of materials and architectural features. The frontage pair re-establishes the building line of the neighbouring Victorian cottages; the chimneys and front gables were introduced at the case officer's suggestion; the hipped roofs to Plots 3 and 4 reduce visual bulk and were specifically endorsed at pre-application stage; and the materials palette - red multi facing brick, slate, off-white render and white casements - is drawn from the local vernacular and illustrated on the sample board at Section 3.3.

The relevant principles at Policy DP3(2) are addressed as follows:

- **Climate.** Building orientation, massing, landscaping and materials conserve energy and minimise overheating risk, as set out in the Sustainability Statement.
- **Nature.** Retained native hedgerows and trees, new hedge and tree planting, a species-rich grassland area and a small wildlife pond provide green infrastructure, with sustainable drainage integrated in accordance with Policies N3 and F8.
- **Movement.** A new frontage footway connects the site to the existing pedestrian network, and secure cycle storage is provided to every dwelling.
- **Built Form.** The frontage pair defines the street edge; the parking court and rear plots are arranged so that public and private areas are clearly distinguished.
- **Public Space.** The parking court and access are overlooked by habitable room windows, providing natural surveillance, and are laid out to be legible and safe for all users.
- **Identity.** A coherent palette of materials, design features and planting establishes a distinctive but sympathetic character.

Policy DP3(3) provides that proposals should be refused if, without clear justification, they conflict with paragraph 1 or the relevant principles in paragraph 2, and that substantial weight should be given to compliance with relevant development plan design policies. The scheme complies with Local Plan Policies SP9 and D1 and with the Design SPD, and the case officer confirmed at pre-application stage that the scale, materials and overall approach were acceptable.

Chapter 15 - Promoting sustainable transport

Policy TR3(1)(e) asks that, in rural areas, opportunities to improve walking, wheeling, cycling and public transport be taken where they exist and can be supported by the development proposed. The new frontage footway is exactly such an opportunity: it closes a gap in the village pedestrian network and benefits existing residents as well as future occupiers.

Policy TR4(1) requires transport considerations to be integral to the design, giving priority to walking, wheeling and cycling, providing sufficient secure and accessible cycle parking, arranging streets so that places are safe and inclusive for all users, allowing for the efficient access of service and emergency vehicles, and providing a suitable number of parking spaces including adequate electric vehicle charging provision. The scheme provides the new footway, cycle storage for three to four cycles per dwelling within lockable garden sheds, a parking court laid out so that vehicles enter and leave in forward gear and are separated from pedestrian routes, refuse and emergency access in accordance with Manual for Streets and Approved Document B, nine parking spaces in accordance with the Local Plan minimum standards, and a 7kW charge point to every dwelling.

Policy TR6 requires a transport statement or assessment where the extent and significance of the transport issues involved warrants one. The GH Bullard visibility assessment, speed survey and access position note together discharge that requirement proportionately for a scheme of four dwellings.

Chapter 16 - Promoting healthy communities

The dwellings sit within an established residential area, exceed the Nationally Described Space Standards, and each has well-proportioned private amenity space. The new frontage footway improves active travel connectivity for the wider village. No existing recreational land or facilities are affected, so Policy HC7 is not engaged.

Chapter 17 - Pollution, public protection and security

Policy P2 - Ground conditions. The site is required to be suitable for its proposed use taking into account any risks from land instability or contamination, informed by adequate site assessment information prepared by a competent person. The site has a residential planning history and no known contaminative use, but has recently been cleared. The applicant is content for a condition to be imposed requiring a preliminary risk assessment, further intrusive investigation if required, remediation and verification, in the terms set out in Section 8 below.

Policy P3 - Living conditions and pollution. The material pollution consideration is aircraft noise from London Luton Airport. The Noise Impact Assessment by Anglia Consultants assesses the site as medium risk under ProPG and concludes that the ProPG internal noise guidelines can be met through glazing specification calculated to BS 8233:2014 Annex G2, enhanced roof insulation and whole-house mechanical ventilation with heat recovery, so that windows need not be opened for background ventilation. Compliance can be demonstrated and secured by condition prior to occupation. The proposal does not give rise to any material noise, light or air quality impact on neighbouring occupiers.

Policy P4 - Impact of development on existing activities. The applicant is the agent of change in relation to the operation of London Luton Airport. The Noise Impact Assessment identifies the nature of the impact and demonstrates that suitable mitigation can be provided before first occupation, so that no unreasonable restriction is placed on the airport's lawful and permitted levels of operation.

Policy P5 - Maintaining public safety and security. The layout provides natural surveillance of the parking court and access from habitable rooms, with well-defined and overlooked pedestrian routes, addressing the safety of occupiers and users including groups who may be vulnerable to crime or the fear of crime.

Chapter 18 - Managing flood risk

The site lies within Flood Zone 1, extends to 0.14 hectares, and is not identified as having critical drainage problems or as being at risk of flooding from any other source. A site-specific flood risk assessment is therefore not required under Policy F4(2). Policy F8 requires sustainable drainage systems designed in accordance with the National Standards for Sustainable Drainage Systems, with maintenance arrangements in place for the lifetime of the development. Surface water will be managed through permeable Tegula block paving to the parking court and driveways, with infiltration prioritised subject to percolation testing to BRE 365 at detailed design stage, and attenuation provided if infiltration proves unsuitable. Maintenance will form part of the private management arrangement for the internal access and parking court.

Chapter 19 - Conserving and enhancing the natural environment

Policy N2(1) asks that proposals conserve and enhance existing natural features of nature conservation value such as established trees and hedgerows; take opportunities to connect to and strengthen ecological networks extending beyond the site; use green infrastructure to secure multiple benefits; minimise adverse impacts on biodiversity and include features which support priority or threatened species such as swifts, bats and hedgehogs; and incorporate integrated nest boxes, commonly known as swift bricks, unless there are compelling technical reasons preventing their use. The scheme:

- retains the native hedgerows and boundary trees to the eastern and western boundaries, which form the commuting and foraging routes identified in the Bat Emergence Survey and connect the site to the wider landscape;
- adds a new native species hedgerow to the Lower Road frontage;
- provides a species-rich grassland area of approximately 278 sqm, pollinator-friendly planting and a small wildlife pond, delivering biodiversity, surface water and amenity benefits together;
- incorporates integrated swift bricks and bat boxes at high level on the new dwellings, as annotated on drawing 3870/05J; and
- provides hedgehog-permeable boundary treatments with 13cm x 13cm gaps.

Policy N3 asks that new streets be tree-lined where appropriate and that provision be made for the long-term maintenance of existing and newly planted trees. New tree planting is provided within and around the parking court and access, and maintenance will be secured through the private management arrangement and a landscape management condition.

Watkins Wood ancient woodland lies approximately 130 metres to the north and is not affected. Standard construction-phase pollution prevention measures will apply.

6.3 Biodiversity Net Gain

The Biodiversity Gain (Town and Country Planning) regulations were amended with effect from 6 August 2026. Non-major development on a site of 0.2 hectares or less, where no on-site priority habitat is negatively affected, is exempt from the statutory biodiversity gain condition. The application site extends to 1,398 sqm (0.14 ha) within the red line boundary shown on drawing 3870/01B, the proposal is for four dwellings, and the native boundary hedgerows are retained in full. The statutory biodiversity gain condition therefore does not apply and no biodiversity gain plan is required.

Policy N2(3) of the Framework is directly relevant to how the development plan is applied in this situation. It provides that development proposals may incorporate biodiversity enhancements which exceed the statutory objective for biodiversity net gain, but that this should only be a requirement where it is set out in up-to-date development plan policies for specific site allocations, and that:

"Decision-makers should not give weight to other development plan policies which require biodiversity gains which go beyond the statutory framework, including where a policy requires gains for development proposals which are exempt."

Local Plan Policy NE4 requires all development to deliver measurable net gains for biodiversity. To the extent that Policy NE4 would require a biodiversity gain from a proposal which is exempt from the statutory requirement, Policy N2(3) provides that it should not be given weight. The applicant nonetheless offers the package of on-site enhancements set out at Section 5.2 and above, which can be secured by a landscape and ecological enhancement condition, and which meets the substance of what Policy NE4 seeks.

6.4 North Hertfordshire Local Plan 2011-2031

- **Policy SP1 - Sustainable Development in North Hertfordshire.** The site is a serviced residential plot within the settlement envelope and represents a sustainable location for new housing. Cycle storage, electric vehicle charging, the fabric-first specification and access to bus services respond to the policy's sustainability objectives.

- **Policy SP2 - Settlement Hierarchy and Spatial Distribution.** Breachwood Green is a Category A village, where general residential development is supported within the defined settlement boundary. The site sits clearly within that boundary, and the principle was expressly confirmed by the case officer at pre-application stage. The policy is consistent with Policy S4 of the Framework and carries full weight.
- **Policy SP6 - Sustainable Transport.** Cycle storage is provided to each dwelling within garden sheds sized for both cycles and garden equipment, the site is within walking distance of bus stops on Oxford Road and Chapel Road, and a new frontage footway is proposed.
- **Policy SP8 - Housing.** The scheme contributes four family-sized dwellings to the district's housing supply.
- **Policies SP9 and D1 - Design and Sustainable Design.** The scheme responds positively to local context in scale, materials and roof form; exceeds the Nationally Described Space Standards; incorporates air source heat pumps and electric vehicle charging; and is designed to 110 litres per person per day for water consumption.
- **Policy D3 - Protecting Living Conditions.** Separation distances, orientation and window positions prevent overlooking and overbearing impacts, and each dwelling has well-proportioned private amenity space. The case officer confirmed at pre-application stage that the siting and roof forms would not result in unacceptable harm to neighbouring amenity.
- **Policies T1 and T2 - Transport and Parking.** The scheme provides safe access and parking in accordance with the Local Plan minimum standards. The detailed highways position is set out in the accompanying GH Bullard evidence.
- **Policy NE4 - Biodiversity and Geological Sites.** Addressed at Section 6.3 above.

7. Response to Pre-Application Advice

This section sets out how the scheme has evolved in response to the points raised by the NHDC case officer in the pre-application response of 6 June 2025 and at the subsequent meeting on 16 March 2026.

7.1 Principle of Development

Confirmed as acceptable. The case officer expressly supported the principle of residential development at this site under Policy SP2. No further response is required, and the position is reinforced by Policy S4 of the August 2026 Framework.

7.2 Density and Cramped Appearance

Officer's concern: the original five-unit scheme (existing house plus four new dwellings) was considered overdevelopment, with a suggestion that the rear semi-detached pair be reduced to a single detached dwelling.

Response: the scheme has been substantially reworked. The existing dwelling has been removed and the total number of dwellings reduced from five to four. This directly addresses the density concern and yields more generous separation distances and garden areas across the site.

7.3 Justification for Removal of the Existing House

The former dwelling was small in plan, had low ceiling heights and a poorly arranged internal layout. Bringing it up to current standards of fabric performance, accessibility, fire safety and structural robustness would have required very substantial works, and significant elements of the original fabric would have remained a long-term liability. Its removal allows the site to deliver four well-proportioned, energy-efficient family homes which exceed the Nationally Described Space Standards.

7.4 Plots 3 and 4 - Amenity Space

Officer's concern: inadequate rear garden space to the original Plots 3 and 4.

Response: with the existing house removed, Plots 3 and 4 have been repositioned and re-proportioned to provide demonstrably larger and better-shaped private gardens, as shown on drawing 3870/05J.

7.5 Parking Court

Officer's concern: the parking court was felt to sit uncomfortably with the rural character of the village.

Response: this was discussed at length at the meeting on 16 March 2026. The court has been retained as it represents the most efficient means of providing the required on-site parking while minimising the extent of hardstanding visible from the public realm. It is broken up by planting, surfaced in permeable Tegula block paving, and screened from Lower Road by a new native hedge. A similar arrangement was approved nearby under planning reference 22/02871/FP. The case officer accepted this approach at the meeting.

7.6 Bin Storage

Officer's concern: the four-bin plus caddy regime requires careful site planning to avoid bin blight, particularly given the three-weekly collection cycle.

Response: drawing 3870/05J identifies dedicated bin storage areas screened from the principal frontages and the rear amenity space, together with a defined set-out area at the access on collection day. This provides a workable everyday arrangement and discourages the placing of bins on the road frontage.

7.7 Bedroom Numbers

The pre-application scheme included two-bedroom units. The revised mix is now three- and four-bedroom dwellings, in response to discussions about delivering family-scale accommodation appropriate to the village context.

7.8 Design and Materials

The case officer confirmed that the scale, materials and overall approach were acceptable. Following his suggestion, chimneys have been incorporated on Plots 1 and 2 to reinforce the cottage character of the frontage pair. An indicative materials sample board is included at Section 3.3.

7.9 Cycle and Outdoor Storage

Cycle storage is combined with general garden storage in dedicated sheds to each dwelling, in line with the case officer's suggestion.

7.10 Trees and Biodiversity

Tree loss has been minimised so far as is consistent with delivering the scheme, and the native boundary hedgerows and boundary trees are retained. An Arboricultural Impact Assessment identifies the trees retained and the protection measures required during construction. On biodiversity, the position has changed since the pre-application response: the statutory biodiversity gain condition no longer applies to a non-major development of this size following the amendments which took effect on 6 August 2026. The scheme nevertheless delivers the package of on-site enhancements set out at Section 5.2.

7.11 Aircraft Noise

A Noise Impact Assessment by Anglia Consultants accompanies the application, setting out the recommended glazing, roof insulation and ventilation measures. The recommendations will be incorporated into the detailed design and compliance can be secured by condition.

7.12 Sustainability

A standalone Sustainability Statement accompanies the application, addressing fabric-first design, air source heat pumps, ventilation, electric vehicle charging, water efficiency, SuDS, overheating mitigation and provision for photovoltaic generation.

7.13 Highways Pre-Application Comments

HCC as Highway Authority raised no in-principle objection at pre-application stage, concluding that it had no significant objections to the scope of the proposals and that further detail would be provided as part of any full application. Its specific comments in the response of 20 January 2026 are addressed in the accompanying GH Bullard evidence and summarised below.

- **Access position.** The access lies opposite the existing three-way junction with Orchard Way, which HCC considered 'not ideal' with reference to the 10-metre offset in its Residential Dropped Kerb

policy. GH Bullard's response sets out that the access is properly classed as a direct access rather than a priority junction under CD123 of the DMRB, and that the 10-metre offset is directed at accesses on the same side of the road rather than those directly opposite one another.

- **Visibility.** A seven-day speed survey recorded 85th percentile approach speeds of 20.1 mph and 21.6 mph, giving required Manual for Streets visibility splays of 2.4m x 25m and 2.4m x 27m. These are achieved within the application site and adjoining highway land, clear of the third-party boundary fence. The 43m figure referenced by HCC corresponds to the posted 30mph limit; the measured speeds are materially lower, so the shorter splays are the appropriate Manual for Streets standard.
- **Swept path.** The layout is designed so that vehicles, including the HCC-preferred 4.7m estate car, can enter and leave the site in forward gear, as required for a classified road.
- **Parking and cycle storage.** The car parking bays at 5.0m x 2.5m and the cycle storage provision were both welcomed by HCC at pre-application stage.
- **Pedestrian provision.** The scheme proposes a new footway along the Lower Road frontage, connecting to the existing footway network. Its extent and tie-in would be agreed with the Highway Authority, likely under a Section 278 agreement (see Section 4.5).
- **Refuse, emergency and service access.** Addressed at Sections 4.4 and 4.7. Carry distances are within the Manual for Streets guidance and all parts of each dwelling lie within 45m of the access in accordance with Approved Document B.
- **Adoption and construction management.** The internal access will be maintained through a private management arrangement, and a construction management plan can be secured by condition, consistent with the approach anticipated by HCC.

7.14 Subsequent Meeting with the Case Officer

The revised scheme described above was discussed in detail with the case officer, Henry Thomas, at a meeting on 16 March 2026. At that meeting the officer indicated that the amendments addressed the concerns raised in the written pre-application response, and the application is submitted on that basis.

8. Planning Balance and Conclusions

The site lies within the settlement boundary of Breachwood Green. Under Policy S4(1) of the August 2026 Framework, development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in the Framework. None of the circumstances listed at Policy S4(2) arises here. Under Local Plan Policy SP2, general residential development is supported within the settlement boundaries of Category A villages. The principle of development is therefore established, and was confirmed by the case officer at pre-application stage.

The benefits of the scheme are:

- four family homes inside the settlement boundary, in place of the single dwelling which formerly occupied the plot - a net gain of three, to which Policy HO7 of the Framework attaches substantial weight;
- a scheme which has been shaped, over two rounds of pre-application engagement, in direct response to officer and Highway Authority advice;

- an improved street frontage which re-establishes the building line of the neighbouring cottages and removes an outbuilding which sat prominently on the road edge;
- a new frontage footway closing a gap in the village pedestrian network;
- homes exceeding the Nationally Described Space Standards, with generous private gardens and good natural light;
- fossil-fuel-free heating, electric vehicle charging to every dwelling, and a fabric-first specification;
- retention of the native boundary hedgerows and trees, with new native hedgerow, species-rich grassland, a wildlife pond, integrated swift bricks and bat boxes and hedgehog-permeable boundaries;
- better use of a vacant and underutilised plot within the settlement boundary, to which Policy L2(1) of the Framework attaches substantial weight, and an increase in density consistent with Policy L3(2)(a).

Against these, no adverse effects of any material weight have been identified, and none of the national decision-making policies which require refusal in specific circumstances is engaged. Density, garden sizes, bin storage, the parking court and design have all been addressed to the case officer's satisfaction. The highways position is fully evidenced. Aircraft noise is a known characteristic of the area which has been assessed and can be mitigated through specification, secured by condition. The statutory biodiversity gain condition does not apply, and the scheme delivers biodiversity enhancement in any event.

The benefits therefore comfortably outweigh any adverse effects, and are certainly not substantially outweighed by them.

The proposal accords with the development plan and with the National Planning Policy Framework, and is respectfully recommended for approval.

9. Submitted Documents

9.1 Drawings

- 3870/01B - Location Plan and Existing Site Plan
- 3870/02B - Existing Site Plan with Demolitions Carried Out Indicated
- 3870/04 - Plans and Elevations of Existing House (as previously existing)
- 3870/05J - Proposed Site Plan
- 3870/06D - Plots 1 and 2, Proposed Plans and Elevations
- 3870/08D - Plot 3, Plans and Elevations
- 3870/15A - Plot 4, Plans and Elevations
- 3870/10B - Site Elevations and Sections
- 3870/11B - Perspective View from East (illustrative)
- 3870/12B - Perspective View from Orchard Way (illustrative)
- 3870/13B - Aerial View (illustrative)
- 3870/16 - Overlooking Study

9.2 Supporting Documents

- Design, Access and Planning Statement - Pentangle Design Group (this document)
- Sustainability Statement - Pentangle Design Group
- Visibility Assessment and Speed Survey (Ref 029/2026/01-CAG) - GH Bullard & Associates
- Access Position Note (Ref 029/2026/02-DJB) - GH Bullard & Associates
- Arboricultural Impact Assessment, Tree Protection Plan and Method Statement - Harrison Arboriculture
- Noise Impact Assessment - Anglia Consultants, December 2025
- Preliminary Ecological Appraisal - Coyne Environmental, April 2026 (revised June 2026)
- Bat Emergence Survey Report - Coyne Environmental, July 2026

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