

From: Paul Moody <nhepcs@gmail.com>
Sent: 18 March 2026 19:17:28 UTC+00:00
To: "William Thompson" <william.thompson@north-herts.gov.uk>
Subject: 25/03014/PIP - Land Adj 4 Lower Titmore Green
Attachments: Transport Note Planning.pdf

Good morning William

Thank you for agreeing to delay your decision while we considered our options and discussed the Highways stance on the application.

Through our discussions we have come up with the following points which we think are relevant and hopefully will be considered by Highways before the final decision.

I have also attached a Transport Note for consideration.

From the Highways response, their refusal rests on two pillars,

A. Highway safety (but weakly evidenced).

- Narrow rural lane
- Limited passing places
- Occasional flooding / poor surface
- Shared access
- PRow interaction

BUT critically:

- “No reportable highway accidents... (5-year rolling)”
- “Not a traffic sensitive road”

That is hugely important.

They are effectively admitting: There is no demonstrable safety issue.

B. Sustainability (this is their real argument).

- No bus stops within acceptable walking distance
- Unsafe for pedestrians/cyclists
- Reliance on private car
- Policy references: NPPF 115–117, LTP4, Place & Movement

This is the actual reason for refusal, not safety.

Our rebuttal is solid and hits several correct lines:

Key strengths:

- Points out lack of evidence for “severe” safety harm
- Highlights no accident history
- Calls out inconsistency with nearby decisions
- Notes PRow impact not substantiated
- Correctly invokes NPPF presumption in favour of development (5-year housing supply issue)

Where we think the real leverage is;

The Highways objection is internally inconsistent

They simultaneously state:

- Road is not traffic sensitive
- No accident history
- Yet claim severe safety and sustainability harm That contradiction is very powerful at appeal.

Sustainability is being over-applied to a single dwelling.

For Permission in Principle (PIP):

- The bar is very low
- It is about location acceptability, not detailed design

For a single self-build dwelling in a rural location, inspectors routinely accept: “Limited sustainability does not outweigh benefits”

This is exactly what happened with ‘The Barn’ appeal (which is an extremely relevant precedent).

Inconsistency is our argument

- 5-bed conversion approved nearby with no objection
- Large Croudace scheme (281 homes) off a worse road
- Similar developments in the same lane approved recently

In planning law, this becomes:

“Material consideration: consistency in decision-making”

Inspectors take this very seriously.

Policy shift argument (Highways saying “we’ve been told to prioritise sustainability”)

This is actually weak legally.

They can:

- Apply updated policy But they must:
- Apply it consistently
- Justify why this site fails but others pass

Right now, they haven’t.

Thanks again for your time and help with this,

Kind regards

Paul.