



PLANNING STATEMENT

Land Adjacent to Christy's Yard, Chapel Street, Hinxworth

Job Ref: 20/078

Date: March 2024



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PETER GEORGE TOWN PLANNING



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Section 1: Introduction & Background

- 1.1 We are instructed by Mr Whitfield to prepare a Planning Statement in support of an application for planning permission for the erection of a detached dwelling.
- 1.2 Its purpose is to set out the proposals, relevant local and national planning policy and ultimately make the case as to why planning permission should be granted.

Background

- 1.3 This application follows an earlier application for planning permission that was ultimately withdrawn by the applicant primarily in connection with a now resolved dispute with Chapel Mews Limited regarding boundary and land ownership issues.

Relevant Planning History

Ref.	Site Address	Proposal	Decision (Decision Date)
21/03131/FP	Land Adjoining Christy's Yard, Hinxworth	Erection of one detached 2-bed dwelling with associated access, car parking, private garden and landscaping	Withdrawn



98/00677/1LB	Middle Farm, Chapel Street, Hinxworth	External redecoration of house, rainwater goods, windows and barn.	Granted 30/06/1998
94/00164/1	Land at Middle Farm, Chapel Street, Hinxworth	Thirteen detached 4- & 5-bedroom dwellings with associated garaging, parking and ancillary works with new access from High Street and Chapel Street (as a variation of permission granted 13.3.89 ref 1/2001/88).	Granted 28/04/1994
93/o1356/1CAC	Middle Farm, Chapel Street, Hinxworth	Demolition of redundant farm buildings.	Granted 27/01/1994
93/00651/1CAC	Middle Farm, Chapel Street, Hinxworth	Demolition of redundant farm buildings.	Granted 26/07/1993
91/00630/1	Middle Farm, Chapel Street, Hinxworth	Six detached 5- bedroom dwellings with associated garaging and parking, following demolition of existing buildings, as a part variation of previous permission granted 13.3.89 under ref 1/2001/88, in accordance with amended plans received on 14th April 1992.	Granted 04/06/1991
89/01557/1	Middle Farm, Chapel Street, Hinxworth	Outline application (design, external appearance and landscaping reserved) for erection of one dwelling, to be attached to garage building, permitted as part of adjoining housing redevelopment.	Refused 14/12/1989
88/02001/1	Land at Middle Farm, Chapel	Conversion of existing building to 4 dwellings	Granted 13/03/1989



	Street, Hinxworth	and garages and 9 detached dwellings.	
88/01740/1 & 88/01741/1LB	Middle Farm, Chapel Street, Hinxworth	Conversion of existing farmhouse and farm office to form 2 three-bedroom houses, new boundary wall and ancillary works, in accordance with amended plans received on 22 November.	Granted 15/12/1988
87/01329/1	Middle Farm, Chapel Street, Hinxworth	Outline application (all matters reserved) for conversion of farm buildings to 4 houses with garages and erection of 8 houses and garages, parking spaces and estate road, following demolition of remainder of agricultural buildings.	Granted 10/05/1988
87/00328/1	Middle Farm, Chapel Street, Hinxworth	Outline application (all matters reserved) for the erection of 15 houses and 5 flats with garages, parking spaces and estate road, following demolition of farm buildings.	Refused 11/05/1987
76/00757/1	Middle Farm, Chapel Street, Hinxworth	Outline application for erection of 1 dwelling with garage and new vehicular access.	Refused 26/08/1976



Section 2: Analysis of the Site and Surroundings

The Application Site

- 2.1 The application site is a largely undeveloped rectangular parcel of land located adjacent to Chapel Street at the entrance to Christy's Yard, adjacent to two grade II listed buildings: Middle Farmhouse & Cantlebury. The site lies to the south and east of the pond and the large Weeping Willow Tree both of which front Chapel Street.



Figure 1 - Aerial Image of Hinxworth



2.2 The application site previously formed part of the wider farmyard associated with Middle Farm and, in more recent times, is understood to have formed part of the residential curtilage of the grade II-listed Middle Farmhouse which is located immediately to the south-west on the other side of the private access road (to Christy's Yard). The application site is now in private ownership separate to Middle Farmhouse and does thus not form part of the residential curtilage of this property.



Figure 2 - Existing Site Photographs

- 2.3 Christy's Yard contains a relatively modern (mid-1990's) cul-de-sac development of two-storey four- and five-bedroom houses permitted by the Council, originally in 1989 (88/02001/1) with a revised version approved in 1994 (94/00164/1). This development also permitted houses in Homefield to the east albeit this part of the development is accessed via High Street.
- 2.4 The site is located within the Hinxworth Conservation Area which covers a large proportion of the village albeit the far western end of the High Street



- 2.6 The Character Statement identifies the pond as a ‘significant blue space’ and the nearby Weeping Willow tree as a ‘significant tree’. Further, a key view (KV2) is identified looking from within Chapel Street to the north-east towards the pond and tree (albeit this view is not across the pond itself and the application proposals would not interfere with or cause any harm to the pond itself, the afore-mentioned Weeping Willow, or KV2 which is not across the site.
- 2.7 The site lies within Archaeological Area 1 which covers the entire village. Its description indicates that Hinxworth is a medieval settlement recorded in the Domesday Book of 1086. Evidence of Iron Age and Roman occupation has been recorded nearby.

Wider Context

- 2.8 Hinxworth is a small village located just off the Great North Road between Biggleswade and Baldock. The larger village of Ashwell is located approximately 2 miles to the south-east with the smaller Edworth, & Caldecote located nearby.



- 2.9 Hinxworth contains a public house, *The Three Horseshoes*, as well as the Church of St Nicholas and village hall; all of which are located a short walk from the application site.
- 2.10 The nearest railway stations are located at Baldock, Ashwell & Morden, and Biggleswade. The A1(M) is a short drive linking the village with the wider area.



Section 3: The Development Proposal

3.1 The proposed development can be described as follows:

“Erection of a detached dwelling, with associated access, car parking, private garden & landscaping.”

3.2 The Design Statement that accompanies the submission sets out the overall strategy taken to the design of the proposed dwelling, please refer to the document ‘Christys Yard Design Statement.pdf’. All amendments highlighted in yellow are amendments made by L. Whitfield.





3.3 A new parking area is proposed to be formed to the site from the private road which serves Christy's Yard. This would contain sufficient space to accommodate two parked cars, whilst other external space will exist to accommodate bin and cycle storage

3.4 The remainder of the site is proposed to be retained as amenity for the dwelling, albeit with new hedgerows to demarcate the more private part of the garden, and to enhance the western boundary of the site by replacing the existing close boarded fence. Existing hedgerows are largely to be retained as existing.



Section 4: Relevant Planning Policy

National Planning Policy Framework

- 4.1 The Government policies on different aspects of planning are set out in the National Planning Policy Framework 2023 (the Framework).
- 4.2 The relevant sections of the Framework are as follows:
- Section 2: Achieving sustainable development
 - Section 5: Delivering a sufficient supply of homes
 - Section 8: Promoting healthy and safe communities
 - Section 9: Promoting sustainable transport
 - Section 11: Making effective use of land
 - Section 12: Achieving well-designed places and beautiful places
 - Section 14: Meeting the challenge of climate change, flooding and coastal change
 - Section 15: Conserving and enhancing the natural environment
 - Section 16: Conserving and enhancing the historic environment

Development Plan

- 4.3 Section 38(6) of the Planning Compulsory Purchase Act 2004 states that:



“If regard is to be had to the development plan for the purpose of any determination under the Planning Acts, the determination must be made in accordance with the plan unless material considerations dictate otherwise.”

4.4 The development plan context for the planning application is provided by:

- North Hertfordshire Local Plan 2011-2031 (adopted November 2022)

4.5 Policies of relevance in this case are as follows:

Strategic Policies

- Policy SP1: Sustainable Development in North Hertfordshire
- Policy SP2: Settlement Hierarchy and Spatial Distribution
- Policy SP5: Countryside and Green Belt
- Policy SP6: Sustainable Transport
- Policy SP8: Housing
- Policy SP9: Design and Sustainability
- Policy SP11: Natural Resources and Sustainability
- Policy SP12: Green Infrastructure, Landscape and Biodiversity
- Policy SP13: Historic Environment

Development Management Policies

- Policy T1: Assessment of Transport Matters
- Policy T2: Parking
- Policy CGB1: Rural Areas beyond the Green Belt
- Policy D1: Sustainable Design



- Policy D3: Protecting Living Conditions
- Policy D4: Air Quality
- Policy NE1: Landscape
- Policy NE4: Biodiversity and Geological Sites
- Policy HE11: Contaminated Land
- Policy HE1: Designated Heritage Assets
- Policy HE4: Archaeology

Supplementary Planning Documents

- Vehicle Parking at New Development SPD September 2011



Section 5: Planning Analysis

Principle

- 5.1 LP Policy SP1 of the North Herts Local Plan 2011-2031 (NHLP) indicates that planning permission will usually be granted for proposals that contribute towards the targets and aspirations in the Plan and which are acceptable or able to be made acceptable with respect to the detailed planning policies contained within the Plan.
- 5.2 LP Policy SP2 categorises the main towns, villages and other settlements based on their ability to accommodate new development to meet the targets of the NHLP. This Policy states that it is estimated that approximately 80% of the district's housing development and the substantial majority of other new development will be located within the settlement boundaries of the main towns, with the remainder of the new development to be dispersed across the district within the other settlements and villages.
- 5.3 The application site is located outside of a defined settlement boundary lying within the Rural Area beyond the Green Belt. Accordingly, NHLP Policies SP5 and CGB1 are relevant to the determination of the application.



These Policies are part of the recently adopted Local Plan and are considered to be broadly consistent with the Framework insofar that they seek to ensure that to recognise the intrinsic character and beauty of the countryside, albeit they arguably take a more protectionist approach to the rural area beyond the green belt than the approach taken in the Framework which is to focus on the protection on valued landscapes and in recognising the intrinsic character and beauty of the countryside.

5.4 LP Policy SP5 indicates that the Council will operate a general policy of restraint in Rural Areas beyond the Green Belt through the application of detailed policies. This includes LP Policy CGB1 which indicates that planning permission will only be granted for new development in certain circumstances including ***“infilling development which does not extend the built core of a Category B village”***.

5.5 Hinxworth is a small settlement albeit it contains a distinct and clearly legible built core which includes a range of housing as well as some community services/facilities including the Church of St Nicholas, public house and village hall. In any event, the Council clearly regard Hinxworth as being a sustainable location capable of accommodating some limited



growth during the next plan period hence its inclusion as a Category B settlement.

- 5.6 The application site is located within the heart of the settlement being surrounded by built development on all sides. The site is a fully integrated part of the village benefiting from easy access to the noted services/facilities.
- 5.7 As such, it is clear that the application site is located within the built core of Hinxworth which, as a Category B settlement, is identified as being capable of accommodating limited growth over the plan period. As such, the principle of the proposed development is acceptable and thus compliant with NHLP Policies SP2 and CGB1 and Sections 5 and 15 of the Framework.

Key Issues

- 5.8 In light of the above, the detailed key planning issues are therefore as follows:
- The visual effects of the proposed development and its effect on designated heritage assets on or near to the site.
 - The suitability of the proposed development as accommodation for potential future occupiers.



- The effect of the proposed development on the living conditions of neighbouring properties.
- The effect of the proposed development on the safe operation of the adjacent highway.
- The environmental effects of the proposed development.

5.9 The above issues, and any other relevant matters will be discussed in the following paragraphs.

The Effect on the Character and Appearance of the Area & Historic Environment

Policy Background

- 5.10 Section 12 of the Framework deals with the design of development ultimately seeking to ensure that new development is visually appropriate and accords with its surroundings. NHLP Policies SP9 and D1 largely align with the Framework in their expectation that new development would be of a high standard and sited appropriately.
- 5.11 The statutory duty under Section 72(1) of the Planning (Listed Building & Conservation Areas) Act 1990 (the Act) sets out that special attention shall be paid to the desirability of preserving or enhancing the character and appearance of a conservation area. Section 66 of the Act sets out that, with

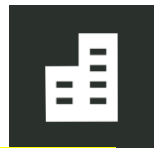


regard to applications for planning permission affecting a listed building or its setting, regard should be had to the desirability of preserving the setting or any features of special architectural or historic interest which it possesses.

- 5.12 Section 16 of the Framework deals with the historic environment, essentially seeking to ensure that development proposals would not cause harm to the significance of historic assets. NHLP Policies SP13 and HE1 deal with the historic environment and designated heritage assets and are largely consistent with the aims of Section 16 of the Framework and S66 & S72 of the Act.

Impact

- 5.13 The design of the proposed dwelling has been influenced by a number of factors. The first is the relationship between the application site and the adjacent Middle Farmhouse in terms of both its historic and functional significance. Secondly on this point, due consideration has been given in ensuring that the proposed development would be appropriate within the context of the character and appearance of the Conservation Area and would not impose upon or erode the gap between Middle Farmhouse and Cantlebury.



5.14 With that said, the proposed dwelling would be single-storey and would feature a design which is materiality informed by the material palette of nearby properties, including the adjacent curtilage- listed barn and other earlier farmyard buildings that were previously located at the site. Indeed, mapping information from as late as 1961 shows an L-shape barn range immediately adjacent to the pond, with a range of what appear to be much larger farm buildings to the rear within the modern Christy's Yard. Barns were also present on-site until the early 1990's. Accordingly, any notion that the site was undeveloped and formed an historically important gap between existing listed buildings fronting Chapel Street is inaccurate.

5.15 Moreover, whilst it is noted that the Senior Conservation Officer previously raised an objection to the erection of a dwelling on the site, he indicated that a modest, single-storey, storage-type building with limited fenestration could be acceptable and that such would not necessarily harm the setting of nearby listed buildings or the character or appearance of the conservation area.

5.16 Whilst clearly not a storage building, the proposed has been designed as a single storey building with simplistic form, detailing and materiality in order to ensure an understated appearance within the site and limited wider



public visibility thus limiting any harmful effects on the setting of nearby listed buildings or the character or appearance of the conservation area. It would further represent the next evolution of a site and vicinity that has clearly undergone much change since the original construction of Middle Farmhouse and Cantlebury in the 15th or 16th century to the 1990's residential redevelopment of the site to form Christy's Yard.

- 5.17 Ultimately, the design proposed is therefore considered to be the most appropriate design solution to provide a dwelling that is a) well designed and architecturally pleasing in and of itself, b) responsive to the size, design and positioning of dwellings within the immediate vicinity of the site, and c) sufficiently understated within the conservation area, landscape and rural setting of this part of the village.

Summary

- 5.18 National and local design policies ultimately seek to ensure that the design of new development is visually attractive and accords appropriately with local character and history and the surrounding built environment and landscape setting.



- 5.19 The proposed development would alter the nature of the application site as it currently undeveloped. However, the proposed dwelling has been carefully designed, would have an acceptable relationship with the adjacent grade II-listed buildings and not harm what is special about the character and appearance of this part of the Hinxworth Conservation Area.
- 5.20 The proposed development would therefore accord with Sections 12 and 16 of the Framework, NHLP Policies SP9, SP13, D1, HE1, HE4, and the statutory requirements of Sections 66 & 72 of the Planning (Listed Building & Conservation Areas) Act 1990.

Quality of the Proposed Accommodation

- 5.21 The proposed dwelling would provide generous accommodation. All rooms would be naturally lit and ventilated through a combination of windows, doors and rooflights. A reasonably substantial private amenity area is provided to the front and side of the dwelling.
- 5.22 The proposed dwelling would provide a good standard of accommodation in accordance with Section 12 of the Framework and NHLP Policies SP9 and D1.



Effect on the Living Conditions of Neighbouring Properties

- 5.23 There are a number of residential properties near to the application site the closet of which include no.1 Christy's Yard to the east and Cantlebury to the north. Middle Farmhouse is situated immediately to the south-west side of the private access road serving the site and Christy's Yard.
- 5.24 However, the proposed is single storey and would be set away from the boundaries of these properties with the vast majority of windows proposed to face into the application site. Accordingly, it is not considered that it is likely to be harmful to the living conditions of neighbouring properties in terms of its physicality or positioning nor would it result in any loss of privacy.

Highways Considerations

Access & Car Parking

- 5.25 Chapel Street is an unclassified road maintained by HCC, whilst Christy's Yard is a privately owned and maintained road. A parking area for two cars is proposed to be formed within the site with access to such coming from the private road.



- 5.26 The proposed access and parking arrangements would not directly impact upon or affect the point at which the private road connects with the public highway. Two parking spaces are proposed to be delivered within the site thereby meeting the Council's adopted parking standards.
- 5.27 There is ample space for a small bike store to be erected within the curtilage of the proposed dwelling, whilst an electric vehicle charging point is also proposed. These would encourage forms of transportation other than the private motor car in line with the Council's overall climate strategy.
- 5.28 The proposed access arrangements are suitable and car/cycle parking provision represents an over-provision on the requirements of the SPD. As such the proposal, would be compliant with Section 9 of the Framework, NHLP Policies T1 & T2 & the Vehicle Parking at New Development SPD September 2011.

Environmental Matters

Trees

- 5.29 A full Arboricultural Impact Assessment (AIA) has been undertaken and accompanies the application. The survey has been undertaken to



BS5837:2012 and comprises a full analysis of all trees within the development site as well as an assessment of the impact of development.

5.30 The proposal includes the removal of a Norway Maple tree on-site, indicated as 'T2' on the tree protection plan.

Other Matters

Ecology

5.31 The application is supported by a Preliminary Ecological Appraisal (PEA) which concluded that:



“The site supported common and widespread habitats and was considered highly unlikely to support protected, priority or rare species. No signs or evidence of such were observed on or adjacent to the site or adjacent to the site. However, a pond is present immediately adjacent to the site which tested positive for great crested newt environmental DNA, indicating presence of great crested newts in the pond. The pond is close enough that great crested newts using the pond may also use the site. Therefore, to provide off site mitigation the applicant will join the Natural England District Level Licensing scheme.”

5.32 Further ecological surveys were not considered necessary, however precautionary measures are provided in the PEA and are proposed to be followed the applicant.

5.33 In all, it is considered to have been demonstrated that, subject to the implementation of the recommendations of the PEA, development could proceed with minimal risk of harm or impact to local ecological value or protected species.



Land Contamination

- 5.34 It is understood that any contamination present would likely have been identified and remediated as part of the development comprising the houses in Christy's Yard and Homefield. As such, it is considered that the likelihood of any contaminants being present are low and that any further investigations that may be required are able to be reserved by planning condition.

Archaeology

- 5.35 It is considered that there is a low potential for the site to contain significant archaeological finds given the lack of significant archaeology recorded on the adjacent Christy's Yard development. It is therefore considered unlikely that the site would contain remains or findings sufficient to warrant statutory protection.



Section 6: Summary & Conclusions

- 6.1 This Planning Statement supports an application for the erection of a detached dwelling together with associated car parking, private garden and landscaping.
- 6.2 The application site is located within the built core of Hinxworth which is a Category B village under the terms of the adopted North Herts Local Plan 2011-2031. Development within such a location is supported in principle and therefore the acceptability or otherwise of a proposal should come down to the detailed planning considerations.
- 6.3 The proposed dwelling has been carefully designed, would have an acceptable relationship with the adjacent grade II-listed buildings and not harm what is special about the character and appearance of this part of the Hinxworth Conservation Area. Overall, it is considered that the proposed development represents a suitable form of development which is designed and located sympathetically. It would be fully policy compliant and acceptable in all other regards.



6.4 Consequently, it is respectfully requested that planning permission be granted for the proposed development.