

5th November 2025

Delivered by email

Mr Ben Glover
North Hertfordshire District Council
Germon Road
Letchworth Garden City
SG6 3JF

Ref: BLAC3002

Dear Ben,

Land Adjacent to 10, Hambridge Way, Pirton, Hertfordshire (LPA reference: 25/02064/OP) – Outline Planning Application with all matters reserved except for access for up to 50 residential dwellings.

Following the submission of the above referenced planning application in August of this year, we note that there have been several consultation responses received from statutory consultees, key stakeholders and local residents in recent weeks. The formal consultation period has now concluded. As such, we take this opportunity to provide a detailed response to the comments received by the Parish Council and to address any issues arising in turn.

Parish Council Consultation Response

1) Site is Outside the Village Development Boundary

"The proposed site is outside the village development boundary and not within any of the exceptions provided in the Local Plan and is, as a result, contrary to Local Plan Policy SP2 and CGB1 as well as our Pirton Neighbourhood Plan under PNP 1.1.

Under PNP 1.2. the limit proposed for new developments in Pirton is 30 houses, which this proposal far exceeds. It is to be noted that (other than Comice Meadows, which gained approval prior to the PNP coming into effect) no development has exceeded this figure of 30 houses".

Applicant's Response

The Site will extend beyond the built core of Pirton, and it would therefore conflict with part a) of Policy CGB1; however, it clearly is acknowledged to be well related to the settlement envelope of Pirton. Once built, the Scheme will read, logically, as part of the broader settlement form and its development would not result in encroachment into the open countryside. The Site also sits within a largely residential context of Pirton, which is classified as a

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Category A village, and it would provide appropriate provision of affordable housing where there is a proven need in North Hertfordshire.

The Council's Five-Year Housing Land Supply Update (which was published May 2024) demonstrates under paragraph 4.5 that the Council can only demonstrate a total housing land supply position of 3.9 years against their adopted housing requirement. North Hertfordshire District Council has an updated indicative housing need figure of 1,018 additional dwellings per year following the publication of the new standard method, alongside the updated NPPF in December 2024. The Council considers that their housing completions have not surpassed the annual requirement since 2020/21, and their housing undersupply has continued to grow since the beginning of the Plan Period.

The Council are currently left with an undersupply of 540 dwellings as of March 2024. In line with the Liverpool approach, historic undersupply should be delivered evenly by the end of their Plan period in 2031, and this Site can help to meet the shortfall in the Council's 5YHLS. It is acknowledged that whilst the Scheme does not accord with the Development Plan, taken as a whole, there are nonetheless, major acknowledged shortfalls in housing land supply, both in terms of overall market housing and in affordable housing in particular, which are unlikely to be resolved in the foreseeable future. Accordingly, Paragraph 11(d) of the NPPF is engaged (the tilted balance).

2) Concerns regarding the proposed access from Walnut Tree through the existing development

"Visitor Parking Spaces: At the moment, it appears that access will be achieved by extending through the two visitor car parking spaces to form a new road to the proposed 50 houses. This will seriously compromise the parking situation in the original development. To remove 2 spaces (which are regularly used) would leave 3 remaining, which is wholly inadequate for 10 houses and runs contrary to the original planning permission".

"Part 3 highlights that the granting of planning permission does not entitle scheme promoters to obstruct, divert or extinguish a PRow. Separate procedures must be successfully completed before this can be confirmed, under either Section 247 / 257 of the Town and Country Planning Act 1990 (TCPA 90) or Section 118 / 119 of the Highways Act 1980" In view of the previous blocking of Footpath 005 and the lack of, for example, dropped kerbs when crossing the estate road of the existing development as well as the unauthorised alternative footpath that was constructed, we believe that our concerns are legitimate in this context. We are not convinced that the proposals deliver a safe method of entry for walkers and users of the Recreation Ground as required by PNP 11. HCC needs to be consulted at the earliest opportunity".

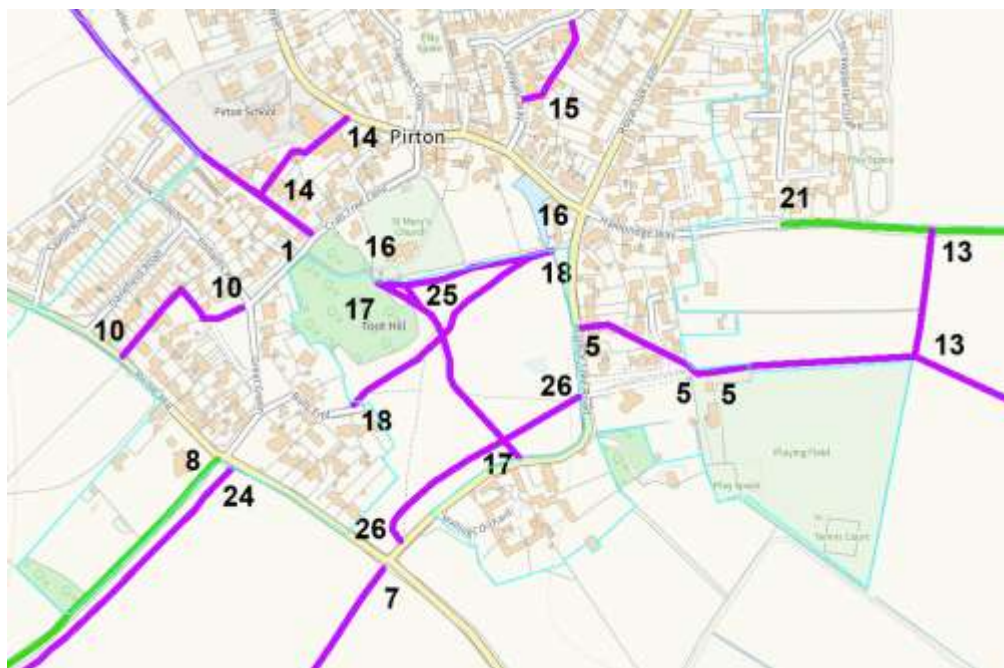
Applicant's Response

It is noted that the extension of the proposed access road from the established development on Cotman End would initially remove the two existing visitor parking spaces. These spaces will be relocated and re-provided as part of the proposed development, and will be placed as close to this new access as is reasonably possible. These visitor spaces will be in addition to the parking availability required as part of this proposed development.

There are a number of Public Rights of Way ("PRow") which surround the Site, with an extract from the Hertfordshire Definitive Map presented below. Footpath 5 crosses the proposed access before running to the north of the playing field. The access has therefore been designed to accommodate this crossing, with a narrowing of the carriageway and a raised table to promote pedestrian priority. The application does not divert any public rights of way, which is a false claim.

As presented in 2210-050.PL01, this arrangement provides a narrowing of the access to accommodate the crossing of the established Footpath 5, with this option promoting full pedestrian priority over oncoming vehicle movements. Pedestrian movements are then able to continue along Cotman End and Walnut Tree Road as per the provisions provided for the original Cotman End scheme.

Access leading onto Cotman End / Walnut Tree Road will continue to maintain adequate visibility as per the of the previous neighbouring scheme on Cotman End which received approval, with the additional proposed development not altering the visibility of the approved scheme access.



3) Density of the Development

"We are concerned that the density of the development is stated as 16.3. units per hectare. This is a transitional area for the village and this, as stated in the PNP and Character Assessment is normally 11.9. units per hectare. In view of this and PNP 1.2. (mentioned above), we believe that this development should not exceed 30 houses. Many of our concerns stated in this response flow from the fact that 50 houses are simply too many, affecting green spaces, layout and design".

Applicant's Response

The Pirton Neighbourhood Development Plan (PNP) sets out policy PNP 1.2 (residential development should be no more than 30 houses on any one development site). The PNP supporting text states: *"The average density of housing in Pirton is below 17 dwellings per hectare ... the greatest density in Pirton village is about 22 dph."*

The PNP further states that where development is in a sensitive location (visible from the Chilterns Area of Outstanding Natural Beauty or countryside) a lower-than-average density (about 17 dph) is expected. The proposal is in accordance with the PNP as the proposed density of 16.3 dph is below the "about 17 dph" threshold one might see in higher density zones in Pirton. This proposed density aligns with local precedents given the sites current characteristics and constraints. The NPPF also encourages higher densities and the efficient use of land. Concentrating the housing within a smaller footprint allows for more usable open space, enhancing community benefits by providing recreational opportunities and facilitating meaningful ecological improvements.

4) Proposed Building Heights

“We discussed the height of the proposed buildings with Blakeney Homes and that a few buildings were mentioned as being 2.5 storeys high. We were told that such buildings would not necessarily be higher than any two storey buildings. The Character Assessment states that, with two exceptions, there are no buildings of more than two storeys and almost all buildings are under 9 metres. This led to and influenced many of the provisions of PNP 2 (Design and Character). We would therefore ask that no buildings should exceed 9 metres in height as a maximum and such a provision to be included were permission to be granted”.

Applicant’s Response

It is important to note that this proposal is an outline planning application, with all detailed matters including scale, layout, and appearance, reserved for later determination at the Reserved Matters stage. The submitted parameter plans simply establish a maximum height envelope of up to 2.5 storeys, which allows for flexibility in design and the potential inclusion of accommodation within the roof space. This does not automatically imply three-storey buildings, but rather standard two-storey dwellings with rooms in the roof, consistent with traditional village architecture.

The indication of up to 2.5 storeys is entirely typical for contemporary rural housing schemes and is consistent with the North Hertfordshire Local Plan and Pirton Neighbourhood Plan (PNP), both of which support high-quality, contextually sensitive design. The PNP does not prohibit 2.5-storey dwellings, and there are examples within Pirton and nearby settlements where similar building heights have been successfully integrated without detriment to local character. The flexibility to include roof accommodation enables more efficient use of land, an objective encouraged by National Planning Policy Framework (NPPF) paragraph 124, which promotes the effective use of sites and supports gentle increases in density where appropriate.

5) Diminished Green Spaces

“The application states that the development and the village will have access to green spaces (.99 hectares). In practice, this is diminished by the substantive attenuation feature shown on the plans. It contains no playground facilities. Mention is made of playground facilities at Comice Meadows, but these are private facilities accessed by private roads and are not publicly available. The nearest public facilities are at the Recreation Ground and would probably have to be accessed via Footpath 005 (see previous comments)”.

Applicant Response

The proposed development provides approximately 0.99 hectares of high-quality open space, representing a significant proportion of the overall site area and ensuring that the scheme delivers meaningful landscape, recreational and ecological benefits. This includes formal and informal green areas, natural landscaped buffers, and an area of play for children’s. The net developable area of around 2.07 hectares reflects an appropriate and balanced approach between built form and open space, consistent with the principles of good design and the requirements of North Hertfordshire District Council’s Local Plan (Policy NE5: New and Improved Public Open Space) and the Developer Contributions SPD. The level of open space provision comfortably exceeds the minimum quantitative standards set out by the Council for a development of this scale and ensures that the scheme will integrate sensitively with its rural surroundings, maintain a strong landscape structure, and provide accessible, multifunctional open space for new and existing residents.

6) Loss of Biodiversity

“Of importance is the situation with biodiversity, which shows a net loss of 19.32% rather than a net gain of 10%. The offsetting of this elsewhere would not conform to PNP 4/5. As stated above, the hedgerows are important to wildlife. We have concerns generally but are particularly sensitive to the wide and tall hedgerow that forms the boundary with the Recreation Ground which we fear may be substantially reduced to facilitate access roads”.

Applicant's Response

The Council's and Parosh Council's comments regarding Biodiversity Net Gain (BNG) appear inconsistent with the Defra Statutory Metric guidance, which clearly states that, while net gain should be delivered on-site wherever possible, off-site provision is an acceptable and recognised mechanism where on-site delivery cannot reasonably achieve the required uplift. The only circumstances where a net loss or partial off-site approach would be unacceptable are where the site supports locally or nationally designated habitats, Habitats of Principal Importance under Section 41 of the NERC Act (2006), or irreplaceable/high-distinctiveness habitats. None of these apply to this site.

The proposed site design is consistent with other successful residential projects and incorporates a variety of medium-distinctiveness habitats throughout the development. Given that the existing site comprises predominantly low-distinctiveness grassland, much of which is in poor condition, it was anticipated that achieving the full 10% BNG uplift entirely on-site would be challenging. This is a common outcome for residential developments on low-value agricultural or semi-improved grassland sites.

Although the site lies within a priority area for habitat creation identified in the Hertfordshire Ecological Network, the guidance for these areas specifies that the mapping "indicates relative priorities for habitat creation" rather than setting prescriptive targets or minimum areas. The proposed layout has been carefully designed to retain and enhance existing linear features, including hedgerows and tree lines, which act as key wildlife corridors within the site and its predominantly agricultural surroundings. Additional neutral grassland, scrub, ponds, and individual trees will also be introduced, replacing the current low-distinctiveness grassland and bramble scrub with more valuable habitat types. Collectively, habitats of medium distinctiveness or higher account for 6.68 of the 8.96 habitat units proposed on-site, representing a substantial ecological improvement.

When preparing the BNG assessment, realistic assumptions were made about the achievable condition of habitats within a residential setting. Open spaces in such developments inevitably experience significant levels of recreation, making it unrealistic to achieve or sustain high-distinctiveness habitats in these areas. For example, amenity grassland is the most suitable classification for green spaces such as play areas, footpaths, and land adjacent to dwellings. More sensitive habitat, such as scrub, ponds, and higher-quality grassland, are best located on the site peripheries, where moderate condition can be maintained.

Given these site-specific constraints, it is both appropriate and necessary to deliver part of the BNG requirement through off-site habitat provision. This approach is entirely consistent with the Defra Metric guidance, which explicitly allows for off-site delivery when on-site opportunities are limited by land use or recreation pressures. It is therefore unreasonable for the Council and Parish Council to reject off-site BNG contributions for this scheme, as the proposed strategy represents a balanced, policy-compliant, and ecologically sound solution that delivers genuine biodiversity benefits both on and off-site.

7) Noise

"The applicant has stressed its commitment to any new residents for noise abatement by various construction methods. However, it remains the case that there will be increased noise to the existing development and to the Recreation Ground from the access road. It should be noted that the new Pavilion is much closer to the exiting access road than the previous building. This is particularly a problem where the boundary hedgerow ends".

Applicant Response

A detailed Noise Impact Assessment has been submitted in support of the application. A baseline noise survey was undertaken at the site between 25 and 30 July 2025, identifying that the main existing noise sources are road traffic along Hitchin Road and aircraft associated with London Luton Airport. The assessment has been carried out in accordance with the guidance set out in ProPG: Planning and Noise for New Residential Development (May 2017). The results confirm that the proposed residential development is acceptable in acoustic terms, subject to the inclusion of appropriate glazing and ventilation specifications. These details can be refined at the detailed design stage and secured by means of a planning condition relating to noise mitigation.

In addition, the assessment has considered potential noise from the adjacent Sports Club. The proposed dwellings are situated at a comparable distance from the club as existing residential properties, and the typical noise sources such as occasional vehicle movements and lawn mowing are not expected to result in any material impact on residential amenity. In line with National Planning Practice Guidance (NPPG), such noise would be perceptible but would not cause a change in behaviour or attitude, and therefore falls below the Lowest Observed Adverse Effect Level (LOAEL), requiring no specific mitigation. Compliance with the noise requirements of Building Regulations Part O has also been considered; while bedroom windows may be open during the night-time for ventilation and overheating assessments, this will be reviewed and confirmed at the detailed design stage.

8) Archaeology

"We note the report by Mr Gill Burleigh of the North Hertfordshire Archaeological Society. From this we understand that no mention is made of the "hollow way" that runs across the western boundary of the site. We believe this to be an important feature which should be considered by Cotswold Archaeology and addressed in their Report before any permission is granted".

Applicant's Response

Paragraph 5.8 of the Heritage Desk Based Assessment refers to the holloways stating *"Adjacent to the motte lies the remains of the ditched enclosure of the bailey in which earthworks still define the sites of holloways, tracks and building platforms"*. We consider that the Heritage Desk Based Assessment has addressed the heritage considerations surrounding the site. In conclusion, the report highlights that the historical association between the core of the village and the surrounding landscape is now no more perceivable and, for this reason, it is concluded that the proposed development will result in no harm to the significance of the Scheduled Monument at Toot Hill as a result of changes to the use and / or appearance of the Site. On this basis, the setting assessment of this designated heritage asset has not been taken any further in this report.

9) Flooding

"A lack of capacity or of maintenance of the ditch could cause flooding and we would like this possibility to be addressed and investigated by Blakeney Homes".

Applicant's Response

The proposed surface water drainage strategy demonstrates SuDS features provide sufficient storage to avoid flooding within the site during the 1 in 100-year storm event + 40% allowance for climate change. Overland flow paths and exceedance routes will be taken into account in design of levels for the proposed development to direct overland flows away from buildings.

10) Water

“Unfortunately, the response (just received) from Anglian Water is concerning. As is clear from their previous comments on the recent Gladman application, there is a serious problem with surface water and the foul water system coping with additional housing in Pirton. So much so that Anglian Water has been carrying out a programme of works in the village so as to alleviate current problems. We endorse their objection and urge NHDC to address this as part of the application”.

Applicant’s Response

The applicant acknowledges the recent objection from Anglian Water in relation to the proposed development. It is understood that Anglian Water has identified existing capacity constraints within parts of the local foul water network serving Pirton, and that the company is actively undertaking a programme of improvement works to address these long-standing infrastructure issues. These works are designed to ensure that the network can continue to accommodate both existing and future demand as development comes forward.

While the objection notes potential limitations in the current system, it is important to recognise that this relates to timing and delivery of network upgrades, rather than an in-principle inability to serve the site. Under Section 106 of the Water Industry Act 1991, Anglian Water has a statutory duty to permit connection to the public sewerage system once adequate capacity exists, and it must plan and implement the necessary reinforcement to enable that connection. It is therefore entirely standard practice for such matters to be addressed through planning conditions requiring submission and approval of a detailed foul and surface water drainage strategy prior to commencement of development.

The application is supported by a Drainage Strategy demonstrating that foul flows can be directed to the existing public sewer network and that surface water will be managed on-site through sustainable drainage systems (SuDS), providing attenuation and controlled discharge to ensure there is no increase in flood risk on or off site. These measures fully align with the principles set out in Local Plan Policies NE9 (Water and Drainage Infrastructure) and NE10 (Surface Water Drainage), as well as the guidance within Paragraph 169 of the National Planning Policy Framework (NPPF).

Accordingly, whilst the applicant recognises Anglian Water’s comments, the objection can be appropriately addressed through the imposition of a planning condition requiring approval of final drainage design in consultation with Anglian Water and the Lead Local Flood Authority. This is a normal and accepted approach for developments of this scale and ensures that the scheme will only proceed once any necessary off-site improvements are confirmed and programmed for delivery. On this basis, drainage and network capacity matters should not represent a reason for refusal.

11) Sustainable Travel

“We do not accept that car use will be restricted and the development is, therefore, contrary to NPPF Para 110. We do not believe that cycling or walking to Hitchin or elsewhere is viable or practical as a travel option. That leaves only travel by bus. These services are regarded as inadequate and not used by the vast majority of residents”.

Applicant Response

As set out in the accompanying Transport Statement, the proposal will provide suitable mitigation for the direct impact of the proposal, with the provision of the site access junctions and improvements to the pedestrian provision at the Hambridge Way / Royal Oak Lane crossroads. In addition to this a £30,000 contribution will be provided toward improvements to the surfacing of PRow in the vicinity of the development site. A further financial obligation will also be provided with our preference being that this be utilised toward improving bus service 89.

We trust that the above is helpful and enables a positive determination at your earliest convenience. Should you require any further information please feel free to contact me.

Yours sincerely,



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