

The Planning Inspectorate
c/o QUADIENT
69 Buckingham Avenue
Slough
SL1 4PN



29 July 2026

Dear Sir or Madam

Appeal 6011739 re: North Herts refusal of application 25/02547/FP, residential development of 36 dwellings including vehicular access from Station Road, parking, drainage, amenity space and landscaping

Ashwell Parish Council (APC) asks the Inspector to uphold North Herts' refusal of planning permission.

APC does not object to housing in principle. It supports the delivery of homes that respond to evidenced local needs, particularly genuinely affordable housing, smaller homes, accessible homes and accommodation suitable for older residents wishing to downsize. The objection to this development concerns:

- Impact on the landscape, given its location outside the settlement boundary and its poor relationship both with the rural edge of Ashwell and surrounding land beyond the green belt,
- the cumulative scale and suburban form being markedly at odds with the village character,
- its unsustainable, car-dependent location, and
- the inappropriate housing mix in terms of size, type and tenure.

APC recognises the relevance of the 'tilted balance' on policies but proposes that, when taken together, the above land-use concerns significantly and demonstrably outweigh the benefits of development, thereby justifying refusal of the application.

The sections below put forward APC's case starting with a planning history showing the steps the developer has taken to build on the land. APC's suggestions about the impact of the 'tilted balance' on policies follow, then further details about its objection. Finally, a conclusion balances the points made previously against claimed benefits.

Planning history

There have been three recent applications from the same developer for building on the plot of land that includes the site in this application.

In 2017 North Herts refused the application for 46 dwellings on the whole plot and the appeal was dismissed. The Inspector identified significant harm arising from its siting beyond Ashwell's built limits, its location within open farmland in Landscape Character Area 226 - Steeple Morden Plain, and its heavy reliance on planting to screen the development. The Inspector concluded that it would fail to enhance the wider landscape setting of the village or improve the character and quality of the

rural area, and that the harm to the countryside clearly outweighed the housing benefits. Note: at that time North Herts claimed a 5.5 year housing land supply but this was unrealistic and not given credence.

A later application for 28 dwellings, submitted in 2020, was allowed on appeal in 2022, principally due to the Council's housing land supply position. That was a materially smaller scheme. It was also determined without the current combination of a made Ashwell Neighbourhood Plan (ANP) and the up-to-date Ashwell Housing Needs Survey, now available to the Inspector.

The present 36-dwelling proposal would take the total on this land to 64 dwellings - 18 dwellings or approximately 39% more than the 46-dwelling scheme dismissed in 2017.

The applicant argues that the completion of the first 28 homes demonstrates deliverability and that the earlier Inspector found village facilities accessible. Deliverability does not establish that a further extension is acceptable. Nor does a conclusion reached on a smaller, more forward part of the land determine the sustainability or landscape effect of a second phase extending farther around the village edge.

APC suggests the question should be about the effect of the resulting 64-dwelling estate in its entirety. The new proposal would not simply sit beside Senuna Park; it would expand it substantially to the south and east, deepen the intrusion into open countryside and consolidate a large suburban enclave at Ashwell's south-eastern approach. The combined scheme would become the largest modern housing estate in the village and would be more than twice the size of any other individual modern estate in Ashwell (the second largest being Claybush, 31 dwellings).

Impact of the 'tilted balance' on the development plan

APC acknowledges that, owing to North Herts' current housing land supply, paragraph 11(d) of the National Planning Policy Framework (NPPF Dec 2024) is engaged. However, APC proposes that the exception in paragraph 11(d)(ii) applies:

"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... The NPPF requires particular regard to the key policies directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes."

Contrary to what the applicant seems to suggest, the absence of a five-year supply affects the weight given to development plan policies relevant to the supply of housing, but it does not invalidate them; it does not take away the ordinary discretion of the decision-maker to determine the weight to be given even to an "out-of-date" policy.

Impact on the landscape

Paragraph 187 of the NPPF (Dec 2024) states that "Planning policies and decisions should contribute to and enhance the natural and local environment." The development plan fulfils the requirement in the following policies:

Local Plan policy SP5, Countryside and Green Belt

Local Plan policy CGB1 Rural Areas Beyond the Green Belt

ANP policy ASH1 Location of Development

ANP policy ASH8 Locally Significant Views

The application location is in an area highly sensitive to development, as highlighted in North Herts Landscape Character Area Assessment 224, referred to in ANP policy ASH8. The site would lie over a traditionally farming scene of land that has a Grade 2 Agricultural Land Classification, i.e. 'very good'.

The appeal proposal would cause a harmful urbanising effect through the extent of built form, estate roads, parking, garages, lighting, domestic gardens, boundary treatments and associated

activity. Euphemistically describing the development as 'low density' or 'landscape-led' does not remove the harm.

Reference to density should not be reduced to a simple dwellings-per-hectare calculation. A low gross density produced by 20 large detached houses, large plots and extensive screening can still represent an inefficient and physically extensive suburban incursion into countryside. The relevant issue is whether the amount, spread, scale, layout and typology are appropriate at this rural village edge. APC submits that they are not.

The North Herts landscape adviser identified further concerns that the effect on Ashwell and its surrounding landscape could be greater than assessed by the applicant because winter photography had not been provided as a worst-case assessment, and significant viewpoints SVG and SVH (Ashwell Neighbourhood Plan fig. 6.10) have not been accurately assessed.

Those concerns reinforce the need to assess the site in leaf-off conditions and from the Station Road approach and relevant public rights of way.

The proposal requires a road through a 'Millennium Wood' and the removal of 24 live trees. APC acknowledges the proposed replacement planting and the claimed biodiversity net gain. The measures are relevant benefits and mitigation, but they do not reverse the fundamental change from open rural land to housing estate. Much of the proposed boundary planting is required to screen and assimilate built development that is otherwise at odds with the open character of the Steeple Morden Plain landscape.

Village character

The applicant's claim that the design reflects Senuna Park ignores the true nature of the village, comprising small clusters of heterogeneous dwelling styles from different eras.

Repeating the architectural language of a recent estate may make the two phases appear coordinated, but it also magnifies the cumulative suburban character that the refusal seeks to prevent. The relevant context is not only the adjoining new houses; it is Ashwell's village edge, the open countryside and the approach to the historic settlement. It would present a jarring contrast with neighbouring Visual Character Area V2 (ANP fig. 6.1), severely detracting from its appearance as "part of the countryside".

Unsustainable location

The appeal site is outside Ashwell's settlement boundary and within the Rural Area Beyond the Green Belt. Local Plan paragraph 4.64 recognises that, outside defined settlements, many sites are not well located in relation to key services and that it remains appropriate to restrain the types of development allowed in the Rural Area Beyond the Green Belt. Policy SP2 permits development outside settlement boundaries only in limited circumstances, including where an adopted neighbourhood plan supports it; the ANP neither allocates nor supports this site. The Council's officer report, paras 2 and 4.3.4, recognises that the proposal does not meet any of the exceptions in Policy CGB1. It conflicts with this policy, Local Plan Policies SP2, and SP5, and with Neighbourhood Plan Policy ASH1, including ASH1(A) and (C).

The applicant describes the site as well located for walking, cycling and public transport, backing up the claim by reference to their own transport study. APC disagrees. The outer part of the development is approximately one mile from Ashwell Primary School and key village facilities, including the baker, butcher, post office, shops and surgery, and approximately 1.5 miles from Ashwell & Morden Station. Distance must be considered together with route quality, convenience, safety, topography, weather and the needs of children, older people and those with reduced mobility.

The developer's own study states that the maximum preferred walking distance to facilities located outside town centres is 1,200m – note: not the “desirable” or “acceptable” but the “maximum preferred” distance. This puts all village facilities apart from the bus stop and recreation ground at or beyond the maximum. In practice, residents are likely to choose to drive for school, shopping, healthcare and rail journeys.

Cycling access is also problematic. The unmetalled footpaths used by walkers are not suitable and the narrow road is the main access to the village from the station and A505, which has a 30mph limit until reaching the recreation ground where it becomes 20mph.

The Committee evidence recorded that the bus service does not cover key commuter times, there is no continuous footway or safe cycle route from Ashwell to the station, and the alternative route connects to a dangerous part of the A505. While the officer report confirms that the sustainable transport contribution was expected to relocate a speed sign and partly upgrade the footway along the site frontage, there was no indication that it would provide a safe pedestrian link to the station.

The highway authority's conclusion that traffic effects would not be severe appears to be based on an uncritical reading of the developers transport study and is different from finding that the location is sustainable. Network capacity and road safety are separate from the spatial planning question of whether residents can realistically meet daily needs without a private car.

The layout itself anticipates substantial car ownership: most detached houses include double garages and space for multiple vehicles. The likely result is additional car journeys to the school, shops, surgery and station, adding to carbon emissions, congestion and pressure on village and station parking. The limited transport mitigation does not overcome the site's underlying locational disadvantage.

It is not necessarily true that, because the first phase of Senuna Park was allowed on appeal, that the second phase must be sustainable. Decisions are made ‘on balance’ and a smaller development would likely cause less harm in comparison to benefits. Furthermore, the second phase would lie farther away from the village centre to the east and therefore be more unsustainable.

Housing mix

Paragraph 61 of the NPPF states that, “The overall aim should be to meet an area’s identified housing need, including with an appropriate mix of housing types for the local community.” Paragraph 63 emphasises the importance of an adequate supply of dwellings of the right size, type and tenure.

In North Herts this need is reflected in policies informed by the Strategic Housing Market Assessment, which looks at the entire area, and Housing Needs Surveys with a more local focus that may vary from the bigger picture.

Development plan policy HS3 reflects findings on the required housing mix at district level:

“8.19 Current evidence suggests it is most appropriate to target a broad balance between smaller (defined as 2-bed or less) and larger (3-bed or more) homes over the plan period.”, and
“8.21 On most suburban and edge-of-settlement sites, applicants should therefore make an initial assumption of 60% larger (3+ bed) and 40% smaller (1 or 2 bed) homes to ensure an overall mix is achieved.”

For the remaining plan period the 2023 SHMA update shows that the required balance for delivering future dwellings would be:

less than 3 bedrooms	31.7%
3 bedrooms	47.1%
4+ bedrooms	21.3%

That shows a slightly higher proportion of larger houses than identified in policy HS3 para 8.21, but it is clear that the bulk of this should be 3 bedrooms.

In the immediate locality of the application site, ANP policy ASH2 and the 2024 Ashwell Housing Needs Survey indicate the size, type and tenure of dwellings needed. Both place emphasis on the need for smaller, lower-cost, houses.

The Housing Needs Survey's summary identified a requirement for 15 one-bedroom homes, 10 two-bedroom homes, two three-bedroom homes and one four-bedroom home. Crucially, the sole identified four-bedroom need is for an accessible affordable home for a housing-association tenant whose family includes a disabled child.

The applicant proposes a scheme containing 20 four-bedroom homes, 56% of the total.

Despite the significant number of large homes in the application, it does not provide the requested M4(3) wheelchair-accessible four-bedroom affordable dwelling. The large number of open-market four-bedroom houses therefore does not meet the only evidenced four-bedroom local need. It is worth noting that the Council's own Housing Officer concluded on page 4 of her report that, "their proposals do not meet the needs identified in the recent housing needs survey or requirements of the ANP for market or affordable housing."

APC accepts that district-wide need as well as parish-level need must be considered, and that local evidence does not remove the benefit of housing delivery. But even at this wider level, there is a lack of evidenced need for a development with this proportion of four-bedroom houses. Indeed, using a site in this way could crowd out the type of dwellings that are needed.

With regard to demand for housing, APC recognises that short-term market conditions can affect sales and does not suggest that unsold homes are a reason for refusal of subsequent applications. Nevertheless, they are an indicator of the lack of need for a particular dwelling size, type and tenure.

The applicant has acknowledged at Committee that homes remained for sale on the completed first phase. Current marketing information for Senuna Park reveals 10 dwellings (36%) advertised for sale in the development, now over a year after completion. Large 4 and 5-bedroom homes dominate current listings in the North Herts area. This evidence does not support the proposition that Ashwell has an urgent unmet demand for a further 20 large detached 4-bedroom houses on land outside its settlement boundary.

The scheme uses a substantial area of countryside to provide the type of open-market housing for which the appellant has produced no evidence of need, while underproviding the smaller, accessible and adaptable homes that the district and village-level evidence identifies.

The purpose of the 'tilted balance' is to help achieve strategic housing need when a planning authority is having difficulty doing so. APC suggests that the housing mix in this development fails to meet need and therefore, as well as being contrary to NPPF and development plan policies, it does not fulfil the aim of the 'tilted balance'.

Conclusion

APC acknowledges the following benefits: 36 additional dwellings capable of contributing to district supply, 14 affordable homes, construction employment and expenditure, open space and a claimed biodiversity net gain above the statutory minimum.

Those benefits should be weighed fairly, but they should not be overstated because:

- the proposed mix does not meet identified need or provide the requested wheelchair-accessible four-bedroom unit and the affordable housing proportion is policy-compliant rather than an exceptional uplift,
- construction employment and general expenditure are temporary and generic benefits associated with most housing schemes,

- The excess biodiversity net gain is a genuine benefit, but a significant part of the planting also performs a screening and mitigation function and cannot make an otherwise unsuitable spatial location ecologically sustainable.

The proposed benefits are therefore meaningful but do not justify setting aside the cumulative conflicts with the spatial strategy, landscape and village character, sustainability and evidence showing failure to meet housing need.

The applicant's case relies heavily on the lack of a five-year housing land supply and on the 2022 appeal relating to the earlier 28 dwelling development next to it. The Planning Officer's recommendation when North Herts considered this application also attributed substantial weight to the district-wide housing land supply shortfall. That shortfall is an important material consideration, but it should not displace district and neighbourhood-level evidence and adopted policies.

The ANP was made in April 2022. APC maintains that the protection in NPPF paragraph 14 could be considered because the Plan is less than five years old and its identified residual housing requirement for the plan period was zero; the absence of a positive allocation reflects that identified requirement rather than a failure to plan for it. In any event, even if the conclusion is that paragraph 14 is not technically engaged, the Neighbourhood Plan remains part of the statutory development plan and its policies remain material. APC does not rely solely on paragraph 14: the appeal should also fail under the paragraph 11(d)(ii) balance.

The following facts of this proposal remain decisive:

- the site is outside the defined settlement boundary; it is a speculative extension into open countryside on land which neither the Local Plan nor the Neighbourhood Plan allocates for housing. Although Ashwell is a Category A village, that designation does not mean that any land adjoining a recent development is suitable for further housing. The settlement boundary is the mechanism by which the development plan directs growth,
- the scheme is a 36-dwelling extension to an earlier one, creating an overall 64-dwelling estate - approximately 39% larger than the 46-dwelling scheme dismissed in 2017 and the largest modern estate in Ashwell. It would have a harmful urbanising effect and present an extensive suburban form at a sensitive village edge - despite screening and major landscape interventions to assimilate the development into open countryside which, in themselves, would be out-of-place and intrusive,
- it would have an unsustainable, car-dependent relationship with the school, services and station,
- the open-market element is overwhelmingly composed of large detached houses contrary to requirements and strongest current local and district-level evidence of delivery, so fails to meet housing needs.

Taken together, APC proposes these harms significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole. The application is the wrong development in the wrong place, and it would undermine both the adopted development strategy and the community-led Neighbourhood Plan.

For the reasons set out above, Ashwell Parish Council requests that the Inspector dismiss the appeal and uphold the refusal of planning permission.

Ashwell Parish Clerk

Addendum

Links to documents that may not be on the Planning web-pages

Ashwell Neighbourhood Plan:

<https://www.north-herts.gov.uk/sites/default/files/2022-11/21.11.24%20%20Ashwell%20NP%20-%20Final%20version.pdf>

Ashwell Housing Needs Survey 2025:

no link available, copy available on request

Landscape Character Area 226:

<https://www.hertfordshire.gov.uk/media-library/documents/environment-and-planning/landscape/landscape-character-assessments/area226.pdf>

