

STATEMENT IN SUPPORT OF A PLANNING APPLICATION FOR THE ERECTION OF A SELF-BUILD DETACHED TWO BEDROOM BUNGALOW ON LAND AT FORMER SEWAGE TREATMENT WORKS, ASHWELL ROAD, BYGRAVE.

1.0 THE APPLICATION SITE

- 1.1 The site of this full planning application lies at the northern end of the ribbon of development along the western side of Ashwell Road, within Upper Bygrave. It was formerly land associated with the Sewage Pumping Station. Most of the site was sold off by Anglian Water and in June 2018 the Council granted planning permission for the erection of three polytunnels and one single storey storage building in association with the horticultural use as a nursery for native tree species, under reference **18/01117/FP**.
- 1.2 Information submitted with that application noted that it was triangular in shape and had an approximate area of 1337m². It retained a pre-existing 4m wide concrete hardstanding and shared a gated access in accordance with covenants with Anglian Water who retain a silent sewage pumping station immediately adjacent to the site (and previously part of it).
- 1.3 That permission was implemented and up until recently the site has been occupied by Herts Growers Trees, growing and supplying native trees and hedging. The three polytunnels and one single storey storage building were erected in association with the established native species tree nursery.
- 1.4 The triangular shaped site is shown edged red on the location plan submitted with this application. The existing buildings and growing area are shown on drawing YOU/25/01.

2.0 THE APPLICATION

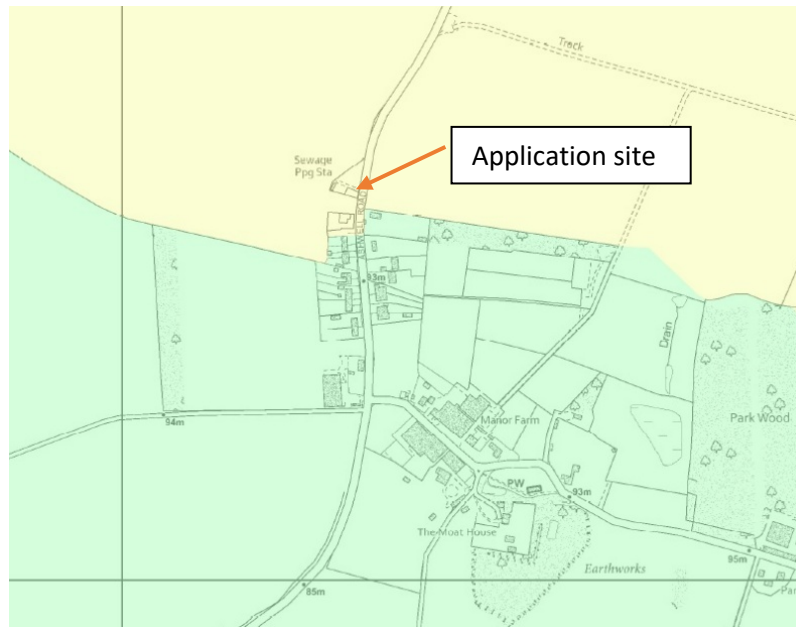
- 2.1 This application proposes the replacement of the nursery buildings and growing areas with a modest two bedroom bungalow. The applicant has purchased the site following the closure of the Nursery business. Having a strong family connection with the village he wishes to replace the existing building and polytunnels with a self-build dwelling, enabling him to retain this connection.

- 2.2 **By way of supporting information, Richard Young is 32 years old and was born in the village and lived there all his life. He is keen to remain in the village and also to be close to his parents, who have lived there for 40 years and are both retired. He also set up a small car repair business in the village several years ago, which services several cars for villagers. He also employs a small number of villagers.**
- 2.3 **In addition Richard services equipment for the local farmer. His workshop and garage are housed on the farm opposite the site, and he needs a secure area for vehicles and equipment. Living opposite would provide some extra security. He would also be able to walk to work.**
- 2.4 He is engaged and getting married next year in the village Church. The application then is for a self-build bungalow for him and his wife. The emboldened justification for the application will be referred to again later in this statement in the context of both the relevant Local Plan Policies appropriate to Bygrave and the applicants' strong local residential and employment connections with the village of his birth.
- 2.5 The siting of the bungalow and detached garage in the south-western corner of the plot and the use of the existing access to it off Ashwell Road are all shown on drawing YOU/25/2A. That drawing also indicates the existing and proposed planting within the site and along its boundary with Ashwell Road.
- 2.6 The sustainable elements of the development are noted on the same drawing. A sustainability statement also accompanies the application, confirming the green credentials of this development. The floor plans, elevations and palette of external materials are all shown on drawing YOU/25/03A and the detached garage on drawing 04.

3.0 THE POLICY CONTEXT

- 3.1 In the adopted North Herts Local Plan the majority of both Upper and Lower Bygrave lie within the Green Belt, as can be seen from the coloured extract from the Northern Areas and Baldock Map, reproduced overleaf. The former Sewage Pumping Station is clearly outside of the Green Belt and subject to the provisions of **Policy CGB1** of the current Local Plan relating to **Rural Areas beyond the Green Belt**. This notation covers the countryside to the

east and north of the District that lies outside of the towns and larger villages identified in Policy SP2. These areas do not meet the necessary criteria to be designated as Green Belt, but the Council still considers it necessary to impose restraints on development to prevent 'inappropriate schemes'.



3.2 **Policy CGB1** states that In the Rural Areas beyond the Green Belt, as shown on the Policies Map, planning permission will be granted provided that the development:

- a) Is infilling development which does not extend the built core of a Category B village;*
- b) Meets a proven local need for community facilities, services or affordable housing in an appropriate location;*
- c) Is strictly necessary for the needs of agriculture or forestry;*
- d) Relates to an existing rural building;*
- e) Is a modest proposal for rural economic development diversification; or*
- f) Would provide land or facilities for outdoor sport, outdoor recreation and cemeteries that respect the generally open nature of the rural area.*

3.3 It has not been possible to establish why the boundary between the Green Belt and the area beyond it on the northern outskirts of the village separates the Pumping Station from the existing built development. However it is previously developed land, firstly as a Pumping Station and latterly as a Nursey business, containing polytunnels and buildings.

- 3.4 In terms of intrinsic character and beauty, the Council describes the Rural Area beyond the Green Belt as containing some of the highest quality countryside in the District. However, it says that the settlements are generally more dispersed meaning a Green Belt designation cannot be justified. There is a certain irony then that this site, being previously developed land and not dispersed from Bygrave, has been excluded from the Green Belt.
- 3.5 The justification for the allocation of the Rural Area beyond the Green Belt goes on to say that the sparser pattern of development additionally means that outside of the defined settlements many sites are not well located in relation to key services. On these grounds it remains appropriate to restrain the types of development allowed in the Rural Area beyond the Green Belt. In our view this site lies within the village of Bygrave and should have been coloured green on the Proposals Map for this area. We realise of course that this would bring the site into the Green Belt.
- 3.6 There is then a second irony here, in that the Government has, in the latest version of the NPPF, relaxed the national policy on development within the Green Belt by introducing the concept of Grey Belt land, the development of which for housing is considered to be appropriate in the Green Belt.
- 3.7 The Glossary to the new NPPF (2024) describes Grey Belt land as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes a), (b), or (d) in paragraph 143.

These three purposes are:

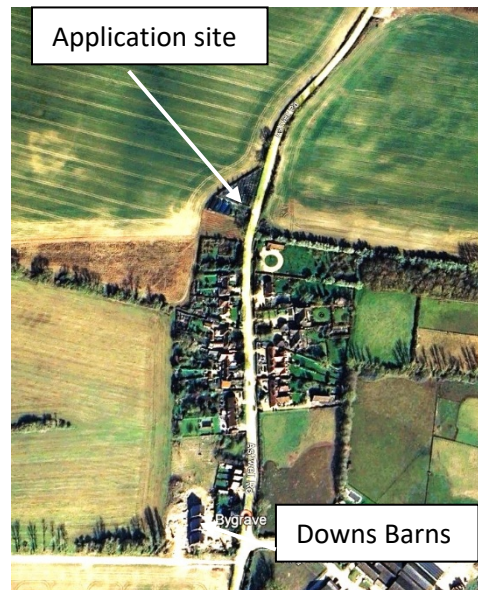
- a) *to check the unrestricted sprawl of large built-up areas.*
- b) *to prevent neighbouring towns merging into one another.*
- d) *to preserve the setting and special character of historic towns.*

- 3.8 So, any land capable of being developed within the defined Green Belt area (green on the Local Plan map) just to the south of this site would be likely to be considered favourably against the NPPF policy of appropriate development within the Green Belt, if it met the above definition of Grey Belt land. If the site of this application was realistically located within the Green Belt then it would undoubtedly meet the Grey Belt definition and its development requirements.

Policy CGB1 however imposes considerable constraints upon new developments beyond the Green Belt, more so than those within the Green Belt.

- 3.9 In a recent appeal decision (8th April 2025) involving development at Downs Barns at the southern end of the western side of Ashwell the Inspector analysed the proposal for a new dwelling against the Grey Belt issue, concluding that the land in question did not strongly contribute to any of the Green Belt purposes a), b) or d), as set out at paragraph 143 of the Framework. Therefore, as grey belt land would be utilised and the purposes (taken together) of the remaining Green Belt would not be fundamentally undermined, the Inspector felt that that the proposal would satisfy criterion a).
- 3.10 The Inspector then confirmed that the Council could not currently demonstrate a five-year supply of deliverable housing sites, which identifies a demonstrable unmet need for housing. As such, criterion b) would be met in the Downs Barns case. In terms of sustainability the Inspector noted that the appeal site lies in a rural location where the range of shops or other facilities is modest. However, the site is not far from Baldock and the strategically allocated site BA1 North. The dwelling on this application site would, of course, also contribute to the Council's 5 year land supply.
- 3.11 Significantly. in comparison with this site and the location of the Downs Barns site, the Inspector stated that development along Ashwell Road is surrounded by agricultural fields, so the road is set within a rural landscape. It was stated that the appeal site bookends the residential development along the southern side of Ashwell Road, so it is prominent in views when approaching from the south. However, any harm arising from the proposal being at odds with the character and appearance of the area would not significantly and demonstrably outweigh the benefits of the proposal. Thus, in this case, the presumption in favour of sustainable development was applicable and material considerations justified allowing the appeal.
- 3.12 By like token, the development at the northern end of Ashwell Road is surrounded by agricultural fields, and set within a rural landscape. But the former Pumping Station bookends the development along this side of the road and the harm arising from this replacement proposal on this previously developed land would not be at odds with the character and appearance of the area.

- 3.13 With the new dwelling at the southern end being an acceptable 'bookend' development within the Green Belt, it follows that if the built development at the northern end was included in the Green Belt then a similar outcome to that at Downs Barns would be expected. To demonstrate the appeal Inspector's comments the aerial shot below shows the application site tapering off at the northern extent of Upper Bygrave and the Downs Barns site being developed at the southern end.



- 3.14 In this context consideration has been given to making an 'Expression of Interest' submission in connection with this site in accordance with the Council's current public consultation process, updating the existing Local Plan. A request could be made on the basis that this site could and should be reallocated to lie within the Green Belt notation, triggering its consideration as Grey Belt land and thereby representing appropriate development with the Green Belt. However, the preference is for making this application and for hopefully having it favourably considered under the current Local Plan Policies.
- 3.15 **Policy CGB2b** deals with Community facilities, services and affordable housing in the **Rural Area Beyond the Green Belt**. It states that planning permission for each of these in the Rural Area Beyond the Green Belt adjoining Category A villages; or beyond the built core of Category B villages will be granted provided that the land is identified for such development in a Neighbourhood Plan or:

- a) It meets a proven local need as identified through a parish survey or other relevant study;*
- b) There are no reasonable alternate, suitable and available sites:*
 - i. within the defined boundaries of the relevant Category A settlement or the built core of the relevant Category B village or*
 - ii. otherwise within a reasonable travelling distance (by various modes) of the location where the need has been identified;*
- c) Any affordable housing would meet relevant criteria of Policy S2, particularly in relation to need, affordability and retention of dwellings;*
- d) The proposed development would not have a substantial adverse impact on the openness or general policy aims of the Rural Area beyond the Green Belt; and*
- e) The public benefit of the proposal outweighs any harm that might arise against these aims.*

3.16 The Policy goes on to say that development permitted in Category C settlements in the Rural Area beyond the Green Belt (under the Settlement Hierarchy of **Policy SP2**) will also need to meet criteria (a) to (e) above. Bygrave is a Category C village and subject to this Policy.

3.17 **Policy CGB4** of the Local Plan deals with existing buildings in the Rural Area Beyond the Green Belt and states that:

- a) Planning permission for the re-use, replacement or extension of buildings in the Rural Area beyond the Green Belt will be granted provided that:*
- b) Any existing building to be converted for re-use does not require major extension or reconstruction;*
- c) The resultant building(s) do not have a materially greater impact on the openness, purposes or general policy aims of the Rural Area beyond the Green Belt than the original building(s); and*
- d) Any outbuilding(s) are sited as close as possible to the main building(s) and visually subordinate to them.*

3.18 In the **Baldock, Bygrave and Clothall Neighbourhood Plan 2018-31 Policy V1** deals with development in Bygrave and states that within or immediately adjoining Upper or Lower Bygrave it should:

- a) except in very special circumstances, be limited to those forms of development identified as not inappropriate in the Green Belt in the National Planning Policy Framework (NPPF) including limited affordable housing on a rural exception site to meet an identified need in the local community;*
- b) preserve the physical and visual separation between the two parts of the village;*
- c) maintain the distinctive characters and physical form of Upper and Lower Bygrave (scattered, low density development around St Margaret's Church; modestly-scaled houses set back from the road along Ashwell Road in Upper Bygrave; and the linear arrangement of detached houses set in large plots along Ashwell Road and Wedon Way in Lower Bygrave); and*
- d) not introduce additional lighting that would harm Bygrave's rural character.*

4.0 MATERIAL CONSIDERATIONS

- 4.1 Based upon the land use allocation of this site upon the Policy Map for Bygrave then this development needs to be considered against **Policies CGB1, CGB2b and CGB4** of the Local Plan and **Policy V1** of the Neighbourhood Plan. In terms of **Policy CGB1** the site lies within a Category C village, but the development seeks to satisfy a proven need for the applicant to live and work within the village. From what we can gather there has been no parish survey or other relevant study specifically designed to assess local need. However, in this case the applicant has strong connections with the village and wishes to build a house for himself and his wife to live there.
- 4.2 The site is within reasonable travelling distance (by various modes) from Baldock (see the Inspector's reference to strategic site BA1 North for the Downs Barns appeal). These connections in terms of the applicant's family home and his upbringing in the village are explained at the outset of this statement. He works and employs staff from within the village and intends to live there
- 4.3 It must also be remembered that the site is previously developed land. This proposed dwelling would not have a substantial adverse impact on the openness or the general policy aims of the Rural Area beyond the Green Belt. The public benefit of this proposal, arising from an alternative use of what could become unsightly if left unused outweighs any harm that might arise against these aims.

- 4.4 In terms of Policy **CGB2b** crucially the proposed development would not have a substantial adverse impact on the openness or general policy aims of the Rural Area beyond the Green Belt.
- 4.5 **Policy CGB4** supports proposals involving the replacement of buildings in areas such as this. The proposed bungalow and garage would replace the existing structures on the site and not have a materially greater impact on the openness, purposes or general policy aims of the Rural Area beyond the Green Belt than those buildings. The garage has been sited close to the dwelling and would be visually subordinate to it.
- 4.6 **Policy CGB2b** also defers to the **Neighbourhood Plan**. The adopted Neighbourhood Plan (NP) for Bygrave does not recognise the distinction between Green Belt land and land beyond the Green Belt. It states that Bygrave is 'washed over' by the Green Belt. As a result it further states that opportunities for development within or immediately adjoining Bygrave will continue to be very limited.
- 4.7 **Policy V1** of the NP seeks to preserve the physical and visual separation between the two parts of the village and maintain the distinctive characters and physical form of Upper and Lower Bygrave (scattered, low density development around St Margaret's Church; modestly-scaled houses set back from the road along Ashwell Road in Upper Bygrave; and the linear arrangement of detached houses set in large plots along Ashwell Road and Wedon Way in Lower Bygrave. This site is part of Upper Bygrave and development of it has been, and will continue to be, compliant with the aims of the Neighbourhood Plan.
- 4.8 This development of one modest dwelling on the previously developed original Pumping Station site and latterly Nursery tree growing business presents one of the few opportunities for development within the built-up area of Upper Bygrave. It would not therefore conflict with any of provisions of **Policy V1** of the NP by preserving the physical and visual separation between the two parts of the village, maintaining the distinctive characters and physical form of Upper and Lower Bygrave.

5.0 OTHER MATTERS

- 5.1 The existing access off Ashwell Road would be used, with a probable decrease in traffic generation into and out of the site. The County Highway Authority acknowledged that the existing access remained unchanged within the Tree Nursery application.
- 5.2 The new dwelling would meet the nationally prescribed internal space standards and be provided with an adequately sized large amenity area. Additional landscaping would be provided softening the views of the low level bungalow.
- 5.3 External materials would be appropriate for this location and the application is accompanied by a Sustainability Statement and Ecology Report. No neighbouring properties would be affected by this development.

6.0 SUMMARY

- 6.1 Of necessity, because of the different land use allocations on the Local Plan Map around the northern end of Ashwell Road, setting out the Policy basis upon which development in Bygrave needs to be judged appears to be contradictory. This site within the village lies within the Rural Area beyond the Green Belt but the remainder of the village, lying to the south of it, is within the Green Belt. There does not appear to be any justification for excluding the former Pumping Station from the Green Belt.
- 6.2 Judged against Policies CGB1, CGB2b and CBG4 of the current Local Plan and Policy V1 of the Neighbourhood Plan it is submitted that in the planning balance maximum weight should be given to the fact that this proposal to replace the former previously developed uses of this site with a modest bungalow would not have a materially greater impact on the openness, purposes or general policy aims of the Rural Area beyond the Green Belt.
- 6.3 In that balance considerable weight should also be afforded to the justification for the new dwelling, not just because it involves previously developed land, but also because the dwelling is to be built and occupied by Richard Young, a long-time local resident with family connections and employment in Bygrave.

- 6.4 The Neighbourhood Plan acknowledges that opportunities for development within or immediately adjoining Bygrave will continue to be very limited. The development of this site represents one of those few opportunities and it is hoped that the Council will agree by considering this application favourably through the grant of planning permission.
- 6.5 However, should the Council require any further information at this stage relating to the justification for the development or clarification of any of the detailed aspects within the application then we would be willing to provide it, before a decision is taken upon the application.

Alan Breckon
For Richard Young
August 2025