

APPEAL STATEMENT

Planning Application Ref: 24/02580/FP

Proposal: Installation of Bike Shelter with Hardstanding and Pillar Lights

Location: Ickleford Primary School, Arlesey Road, Ickleford, Hitchin, SG5 3TG

Appellant: Richard Murrell

Date: 26/09/2025

1. Introduction

This statement supports an appeal against the decision of North Hertfordshire District Council to refuse full planning permission for the installation of a bike shelter with hardstanding and low-level lighting bollards within the curtilage of Ickleford Primary School, a Grade II listed building situated in the Ickleford Conservation Area.

The proposal is modest in scale, well-considered in design, and provides clear educational and community benefits. The refusal cites less than substantial harm to heritage assets under the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF, and Policy HE1 of the North Hertfordshire Local Plan (NHLP). This appeal demonstrates that the proposal is compliant with national and local policy and that the public benefits clearly outweigh any limited heritage harm.

2. The Proposal

As outlined in the submitted **Design and Access Statement**, the proposed development consists of:

- A small timber-framed bike shelter located discreetly to the side of the playground entrance;
- A hardstanding to provide level access;
- A series of low-level, time/light-sensitive bollard lights along the pedestrian footpath.

The purpose is to provide secure, weather-protected parking for bikes and scooters and to ensure safe access for students, staff, and families during darker hours in winter months.

3. Assessment Against Planning Policy

A. National Policy – NPPF (2023)

Paragraph 202 of the National Planning Policy Framework states that where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, that harm should be weighed against the public benefits of the proposal. In this case, the Council accepts that any harm is "less than substantial" but fails to properly assess the public value of the scheme.

Public benefits include:

- Promotion of sustainable and active travel among pupils and staff;
- Safer routes to school for children during winter months;

- Visual improvement over the current unsightly and inadequate cycle parking;
- Encouragement of healthy lifestyles, aligning with wider government policy on obesity, school travel, and climate action.

These benefits are clear and measurable, and wholly in line with the objectives of the NPPF.

B. Local Policy – NHLP 2011–2031

Policy HE1 – Designated Heritage Assets

HE1 states that proposals which affect the significance of a heritage asset must provide clear and convincing justification. The supporting text notes that the Council "will consider the wider public benefits of any proposal which may cause harm to a heritage asset."

- The bike shelter is entirely reversible and will not physically alter the listed building.
- It is timber-framed, appropriately sited, and visually discreet.
- The proposed lighting is low-level, non-intrusive, and designed with conservation sensitivity in mind.

Policy D1 – Sustainable Design

Complies through promotion of sustainable travel, inclusive design, and appropriate material selection.

Policy SP10 – Healthy Communities

Supports the health and safety of pupils and families through improved infrastructure encouraging active travel.

Policy SP13 – Historic Environment

The scheme respects and preserves the character of the school and wider area, while modestly enhancing school function and accessibility.

Make reference to its location being divorced from the main school building and its setting, causing no harm in your opinion to the historic nature.

Choice of materials are purposefully modern so as not to detract from the historic entity as well as being obviously new

4. Visual Impact and Conservation Area Setting

The proposed development is set well back from public views, partially screened by existing landscaping, and does not affect key sightlines or heritage features. The proposal respects the character and appearance of the Ickleford Conservation Area and the school's setting, satisfying Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

5. Inconsistency of Advice and Grounds for a Costs Application

Throughout the pre-application and application process, the applicant engaged positively and in good faith with the case officer, making efforts to align the proposal with the Council's expectations. Email correspondence indicates that informal officer advice was initially supportive or at least neutral in tone, with no significant objections raised during early engagement.

However, the eventual refusal—on the basis of heritage harm—was inconsistent with the direction of communication received and did not reflect the spirit of cooperative working encouraged under **Paragraph 38 of the National Planning Policy Framework (2023)**. At no point was the applicant given a clear indication that the scheme was fundamentally unacceptable, nor was an opportunity offered to revise or mitigate any perceived issues before refusal.

This abrupt change in position—without substantiated new evidence or formal heritage objection—represents **unreasonable behaviour** under the **Planning Practice Guidance (PPG) on Appeals (ID: 16-049-20140306)**. Specifically:

- The Council **failed to provide consistent advice**, which directly misled the applicant;
- There was **no meaningful opportunity to amend the scheme** prior to refusal;
- The reasoning provided in the decision notice was generic and failed to demonstrate how the scheme caused demonstrable harm in context.

Accordingly, the appellant will be submitting a **full application for costs** on the basis that the Council's unreasonable behaviour has resulted in unnecessary expense in bringing this appeal.

To support this, we refer the Inspector to the following correspondence (included as appendix 1 - **Timeline of communications with North Herts District Council Planning Department**):

Email dated 5 March 2025 – Case officer notes: “With additional planting to help screen I haven't run this past conservation yet but would this be suitable as an alternative? Would need to reconsult Parish Council and hope this overcomes their objections?”

This statement formed the applicant's understanding that the proposal was likely to be supported or, at minimum, could be amended if minor issues were identified. No such opportunity was afforded prior to refusal.

6. Conclusion

This is a modest, well-designed scheme that delivers sustainable travel benefits, improved safety, and aligns with the Local Plan's objectives. The design carefully considers the heritage context, avoids material harm, and provides net community gain. Any minimal harm is demonstrably outweighed by public benefit as required under Paragraph 202 of the NPPF.

We respectfully request that this appeal is allowed and planning permission granted.