



PLANNING, DESIGN & HERITAGE STATEMENT

Land at St. Hughs Cottage, Luton Road
Cockernhoe, Herts LU2 8PY

Change of use of detached annex building into a
self contained dwelling with internal and external
alterations

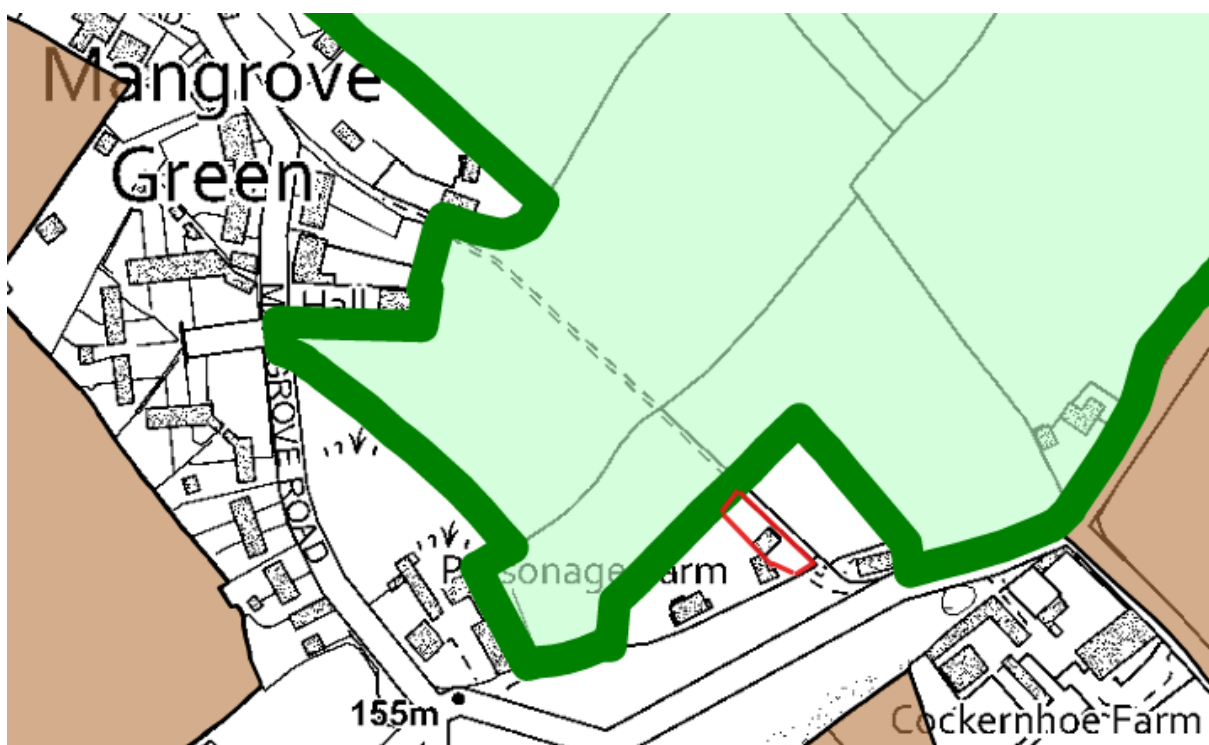
Section	Title	Page No.
1.0	Introduction	2
2.0	Site background	3
3.0	Development proposals	11
4.0	Relevant Planning Policy	15
5.0	Planning assessment	20
6.0	Conclusions	29

1.0 Introduction

- 1.1 This Planning, Design & Heritage statement is submitted in support of a detailed planning application submitted to North Herts Council for development on land at St. Hughs Cottage, Cockernhoe, LU2 8PY
- 1.2 The applicant is seeking planning permission for:
- ‘Change of use of detached annex building into a self contained dwelling with associated garden, parking and access. Proposed internal and external alterations including new dormer window’*
- 1.3 This statement has been prepared to consider the proposed development against the statutory development plan (the North Herts Local Plan 2011 – 2031) and the National Planning Policy Framework in addition to all other material planning considerations. It will demonstrate how the proposal will help meet local housing needs, not have an unacceptable impact on heritage assets and would have no adverse impact on the character and appearance of the area.
- 1.4 The application is supported by the following documents:
- Application form and relevant certificates
 - Existing and Proposed drawings
 - Sustainability statement

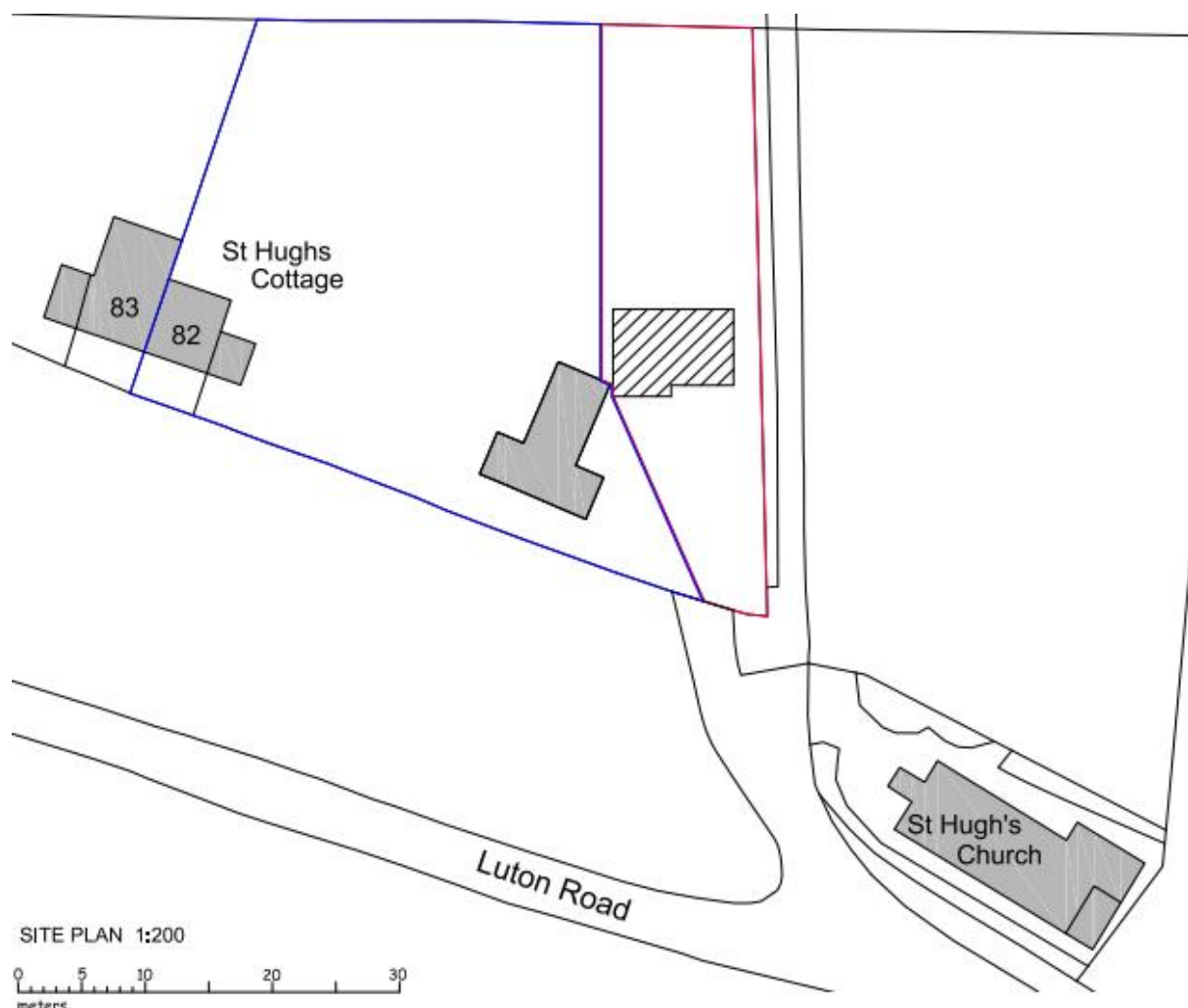
2.0 Site background

- 2.1 The application site measures approximately 460 sq metres and comprises part of the garden curtilage of St. Hughs Cottage, a detached two storey Grade II listed dwelling located on the north side of Luton Road towards the eastern end of the settlement of Cockernhoe. The site includes a detached two storey annex building located towards the front of the site near the access point from Luton Road. The building comprises on the ground floor a garage and workshop whilst the upper floor contains a two bedroom flat. The relevant planning history is set out below. The general location of the site within the settlement of Mangrove Green / Cockernhoe is shown on the attached extract from the North Herts Local Plan below (site edged in red)



Location plan

- 2.2 A more detailed site plan shows below the location of the annex the subject of this planning application (hatched) and its relationship to the T-shaped detached garage associated with St. Hugh's Cottage immediately to the west of the annex. The cottage and garage are owned by the applicant and are edged in blue. The application site is edged in red.



Site Plan

- 2.3 In terms of surrounding uses, St. Hugh's Cottage, the donor property of the application site, is located within large grounds to the west. Public footpath no.25 runs alongside the eastern boundary of the site. St Hughs parish church (not listed) and its gardens and cemetery to the rear are located east of footpath 25. The land to the rear of the site and St. Hughs Cottage is open paddock land attached to Parsonage Farm and located within the Green Belt
- 2.4 Below are existing elevations and floor plans of the annex:



2.5 Below are photographs of the existing annex building:



Existing front elevation



Existing rear elevation

2.6 Below are photographs of the site frontage and St. Hugh's Cottage:



View of the annex from the green and Luton Road

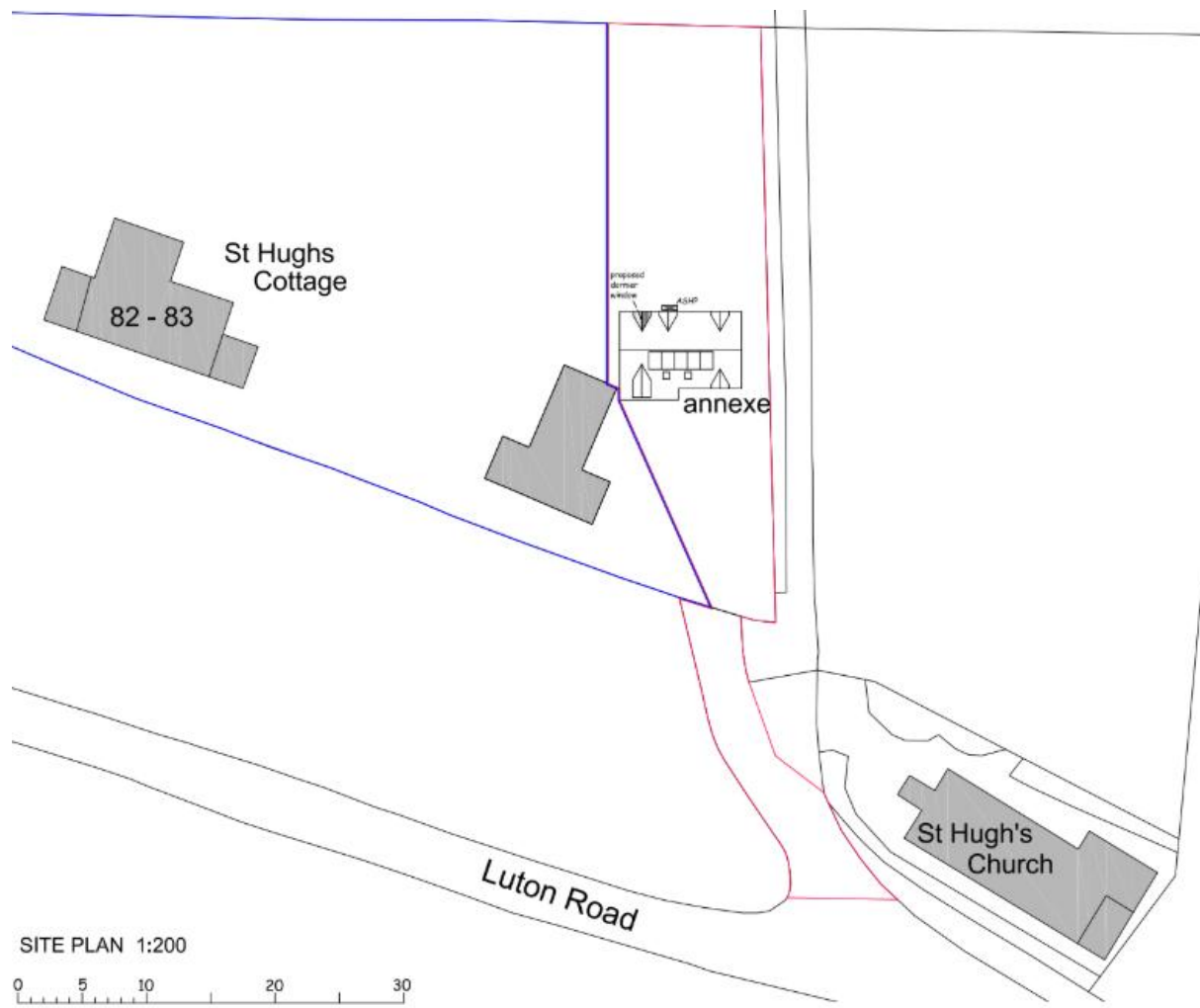


View of St. Hugh's Cottage from the green and Luton Road

- 2.7 The application site is located within Flood Zone 1 and is therefore at a low risk of fluvial flooding. There is also a low risk of surface water flooding.
- 2.8 The settlement of Cockernhoe, in addition to nearby Mangrove Green, is identified as part of a Category A village in the North Herts Local Plan excluded from the Green Belt. Included within the village boundary is a large area to the west and south of the application site and further to the east and is an area proposed for housing development in the Local Plan with a target for all these areas to accommodate 2100 dwellings plus primary and secondary education provision, a local centre and associated infrastructure. Sites EL1, EL2 & EL3 combine to form this strategic development site under Policy SP19 known as East of Luton.
- 2.9 Relevant planning history for St. Hughs Cottage
- 2.10 94/00035/1: Detached double garage with workshop area at ground floor with a two bedroom chauffeur's flat above (as amended by drawing no. 30592-20A received 28.03.1994. Granted 19th May 1994. Permission implemented
- 2.11 15/00776/1: Retention of self-contained use of first floor two bedroom flat above detached garage. Refused permission by the Local Planning Authority on 22.09.2015. Dismissed on appeal 21.06.2015

3.0 Development proposals

- 3.1 The proposed development is for the *‘Change of use of detached annex building into a self contained dwelling with associated garden, parking and access. Proposed internal and external alterations including new dormer window.’*
- 3.2 Parking will be provided within the existing hardstanding to the front of the building and vehicular access would remain via the existing gated access off Luton Road and shared with St. Hugh’s Cottage. A rear garden of approximately 240 sq metres would be provided as part of the proposed dwelling. No part of the annex building will be retained by the occupiers of St. Hugh’s Cottage. The T-shaped garage building immediately to the south east of the annex will be retained by St. Hugh’s Cottage.
- 3.3 The proposed internal and external works involve the following:
- Internal works to ground floor to provide a study and a laundry room
 - Removal of two side facing windows on west facing elevation
 - Provision of new rear facing dormer window
 - Provision of new ground floor rear facing study window
- 3.4 The proposed development is to be carried out as a self build project by the applicants.
- 3.5 The proposed changes to the existing building are shown on the drawings below:



Proposed site plan



Proposed elevations and floor plans

4.0 Relevant Planning Policy

4.1 This section provides an overview of the planning policies and legislation relevant to the consideration of this application in addition to other decision making considerations.

4.2 The Development Plan

4.3 Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that applications for development should be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan is the North Hertfordshire Local Plan 2011 – 2031 (adopted November 2022).

4.4 North Herts Local Plan 2011 – 2031

4.5 The most relevant policies in the Plan against which this application should be considered are as follows:

4.6 Policy SP1: Sustainable development in North Hertfordshire

Supports the principles of sustainable development within North Hertfordshire. Advises that the Council will grant planning permission that:

- Deliver and appropriate mix of homes, jobs and facilities that contribute towards targets in the Plan
- Create high quality developments
- Protect the environment including biodiversity

4.7 Policy SP2: Settlement Hierarchy and Spatial Distribution

Identifies Cockernhoe & Mangrove Green as a Category A village excluded from the Green Belt advising that general development will be allowed within the defined settlement boundaries.

4.8 Policy SP9: Design and Sustainability

Confirms that good design is a key aspect to sustainable development and supports new development where it is well designed and located and responds positively to its local context.

4.9 SP13: Historic Environment

Advises a strong presumption in favour of the retention, preservation and enhancement of heritage assets and their setting according to their significance.

4.10 Policy T1: Assessment of transport matters

States that development will be granted provided it does not lead to highway safety problems and unacceptable impacts on the highway network.

4.11 Policy T2: Parking

States that permission will be granted for residential development provided parking is in accordance with parking standards set out in Appendix 4 of the Plan

4.12 Policy D1: Sustainable Design

States that permission will be granted provided it responds positively to the site's local context, meets a number of environmental criteria and meets or exceeds the nationally described space standards

4.13 Policy D3: Protecting living conditions

States that new development will be granted provided it does not cause unacceptable harm to living conditions

4.14 Policy NE4: Biodiversity and geological sites

States that all development should deliver measurable net gains for biodiversity and geodiversity

4.15 Policy HE1: Designated heritage assets

States that planning permission for development proposals affecting heritage assets or their setting will be granted where they:

- a) Enable the heritage asset to be used in a manner that secures its conservation and preserves its significance;
- b) Incorporate a palette of materials that make a positive contribution to local character or distinctiveness, where it is appropriate and justified; and
- c) Will lead to less than substantial harm to the significance of the designated heritage asset, and this harm is outweighed by the public benefits of the development, including securing the asset's optimum viable use.

4.16 NHDC relevant Supplementary Planning Documents (SPD's):

- Vehicle Parking at New Developments (2011) plus Appendix 4 of the Local Plan
- Sustainability SPD (2024)

4.17 National Planning Policy Framework (December 2024)

4.18 The relevant sections of the Framework are as follows:

- Section 2: Achieving sustainable development
- Section 5: Delivering a sufficient supply of homes
- Section 9: Promoting sustainable transport
- Section 12: Achieving well-designed 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

4.19 Chapter 2 of the Framework sets out the three overarching objectives necessary to achieve sustainable development. These are as follows:

- a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well being; and
- c) **an environmental objective** – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

4.20 Paragraph 11 of the Framework states that for decision making this means:

4.21 c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

4.22 The NPPF explains that, for applications involving the provision of housing, policies are considered out of date if: "...the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer as set out in paragraph 78); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years. See also paragraph 232." (Footnote 8).

4.23 North Herts Council issued a Five Year Housing Land Supply Update in November 2025. This concludes that the Council currently demonstrates a five year land supply of between 2.6 and 3.3 years falling significantly below the five year requirement set out in the Framework.

4.24 The consequence of not having a 5 Year Housing Land Supply is that the 'tilted balance' is engaged in the decision-making process. The tilted balance refers to paragraph 11(d) of the NPPF which states that if the most relevant Local Plan policies for determining a planning application are out of date (such as when a 5 Year Housing Land Supply cannot be demonstrated), the application should be approved unless the application of NPPF policies that protect areas or assets of particular importance (as defined by the NPPF) provide

a strong reason for refusing permission or the harms caused by the application significantly and demonstrably outweigh its benefits, when assessed against policies of the NPPF as a whole. In this context, the local plan policies considered to be out of date include in particular those relating to the development strategy and delivery of housing as follows:

- Policy SP2: Settlement hierarchy and spatial distribution
- Policy SP8: Housing

4.25 In December 2025 the Government published a new draft NPPF with consultation running until March 2026. The final version of the new NPPF with responses to the consultation is expected to come into effect in mid 2026.

5.0 Planning Assessment

5.1 Principle of development

5.2 Cockernhoe, Mangrove Green and East of Luton collectively form a large settlement excluded from the Green Belt on the eastern edge of Luton. The existing villages include a village hall and primary school whereas the local plan sites EL1, EL2 & EL3 also within the settlement boundary, will deliver 2100 houses as well as other infrastructure. As a Category 'A' settlement it is a sustainable location within which general development will be allowed. It is therefore concluded that the proposed development, which would be within the settlement boundary, would be acceptable in principle.

5.3 The application site is located currently within a residential plot therefore the proposed continued residential use would be compatible with the existing use of the site whilst at the same time making more efficient use of the site.

5.4 As mentioned above the Council cannot demonstrate a five year supply of housing land and this proposal would make a modest contribution towards local housing delivery.

5.5 In summary, given that the site is located within the Category A village boundary and delivers housing in a sustainable location, there can be no objection in principle to the development proposed.

5.6 Analysis of the previous appeal decision

5.7 Planning application ref: 15/00776/1 concerned an application for the self contained use of the first floor of the annex (see history above). It was refused by the Council and dismissed on appeal. The reasons for refusal by the Council were based on inappropriate development in the Green Belt, the lack of amenity space and an unsatisfactory relationship with St. Hugh's cottage.

- 5.8 The appeal Inspector found the proposal as not being inappropriate development and there would be no significant visual impact. The Inspector agreed a planning condition could have secured a separate garden for the first floor flat but that the separate use of the garage by the occupiers of St. Hughs Cottage would lead to noise and disturbance to the occupiers of the first floor unit and consequently dismissed the appeal on this basis only.
- 5.9 For the current proposal there are different circumstances that now apply. The site is now not within the Green Belt, the whole of the annex building is now proposed for separate residential use with its own garden and there would be no use of the ground floor by the occupiers of St. Hughs Cottage and therefore no issues of noise and disturbance.
- 5.10 Impact on the character and appearance of the area
- 5.11 The application site is already in residential use forming a large plot to Hugh's Cottage. The development proposal would result in an increased density of use however the additional dwelling on the proposed to be sub-divided plot would equate to a residential density of approximately 8 dwellings per hectare (DPH) which is relatively low and in keeping with this village location and especially this part of the village around the greens where density is extremely low.
- 5.12 There would be very little physical changes to the existing building and the parking arrangement at the front of the site would remain as it is – i.e an existing vehicular access with parking in front of the annex and garage to St. Hughs Cottage. As such the proposed development would be well designed and located and would respond positively to the site's local context consistent with Policy SP9 of the Local Plan.

- 5.13 Policy D1 of the Local Plan states that permission will be granted for development proposals which respond positively to the site's local context and take all reasonable opportunities, consistent with the nature and scale of the scheme to meet a range of criteria including reducing energy consumption, designing out opportunities for crime and retain existing vegetation and propose new planting.
- 5.14 The proposed dwelling will be energy efficient incorporating low carbon technology and natural surveillance of the entrance into the site will be maintained. The site already makes a significant contribution towards biodiversity with its well established garden and plant species. The existing built form would remain and there will be no change in views from outside of the site. There would be no change to the access point onto Luton Road and therefore the character of the street scene at the entrance to the site will be maintained. The parking and turning area within the site would be maintained even though it is largely screened from public views by existing boundary landscaping.
- 5.15 Overall, it is considered that the proposed scheme comprises a very limited increase in residential density that can be satisfactorily accommodated within the site and the wider settlement making the most efficient use of land whilst respecting and maintaining the character and appearance of the area. As such, the development would be generally compliant with Policies SP9 and D1 of the NHLP.
- 5.16 Residential amenity
- 5.17 Policy D1 of the NHLP requires that proposals for residential schemes meet or exceed the nationally described space standards (NDSS) whilst having regard to the Council's Design SPD.
- 5.18 The Government's Technical Housing Standards - Nationally Described Space Standard (2015) (THS) provides guidance on the minimum gross internal floor area (GIA) requirements for new dwellings. In this case the proposed dwelling at 80 sq metres overall

(minus internal garage) would exceed the minimum 70 sq metres of gross internal floorspace required for a two bedroom three person home. The double bedroom would exceed the minimum 11.5 sqm required by the Standards. As the internal floor area of the dwelling would exceed the minimum as set out above it is therefore considered appropriate space would be provided to serve the interest of future occupiers. All habitable rooms would be provided with a window opening which would allow for sufficient levels of light and ventilation.

- 5.19 The garden area of over 240 sqm would be more than adequate to provide outdoor amenity space for the occupiers of the building as a self contained dwelling and the large areas of open space within the village provide an added amenity benefit.
- 5.20 In view of the above factors the proposed development would provide a high standard of amenity for prospective occupiers.
- 5.21 The existing first floor window on the west facing elevation looking towards St. Hugh's Cottage would be removed so that there would be no overlooking of that property. There are no other nearby residential properties that would be affected by the proposed development.
- 5.22 The limited scope of the internal and external works to the building are such that it is unlikely that there would noise and disturbance to the occupiers of St. Hugh's Cottage.
- 5.23 Overall it is considered that the development could be integrated with existing residential development without causing unacceptable harm to living conditions of existing occupiers in accordance with Policy D3 of the NHLP.
- 5.24 Access and parking issues
- 5.25 The development will use the existing means of access to and from Luton Road which is an unclassified local access road maintained by Hertfordshire County Council as highway authority. The road is subject to a maximum speed limit of 30 mph and traffic volumes and speeds are low.

- 5.26 The building is already in use as an annex but in any event vehicular trips to and from the site as a self contained dwelling is expected to be low. For residential development traffic movements can vary depending on the location and type and tenure of housing involved however in this location, taking into account the bus service into the village and facilities within walking distance (e.g. school), a maximum of around 5 vehicle trips for the new dwelling would be expected between 7.00am – 7.00pm.
- 5.27 Refuse and waste recycling provision can easily be made in a discrete location within the existing site and refuse would be brought to the Luton Road kerbside as per the current arrangement.
- 5.28 In terms of parking the existing annex will retain most of its garage and there is additional parking directly in front of the building. The existing garage to St. Hugh's Cottage will be retained and there would be sufficient room within the shared hardstanding inside the access gates for several cars as shown on the photograph below:



- 5.29 The wide green in front of the site provides an alternative safe pedestrian route towards the centre of the village and the two bus stops located at the junction of Luton Road and Mangrove Road (approximately 210 metres from the site).
- 5.30 As parking for at least 4 cars would be provided the development would be in compliance with the Council's Parking SPD standards. The dwelling would be provided with secure cycle storage inside the existing garage.
- 5.31 The proposal is for a small scheme to provide one additional dwelling sharing an existing vehicular access. The proposal would generate only a small amount of additional vehicle movement in a location where there are other transport choices for residents to reach local facilities. As such the proposal is unlikely to lead to conditions detrimental to highway safety and would comply with Policies T1 and T2 of the Local Plan and policies in the Local Transport Plan LTP4 (2018).

5.32 Impact on heritage assets

5.33 The site is not part of any conservation area although it is within an Archaeological Area as designated by the Local Planning Authority. No works are proposed that would affect any potential archaeological remains therefore the proposals would have no impact on archaeological heritage.

5.34 St Hughs Cottage is a Grade II listed building and the listing description is set out below (taken from Heritage England web site):

OFFLEY THE GREEN TL 12 SW (West side) Cockernhoe

6/83 No. 82/83 - (St. Hughs Cottage)

- II

2 cottages now one house. Early C18, Gothicised in C19 by Sowerby estate. Red brick, front roughcast, roof of shingles with wide plastered eaves soffit. A symmetrical 4 windows long building facing E set back on the edge of the green. Single-storey lean-to on each end. Central internal chimney and lobby entrance with porch. Blind recess over porch. Paired windows on ground floor and 2 blocked doorways next outer corners. Regularly spaced 1st floor windows. 2-light cast iron lattice casement windows.

Listing NGR: TL1260223554

5.35 The statutory duty under Section 66 of the Planning (Listed Building & Conservation Areas) Act 1990 (the Act) sets out, with regard to applications for planning permission affecting a listed building or its setting, that regard should be had to the desirability of preserving the setting or any features of special architectural or historic interest

which it possesses. North Herts Local Plan Policies SP13 and HE1 also seek to protect designated heritage assets.

5.36 In this case, the garden curtilage of St. Hughs Cottage would be reduced by approximately 25% however the property would retain a substantial garden around the listed building. As the annex building exists there would be no direct physical impact on the listed building, there would be no change to the access or site frontage alongside the green and views of the listed building as seen Luton Road and from the green would remain as existing.

5.37 The historic significance of St. Hughs Cottage is largely as a consequence of its architectural value as evidenced by the above listing description. The proposed separate occupation of the annex would have no impact on the historic fabric or character of the cottage and it is noted that the previous appeal Inspector raised no issues of a separate residential use of the annex affecting the significance of the listed building. The impact of the proposal on the special historic character of St. Hughs Cottage is arguably considered to be neutral. In the unlikely event that the Local Planning Authority found there to be some harm to the heritage asset arising from this proposal it is likely to be less than substantial, at the lower end of the less than substantial scale and outweighed by the public benefit of an additional dwelling to the Council's housing stock. As such the proposal would not be in conflict with Local Plan Policies SP 13 and HE1 or Section 16 of the Framework.

5.38 Sustainability and climate change

5.39 The sustainability measures of the development are set out in the separate energy and sustainability report however, in brief, they will include an air source heat pump, photovoltaic panels and electric vehicle charging point together with a range of energy saving appliances and lighting. It is considered that these measures ensure that the development is future proofed against the challenge of climate change and consistent with the aims of the Council's Sustainability SPD.

5.40 Cockernhoe and Mangrove Green are considered to be reasonably well connected with a bus service to Luton. The villages have community facilities such as a primary school, a public house and a village hall and the new settlement boundary expands the eastern edge of Luton where there are further facilities within a short drive but also within reasonable walking and cycling distance. By reason of its location within a category A settlement as defined in the NHP and adjoining the eastern edge of Luton, the application site is considered to be in a sustainable rural location.

5.41 Biodiversity Net Gain

5.42 Biodiversity Net Gain (BNG) is a mandatory requirement of Schedule 7A of the Town and Country Planning Act 1990 (Schedule 7A), as inserted by Schedule 14 of the Environment Act 2021. This proposal is exempt from the mandatory BNG which requires developers to deliver a BNG of at least 10% as the applicant intends to carry out the works to create the self contained dwelling as a self-build scheme.

6.0 Conclusions

- 6.1 The proposed development will result in some planning benefits. The development would provide an additional dwelling in a sustainable location thereby making a modest contribution to the Council's overall housing supply and therefore this attracts some, albeit limited, weight in the planning balance
- 6.2 The scheme would also generate economic activity through the creation of construction related employment and some additional spending in the local economy although it is recognised that the construction phase would be a temporary benefit and is therefore a minor positive benefit.
- 6.3 The development will make more efficient use of the building and there will be no unacceptable adverse impact on the character and appearance of the area or harm to the setting of the adjacent listed building.
- 6.4 Given that the Council cannot demonstrate a 5 year supply of housing, paragraph 11 of the NPPF is engaged. This makes a presumption in favour of sustainable development.
- 6.5 As explored above, there are no policies in the NPPF that protect areas or assets of particular importance that provide a strong reason for refusing the development proposed.
- 6.6 The adverse impacts of granting permission do not significantly or demonstrably outweigh the benefits associated with the delivery of new housing in a sustainable location. On balance and in light of the presumption in favour of sustainable development, it is concluded that permission should be granted for the proposal.

