

DELEGATED FILE NOTE

CASE OFFICER: ...Thomas Howe.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
26/01131/PIP	Erection of up to 2 dwellings and associated infrastructure	Land At The Rear Of 25 Danesbury Park Road Welwyn Hertfordshire AL6 9SH

Submitted Plan Nos

2018-340-CPS-B-03 2018-340-CPS-B-02 2018-340-CPS-B-04 Location Plan

1.0 Policies

SP2 Settlement Hierarchy and Spatial Distrib

SP5 Countryside and Green Belt

SECN13 Protecting Green Belt Land

D1 Sustainable design

D2 House exts, replcmnt dwellings outbuild

2.0 **Site History**

2.1 26/00014/PIP - Erection of one dwelling including parking and amenity space following demolition of existing barn – Granted Permission (adjacent parcel)

3.0 **Representations**

3.1 **Neighbour Consultation** – None received.

3.2 **Parish Council** – Objection. - *“That these are additional residential properties which are located on Green Belt land and do not fit with the Codicote Neighbourhood Plan document.”*. Ward Councillors did not call the application into planning control committee.

3.3 **Highways** – Provides replica comments to adjacent site given similarity in location. These are to make comment on the private driveway, the ability to drag bins to the road edge, and for the need of a construction Management Plan alongside the seeking of advice from Herts Fire and Rescue.

3.4 **Ecology** – Development is required to deliver 10% BNG. Technical details stage would require submission of Preliminary Ecological Appraisal.

3.5 **Environmental Health** –

Noise: No comment.

Contamination: No Objection. Seeks a phased contamination investigation to ensure the land is suitable for residential use. Recommends conditions.

Air Quality – No Objection. Seeks EV Charger.

3.6 **Waste and Recycling** – No details of refuse collection.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The application site comprises the rear portion of the wider land area No. 25 Danesbury Park Road. It comprises an area of approximately 0.26Ha. Access is provided by a private gated driveway off Danesbury Park Road. The existing dwelling benefits from a dedicated access to its southwest from Danesbury Park Road. To the west a dwelling has been approved under 26/00014/PIP. The site brushed over by the Green Belt.

4.2 **Proposal**

4.2.1 Permission in Principle is sought for:

Erection of up to 2 dwellings and associated infrastructure.

4.3 **Key Issues**

4.3.1 Planning Practice Guidance (PPG) explains that permission in principle is an alternative way of obtaining planning permission for housing led development as part of a two-stage procedure. Permission in principle applications involve two stages. Stage 1 ('permission in principle stage') , is limited to the consideration of location, land use and the amount of development which, in the event of an approval, would leave the remaining matters to be considered in a technical details application (Stage 2) (i.e. the 'technical details consent').

4.3.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission, and therefore appeals and permission in principle, must be determined in accordance with the development plan, unless material considerations indicate otherwise. This application is a Stage 1 Permission in Principle application therefore the following matters are for consideration:

Location

4.3.3 The application site is within the Green Belt, to the west of the settlement boundary of Oaklands, and is considered to be physically related to the hamlet of Pottersheath. Given the site's location outside of the adjusted settlement boundary of Oaklands, the site is considered to run contrary with the provisions of Policy SP2 of the North Herts Local Plan 2011-2031. Turning to the NPPF, it is not considered that the development would comprise an exception for development in the Green Belt, as described by paragraph 154. The cover letter's position on the development comprising limited infilling as an exception in the Green Belt is noted, however, the site not within a village, and therefore this is not considered to apply in this case. Turning to the Grey Belt, the cover

letter presents this case as the reason to support the principle of the development. Paragraph 155 advises:

“The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all the following apply:

- a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;*
- b. There is a demonstrable unmet need for the type of development proposed;*
- c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and*
- d. Where applicable the development proposed meets the ‘Golden Rules’ requirements set out in paragraphs 156-157 below.”*

The NPPF Definition for Grey Belt is:

“For the purposes of plan-making and decision-making, ‘grey belt’ is defined 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. ‘Grey belt’ excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.”

The five purposes of the Green Belt are set out below:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The site is located within Parcel 6 of the Green Belt, as described by the North Herts Green Belt Review 2016. The parcel as a whole is concluded as making a strong contribution to purposes A, and B and the overall purposes taken together. A low contribution is made to purpose D given the site’s location in relation to Hitchin’s historic core.

The application site is to the west of Oaklands, north of Welwyn and east of Codicote.

Turning to the purposes of the Green Belt, the proposed development would be set within a conurbation as part of the wider Pottersheath area. The dwellings would be set within the existing curtilage of No. 25, and would be bound by tennis courts to the north/east, a large dwelling to the north, a farm to the north/west and dwellings to the south and south/east. The proposal would not enlarge this conurbation, intensifying its residential use but not resulting in an extension to this group. Therefore, for these reasons, I do not consider that the proposal would result in the unrestricted sprawl of

Welwyn, and would not allow Welwyn or any other town to merge. The existing residential backdrop of the proposal is not considered to allow for the encroachment of the countryside. No historic town is in proximity to the site, and therefore, the setting of a historic town would not be harmed.

Therefore, the proposal would utilise grey belt.

- 4.3.4 In terms of the provisions of NPPF 155, the proposal would utilise grey belt land. There would be no assets described by footnote 7 being detrimentally impacted by the proposed development. The LPA cannot presently demonstrate a 5-year housing land supply. Therefore, there is a demonstrable unmet need for the type of development proposed. The site is in relative proximity to the wider Welwyn Garden City area, and is a short journey from Codicote. On the same site, it has been concluded that development in this location was suitably sustainable. Furthermore, the Highways Authority have not objected to the development, and therefore, given its proximity to settlements with various amenities available, the site would be suitably sustainable. Therefore, the proposal would not be inappropriate development within the Green Belt and under the provisions of NPPF footnote 55 there is no need to consider harm to openness.

Land Use:

- 4.3.5 The application seeks to erect two residential dwellings. The prevailing land use along Danesbury Park Road is residential, with a modest agricultural use to the north of the site.
- 4.3.6 The submitted indicative site plan shows a pair of detached dwellings with the approved dwelling to the west. The local area comprises detached residential dwellings, and therefore, it is considered that the development would not be at odds with local land uses. The proximity of 'Hambledon Farm' is noted, however, it is noted that other residential dwellings in proximity to this use are established. The farm use does not appear to be intensive or industrial, and is therefore unlikely to cause odour or noise issues for neighbours to the site. The use of this part of the site for residential dwellings would therefore be acceptable. Furthermore, compliance with Codicote Neighbourhood Plan policy COD1 is considered to arise owing to the site's setting of predominantly residential dwellings.

Amount of Development:

- 4.3.7 The indicative site plan shows the two dwellings would be set to the rear of No. 27 Danesbury Park Road, and between this curtilage with The Hawthorns to the rear. No. 25 is set within a large plot, of approximately 0.79Ha in area, and following the development this would comprise a density of approximately 5 dwellings per hectare, with ample green fields areas of the site undeveloped. I do not consider that the development would result in overdevelopment of the site or result in a cramped form of development. The dwellings would benefit from amenity spaces to the rear and sides and would benefit from on-plot parking. In the round the amount of development would be acceptable. The intensity of use of the access is noted, however, No. 25 benefits from a dedicated access, and therefore if all proposed dwellings are constructed, subject to highways authority approval at the technical matter stage, the intensity of use is not considered to be harmful.

Other Matters:

- 4.3.8 Matters such as vehicular and pedestrian access, parking, scale, design and appearance, landscaping, relationship with neighbours and environmental matters such as land contamination, flood risk and ecological issues will be considered at the technical details stage should permission in principle be granted.

Procedural Matters:

- 4.3.9 The DLUHG sets out guidance (Gov.uk) on what is required in the determination of a 'permission in principle' application. No conditions can be attached to the grant of permission only confirmation of site location, the type of development and the amount of amount development (Paragraph: 020 Reference ID: 58-020-20180615).
- 4.3.10 The default duration of a permission in principle is 3 years therefore there is no requirement to specify the time limit (Paragraph: 014 Reference ID: 58-014-20180615)
- 4.3.11 Local Planning Authorities can inform applicants at what they expect to see at the technical details stage (Paragraph: 045 Reference ID: 58-045-20180615). It is recommended that this can be done by attaching an informative to the grant of permission in principle. In this case the following matters would be expected to form part of a technical details consent application:
- ☐ Scaled drawings showing all floor plans and elevations and slab levels of the proposed dwellings
 - ☐ External materials and details of hard and soft landscaping including boundary treatment
 - ☐ Preliminary Risk Assessment concerning land contamination
 - ☐ Noise Impact assessment
 - ☐ Provision of electric vehicle re-charging infrastructure
 - ☐ Pedestrian and vehicular visibility splays
 - ☐ Vehicle tracking to demonstrate safe and usable parking spaces
 - ☐ Construction management statement
 - ☐ Cycle parking
 - ☐ Drainage details
 - ☐ Details of refuse and recycling provision

4.4 Conclusion and Planning Balance

- 4.4.1 The proposed development would be in accordance with national, local plan and Neighbourhood Plan planning policies and is acceptable in terms of the location of development, the proposed land use and the amount of development.

4.5 Alternative Options

- 4.5.1 None applicable.

5.0 Recommendation

- 5.1 That planning permission be **GRANTED**.

Proactive Statement:

1. Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted proactively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 17 June 2026	