



Planning Statement (incorporating Energy & Sustainability Statement)

**Outline planning permission
with all matters reserved
except access, for the
erection of a single dwelling
and associated works**

at

**LAND AT OAKFIELD FARM
STEVENAGE ROAD
HITCHIN
SG4 7JX**



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1.0 INTRODUCTION

- 1.1 The application site is located in Hitchin, outside of the development boundary and within the Green Belt. The site is located off Kings Oak, a private road accessed via Stevenage Road on the outskirts of Hitchin, adjacent to Kingshott School. In addition to the school, the access is also shared with 10 recently built dwellings, including a pair of detached dwellings to the north east of this plot and a converted barn to the south west.
- 1.2 Beyond these dwellings is primarily agricultural land, then the main built-up area of Hitchin to the north. The edge of the settlement of Hitchin is 280 metres from the access road.
- 1.3 The application site extends to approximately 0.05ha of land that is currently vacant and underutilised. It is overgrown and sits between existing dwellings, this being a pair of newly constructed dwellings and a converted barn building, which forms part of a larger complex.
- 1.4 The site itself has never been the subject of any historic planning applications, other than being part of the site for the neighbouring applications in connection with the two new detached dwellings.
- 1.5 The site is not located within flood zones 2 and 3. No TPO's are present on the site. The site is not within a Conservation Area and no listed buildings are within the vicinity.



2.0 PROPOSAL

- 2.1 This submission seeks outline planning permission to erect a new dwelling in between no.9 Oakfield and no.2 Oakfield, in an infill position. Although at an outline stage, the design and materials will complement the adjacent buildings and make better use of the vacant land whilst also providing much needed dwellings in a District with a 5 year supply shortfall in their housing supply.
- 2.2 The indicative layout plan shows how this could be accessed and how the dwelling could fit on the site. This can take place without any detrimental impacts upon the surrounding neighbouring dwellings or the countryside setting and will add to the Council housing shortfall promptly, as explained in detail within this report.
- 2.3 The proposed dwelling will be built above the requirements of the Building Regulations in terms of energy efficiency, a ground/air source heat pump, solar panels and additional insulation will all be considered at the construction stage. The applicant's intention will be to construct an energy efficient dwelling, future proofed so far as practicable.

3.0 PLANNING POLICY

- 3.1 The National Planning Policy Framework is a material consideration for all planning applications.
- 3.2 Section 5 of the NPPF places emphasis on the importance of delivering a sufficient supply of new homes.
- 3.3 At the core of the NPPF is a presumption in favour of sustainable development. Paragraph 11 explains that when a policy which is most important to determining an application is out of date, the NPPF states that permission should be granted unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed 6; or*
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*



- 3.4 Paragraph 8 of the NPPF highlights that there are three dimensions to sustainable development: economic, social and environmental, these are covered in this report in section 8
- 3.5 Paragraph 82 of the NPPF states that plans and decisions need to take local circumstances into account so that they respond to the different opportunities for achieving sustainable development in different areas. Paragraph 7 states under the heading 'social role' that planning authorities should support strong, vibrant and healthy communities, by providing the supply of housing to meet the needs of present and future generations.
- 3.6 Paragraph 83 of the NPPF states to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby.
- 3.7 In respect of Green Belt, Paragraph 154 of the NPPF states that development in the Green Belt is inappropriate unless it meets with one of the exceptions, this includes both limited infilling in villages (125e) and limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential) (125d).
- 3.8 Furthermore, paragraph 155 of the NPPF explains that the development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all the following apply:
- a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
 - b. There is a demonstrable unmet need for the type of development proposed⁵⁶;
 - c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework⁵⁷; and
 - d. Where applicable the development proposed meets the 'Golden Rules'



requirements set out in paragraphs 156-157 below.

- 3.9 Local Policy comprises the North Herts Local Plan 2011-2031. The most relevant policies are mentioned below, whilst others may be pertinent to the application, they are covered in section 4 of this report.
- 3.10 Policy SP2 sets out the settlement hierarchy for the district. Hitchin is stated to be a town, towns are where approximately 80% of the District's housing development will take place. Infilling is only mentioned for category B villages.
- 3.11 Policy SP5 confirms that the Council Will only permit development proposals in the Green Belt where they would not result in inappropriate development or where very special circumstances have been demonstrated.
- 3.12 It should also be noted that 'infill development' is contained in the glossary to the Local Plan and states '*The development of a relatively small gap between existing buildings.*'



4.0 CONSIDERATIONS

Principle of the Development

- 4.1 Addressing first the principle of the proposed development, NPPF Paragraph 155 is the most relevant in determining this proposal. The policy permits the utilisation of grey belt land where the proposal would not fundamentally undermine the purposes of the remaining Green Belt. In this instance, the proposal for an infill house would also meet with the general thrust of Paragraph 154 and would have a negligible impact upon the Green Belt. The primary case to this development begins with the Council's shortfall in housing, with the existing five year land supply standing at 3.9 years (according to the 'five year housing land supply update strategy May 2024'). Therefore, policies in the Local Plan in respect of housing delivery can only be afforded moderate weight. Policy SP2 does allow for infill development in Category B villages, but there is no mention of this in Category A villages, despite them having better facilities and services. Subsequently, it would follow that infill development is appropriate development in Category A settlements. CGB1 does also permit infilling which does not extend the built core of a Category B village.
- 4.2 The application site is located within Hitchin. This section comprises a collection of circa 10 dwellings and a secondary school. Whilst this section of Hitchin is not within the defined development limits, the location of the site is considered to be sustainable, with a bus stop just on the main road and Hitchin settlement a five-minute walk away. This is demonstrated by the image below.



- 4.3 With regards to the character of the surrounding area, the surrounding dwellings are large, detached dwellings on generous plots, many are barn conversions of differing sizes. The nearest and most recently constructed sit to the north east and are large detached dwellings, permitted with basements. The new dwelling is positioned to loosely align with the two newly constructed dwellings to the north east.
- 4.4 Regarding the impact of the proposed development on the surrounding countryside and Green Belt, the application site is bordered on either side by residential properties, making it infill development, tree and hedge planting can take place on the boundaries of the residential garden, where there currently is none. This coupled with the dwellings on either side will provide a defensible boundary containing the residential development from protruding into the open countryside.
- 4.5 On the contrary, the proposal will nestle into the landscape with minimal impact, with the gap between the two dwellings where the new house is proposed not being prominent. The resulting impact is therefore a beneficial one rather than a negative one, with the re use of this fairly derelict piece of scrub land.
- 4.6 On the basis of the above points, it is considered that the proposal is compliant with Policy SP5 and the accompanying text in the Housing section of the Local Plan.



- 4.7 Notwithstanding this stance, should officers conclude to contrary, weight should also be given to the fact that Policy SP5 and/or CBG4 is not considered entirely consistent with the principles of the NPPF in addition to the fact that North Herts District Council do not currently have a five year housing land supply.
- 4.8 The presumption in favour of sustainable development at paragraph 11 of the NPPF sets out that where the policies which are the most important for determining an application are out-of-date, permission should be granted unless policies concerning the areas or assets listed at Footnote 7 of the NPPF provide a clear reason for refusal, or unless the adverse impacts significantly and demonstrably outweigh the benefits, assessed against the Framework as a whole.
- 4.9 The Council are unable to demonstrate a 5-Year Housing Land Supply(5YHLS) with the Councils current figure standing at 3.9 years. Additionally, the proposals cannot be tested against a fully up-to-date Development Plan. Furthermore, this figure was based on the previous version of the NPPF, and it is now highly likely that more housing will need to be built, worsening this position. Thereby paragraph 11 of the NPPF is engaged. As such, a detailed “Planning Balance” has been undertaken of the proposals against all relevant considerations.
- 4.10 Paragraph 11 of the NPPF makes clear at Footnote 8 that for applications involving the provision of housing, if the Local Planning Authority cannot demonstrate a five-year supply of housing this will render the policies which are most important for determining the application out of date and trigger the presumption in favour of sustainable development. For decision taking, this means that permission should be granted unless the proposal is affected by the policies set out in Footnote 7, and these policies provide a clear reason for refusal, or any adverse impacts of granting consent would significantly and demonstrably outweigh the benefits, when assessed against the Framework as a whole.



- 4.11 In addition, NPPF Annex 1, paragraphs 231 & 232, sets out that existing policies adopted prior to the publication of the Framework are out-of-date depending on their degree of consistency with the NPPF. As such, where policies are out of date by virtue of a conflict with the NPPF, the presumption in paragraph 11 also applies in this instance (even if the district can demonstrate a five year supply of housing).
- 4.12 The NPPF places significant weight on the need to boost significantly the supply of housing (paragraph 61). The NPPF (paragraph 83) outlines that in rural areas housing should be located where it enhances and maintains the vitality of rural communities. The NPPF is clear that rural housing supports the use of local services and community facilities and that locating housing close to these facilities enhances and maintains the vitality of rural communities.
- 4.13 Hitchin benefits from a range of facilities, and previous planning decisions in the immediate surrounding area have allowed for approximately 10 new dwellings in recent years. Although this site lies outside the Development Boundary, it is located amongst existing dwellings and recently approved development and is within walking distance of the main centre of Hitchin.
- 4.14 Subsequently, should there be any doubt as to whether this proposal constitutes an infill dwelling, which would be a strange view to take, material weight should be given to the fact that Housing Policies are out of date and inconsistent with the NPPF due to North Herts only having a 3.9 years' worth of housing supply. Whilst this proposal constitutes only a single dwelling, this would still make a small but meaningful contribution to housing supply within the district and the benefits of this would demonstrably outweigh and perceived adverse impacts. This would also add to the supply quickly.

- 4.15 Another significant material consideration in favour of this proposal is the infill nature of the host plot. There are dwellings on either side, and the proposed dwelling will nestle in between them. If there are opportunities for sensitive infilling of small gaps in small groups of houses outside development limits but close to settlements these should be acceptable if they would be in character with the surroundings and have limited impact on the countryside in the context of existing development. Due to the infill nature of this proposal and the removal of the barn opposite, the harm to the countryside setting is significantly reduced, an important matter when assessing the planning history of the site. The applicant considers that the proposals as a whole would in fact have positive implications upon the countryside setting.
- 4.16 Although this application is in outline form only, it is readily apparent from the indicative site plan and elevation that a dwelling can be sited within the plot without detriment to the countryside or the Green Belt.
- 4.17 In respect of Green Belt impact, the NPPF contains supportive policies for infill development, these are fully set out in section 3 of this report. Paragraph 154 allows for limited infilling in villages, and limited infilling on previously developed land. This site previously contained a dwelling, as can be seen on the Google Earth image below. Therefore this site must reasonably be deemed previously developed land.





4.18 Furthermore, Paragraph 155 of the Local Plan confirms that new homes should not be regarded as inappropriate in the Green Belt where grey belt land is utilised, there is an unmet need for housing, and the location would be sustainable. In this instance, there can be little doubt about any of these three points, and the golden rules are not applicable, therefore the principle of the development in this instance should be one of support.

Highways, Access and Parking

4.19 The site is accessed via the residential access to Kings Oak. This is the access for the school and the houses in the vicinity. The additional of one further house would not cause any impacts upon highway safety in line with Paragraph 116 of the NPPF which states *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.”*

4.20 In respect of parking, there is adequate space to park three vehicles for the use by the new dwelling, furthermore, the proposals will not affect the current parking arrangement for the existing dwellings next door.

4.21 As demonstrated above, the site can safely be access using the proposed driveway and the small number of journeys likely to be generated by a single dwelling will not have a material impact on the surrounding road network.

Biodiversity

4.22 Turning to biodiversity, the site is scrubland, previously having a residential dwelling sited on it. There are a small number of trees that are to be retained in the proposed scheme. The site is maintained and offers little in terms of biodiversity, see Preliminary Ecological Appraisal at Appendix 1, a Tree Report and Arboricultural Impact Assessment can be found at appendix 2.



- 4.23 This application is accompanied by an Ecological Survey and Assessment prepared by Elmaw Ecology. These conclude that the site is unlikely to provide suitable habitat for protected species and therefore such species are unlikely to be impacted upon by this proposal.
- 4.24 Measures are suggested in the survey to enhance biodiversity on the site during and after construction which the applicant will follow and abide by. However, Biodiversity Net Gain (BNG) is not applicable, with the site being under 0.2ha and therefore exempt.
- 4.25 Any concerns that Officers may have with regards to biodiversity could be mitigated via an appropriately worded condition.

Neighbour Impact

- 4.26 Due to the size of the site, there is ample space for the development to take place without any impact upon the existing dwellings. The dwelling will sit on a spacious plot on a low-density area meaning the development can take place with no unacceptable impacts upon neighbouring amenity, the proposals will fully comply with Policy D3 (protecting living conditions) of the Local Plan. On the contrary, neighbours will likely be pleased to see the tidying up of the site.

Design

- 4.27 The proposal is in outline form, and therefore the precise design and appearance is for later assessment. However, it is anticipated that the dwelling will be designed to reflect and compliment the neighbouring dwellings to the north east. It would seem the most appropriate approach to remain in keeping with the surrounding dwellings, that being a larger two storey dwelling of similar design. The design and appearance, with high quality materials will enhance the character of the area. This proposal will provide a better use for the land in an area which has already seen low density development close by.
- 4.28 The design, siting and materials of the proposals will allow the development to take place without detriment to the neighbour dwellings or countryside setting.



Energy

- 4.29 In terms of energy efficiency and in order to future proof this development, air source heat pump shall be fitted to the dwelling, and an EV charging point provided, an improvement from the original property. The dwellinghouse has the ability to allow for the provision of solar panels, should future owners wish. Windows and glazed doors shall be installed with U values in accordance with Building Regulations Approved Document L, Conservation of fuel and power, Volume 1: Dwellings, 2021 edition incorporating 2023 amendments, and with reflective coatings to reduce passive heat gain and glare during summer months. Insulation shall be installed in line with the standards set out in the above document, and Thermal Bridging shall be minimised wherever possible. Energy efficient lighting shall be installed within the dwelling.

Contamination

- 4.30 As the site has been a grass field for several years, and before this most likely agricultural land, it is considered that there is a low likelihood for the presence of contaminated land. The applicant would be happy to agree to a condition in relation to this if this is felt to be necessary, however previous planning applications and reports have found no contamination on site.

5.0 CONCLUSION

- 5.1 The proposed scheme is compliant with Policy SP5 and the relevant text within the Housing Section in relation to infill locations outside of settlement limits.
- 5.2 Notwithstanding this, both policies are out of date and only partially compliant with the principles of the NPPF and there is currently only 3.9 years' worth of housing supply within the district, a position which will undoubtedly worsen when the next calculation is undertaken given the changes in the most up to date version of the NPPF. This scheme will make a small but meaningful contribution towards housing supply within the district.



- 5.3 The proposal will have no adverse impact in terms of access and highways safety, biodiversity, neighbouring amenity and contamination. The impacts upon the countryside and the Green Belt are negligible and, importantly, the development is fully supported in Paragraph 155 of the NPPF, making the principle acceptable.
- 5.4 On this basis, officers are respectfully requested to grant approval for this sensitively designed scheme.