



PETER GEORGE TOWN PLANNING

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06 September 2024

Development Control
North Hertfordshire District Council
Gernon Road
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SG6 3JF

Dear Sirs

Full Planning Application: Land at New Pound Farm, Old Hale Way, Hitchin, SG4 0SA
Erection of a detached dwelling for an agricultural worker

Introduction & Background

Peter George Town Planning has been instructed by Mr Bruce Parker to prepare and submit a planning application to North Hertfordshire District Council (the Council) for the erection of a detached agricultural workers dwelling.

The submission documents include:

- Drawings: SK01A, PL02 & PL03
- Flood Risk Assessment
- Ecological Impact Assessment
- Duly completed application forms and site ownership certificate
- Requisite fee of £578

The purpose of this letter is to set out and justify the proposals in light of relevant national and local planning policy and to make the case for why planning permission should be granted.



The Application Site

The application site is a small parcel of land forming part of an agricultural holding located to the east side of Old Hale Way and located in the Green Belt between Hitchin and Ickleford. The main part of the site lies in the south-western corner adjacent to an existing agricultural barn and the related farm yard. Other agricultural buildings are proposed to be and/or have been erected within this part of the site as permitted development including polytunnels and a storage building.

The front part of the site lies adjacent to Old Hale Way with an existing field access being located in the south-eastern corner of the field. The wider part of the holding extends as far east as the railway line and as far north as Icknield Way which is a Byway Open To All Traffic (BOAT, 018). Footpath 026 splinters from the BOAT and runs vertically through the site before crossing the railway and terminating at the industrial estate. Both of the PRoW's are outside of the red line application site.

Residential properties fronting Old Hale Way are located to the south of the site along with NHDC allotments which extend to the rear of approximately 20 of the gardens belonging to the above referenced houses. The allotments are accessed by a vehicle track which is situated adjacent to the existing field access to the application site and runs parallel to its southern boundary.

The Proposal

The proposed development can be described as follows:

“Erection of a detached farm workers dwelling.”

Proposed is a detached two-bedroom dwelling to provide tied accommodation for an agricultural worker to reside on site in association with the agricultural use of the site. The proposed dwelling would be situated in the south-western corner of the roughly rectangular shaped field adjacent to the south side of Arlesey Road/ Old Hale Way. The dwelling would be located immediately to the south of an existing agricultural barn within the main farmyard.

The proposed dwelling would have the scale of a small bungalow with a two-storey corrugated apple silo incorporated within the design to provide interest. The ground floor of the proposed dwelling would contain one bedroom, a bathroom/boot room with an



open-plan dining and kitchen space. A second bedroom would be located within the upper storey of the apple silo. The proposed dwelling would have a small terrace to the side facing the river with a glazed roof canopy.

Proposed materials to include Arlesey white bricks, corrugated iron sheets, apple silo (all reclaimed) and re-used timber and double-glazed windows/doors. It is intended for the proposed dwelling to be built using 75% reused/re-purposed materials and components. The intention is for the proposed dwelling to be zero carbon.

Relevant Planning Policy

Applications for planning permission should be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for the area comprises the **North Hertfordshire Local Plan 2011-2031** (adopted November 2022).

Policies relevant in this case are:

- Policy SP1: Sustainable Development in North Hertfordshire
- Policy SP5: Countryside and Green Belt
- Policy SP6: Sustainable Transport
- Policy SP9: Design & Sustainability
- Policy SP10: Healthy Communities
- Policy SP12: Green Infrastructure, Landscape and Biodiversity
- Policy CGB3: Rural Workers' Dwellings
- Policy T1: Assessment of Transport Matters
- Policy T2: Parking
- Policy D1: Sustainable Design
- Policy D3: Protecting Living Conditions
- Policy NE2: Landscape
- Policy NE4: Biodiversity and Geological Sites

The **National Planning Policy Framework 2023** (the Framework) sets out planning policies for England and how these are expected to be applied. The Framework places at its heart an emphasis on granting planning permission for sustainable development; sustainable development being that which contributes to economic, environmental and social



ambitions. The online **Planning Practice Guidance** is also a material planning consideration where relevant.

Planning Analysis

Key Issues

The key issues relevant to the determination and outcome of this application are likely to relate to a) whether sufficient justification exists to support the erection of the proposed farm workers dwelling, and b) whether the proposed development would be acceptable in green belt policy terms.

These, and other material considerations are discussed in the following paragraphs.

Principle: Farm Workers Dwelling

Policy Background

Paragraph 84 of the Framework indicates **support for the development of isolated homes in the countryside if there is an essential need for a rural worker to live permanently at or near their place of work in the countryside.**

Local Plan Policy CGB3 which deals with 'Rural Workers' Dwellings' is of direct relevance to this proposal and is broadly consistent with Paragraph 84 of the Framework. This Policy offers broad support for '**isolated new homes in the countryside to support agricultural, forestry and other rural businesses**' subject to the following criteria:

- a. there is a clearly established existing functional need;*
- b. the unit and the rural business concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and should remain so;*
- c. the functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and*
- d. the proposal responds appropriately to the site's local context and the needs of the business in terms of design, scale and function.*



There is a further requirement that any such accommodation should be first permitted through a temporary consent and only considered on a permanent basis if there is an ongoing need. I will return to this point below.

Discussion

Compliance with Criterion A-D

Turning firstly to criterion 'a-b', the proposed dwelling would be situated within a large agricultural holding extending to approximately 20.2 hectares. The site is currently used for a range of agricultural purposes including for the cultivation of crops, wild flower planting, cricket bat plantation, allotments and other related aspects. The land has been used for agricultural for approximately 150 years. The site is moreover used by members of the public as a result of the non-adopted and adopted footpaths that run through the site.

Given that the site is accessible to the public and is moreover located in very close proximity to Ickleford and Hitchin, the site is very easily accessible and has been subject to a great deal of vandalism, particularly in recent years. Accordingly, security is a very significant concern for the applicant. A permanent presence on site would therefore alleviate these concerns by ensuring a much greater degree of surveillance over the site. Moreover, Essex Saddleback sows (female pigs) are being introduced to the site with piglets to be reared in styes built in the lean-to attached to the barn. Rhode Island chickens are further proposed to be introduced to the land in the vicinity of the barn.

The presence of livestock on site, including the birthing of piglets in particular, requires a 24 hour presence on site in case of an emergency and also in the interests of the security of the animals themselves.

In respect to criterion 'c', there are no residential properties or other buildings suitable for residential occupation within the extent of the holding, whilst there are no other suitable properties available within the local area that would perform the function that this dwelling would perform.

Regarding criterion 'd', the proposed dwelling would be small and no more than is necessary to provide suitable accommodation for a farm worker. It would have a very modest scale and a design that would be complimentary within the context within which it is located.



Time-Limited or Temporary Accommodation

It is noted that Policy CGB3 includes a caveat indicating that *“if a new home is considered essential to support a rural business, it should first be permitted through a time-limited permission, or temporary accommodation such as a caravan. Permission for permanent dwellings will normally only follow in the event of a persistent need.”*

Firstly, it is noted that this aspect of Policy CGB3 goes significantly beyond the wording in Paragraph 84 which does not make any reference to temporary consent but rather simply indicates that an isolated dwelling for a rural worker. It could therefore be considered that Policy CGB3 is not wholly consistent with the Framework in this regard.

In addition, the requirement for a dwelling for a rural worker to be first tested through a time-limited permission or temporary accommodation presumably has new, unestablished businesses in mind. As addressed in the foregoing, the business is firmly established and, accordingly, a 'persistent need' has already been demonstrated and there should be no requirement to test via a time-limited consent or temporary accommodation.

Summary

For the reasons discussed above, it is considered that sufficient justification exists to enable support to a farm workers' dwelling at the site in accordance with Policy CGB3 and Paragraph 80 of the Framework. The persistent need required has already been established and there should be no requirement to consider a time-limited or temporary consent to establish the success of otherwise of the business.

Principle: Green Belt

Policy Background

Section 13 of the Framework contains policies pertinent to development within the Green Belt. Emerging Policy SP5 largely defers to the Framework and is consistent with its overall aims.

Paragraph 149 of the Framework advises that, unless certain exceptions apply, the construction of new buildings should be regarded as inappropriate development in the Green Belt. Further, paragraph 150 of the Framework states that certain other forms of



development are not inappropriate provided they preserve its openness and do not conflict with its purposes.

Discussion

The applicant acknowledges that the proposed development would not accord with any of the exceptions set out within Paragraphs 154 and 155 of the Framework and would therefore be considered to be inappropriate development. Consequently, very special circumstances would need to be demonstrated and, with that said, the last sentence of Emerging Policy CGB3 states as follows:

“Where proposals are for development that would be inappropriate in the Green Belt, this policy will be used to help consider and assess any case of very special circumstances.”

In light of the foregoing, it is considered that there is an identified need and justification for a proposed farm worker's dwelling in this location. This, together with the limited wider impact of the proposals on the openness and purposes of the Green Belt may comprise the very special circumstances required to justify approving the proposals as an exception to Green Belt policy. I shall return to this matter below.

Effect on the Character and Appearance of the Area

The proposed dwelling has been very carefully designed in order to ensure a suitable relationship with the immediate agrarian context. To that end, through the proposed use of reclaimed materials and components, including the reclaimed apple silo in particular, it would have a character and design that would be innovative and unique to the circumstances. Moreover, it would be tucked into the corner of the site adjacent to the modern barn adjacent to the northern side of the river. Accordingly, its wider visual impact would be limited, and it would appear within the wider landscape as a small, utilitarian agricultural building.

We consider therefore that its design and character would be appropriate and ensure compliance with LP Policies SP9, D1, NE2 and Section 12 of the Framework.

Impact on Neighbouring Properties



The proposed dwelling would be set in a relatively secluded location set significantly away from neighbouring properties. It is not considered that the proposals would cause any harm to the living conditions of neighbouring properties.

Highways Implications

The proposed development would utilise the existing site access and track with no alterations necessary to ensure highways safety. Traffic movements associated with one dwelling of this size would be limited, whilst the site is located in a sustainable location with easy access to nearby services within Hitchin and Ickleford reducing reliance on the private car.

Sufficient space exists within the site for parking for at least two cars to ensure accordance with the Council's adopted standards. Cycle storage could be accommodated within a detached store, the details of which could be secured by condition if necessary. An electric vehicle charging point could also be provided.

Environmental and Ecological Implications

Biodiversity: Protected Species

An Ecological Impact Assessment (EcIA) has been prepared and is submitted with the application. This demonstrates that the proposed development would not have a harmful impact on protected species.

Biodiversity: Statutory Biodiversity Net Gain

As advised by the applicant's ecologist, the proposed development would be exempt from the Statutory Biodiversity Net Gain (BNG) condition on the basis that it would not impact a priority habitat and impacts less than 25 square metres of on-site habitat and 5 metres of on-site linear habitat.

Notwithstanding, a condition could be added to any planning consent ensuring that the completed development results in a net gain in biodiversity in accordance with LP Policy SP12 and NE4.

Energy Efficiency



The proposed dwelling is intended to achieve net zero CO2 emissions through the following measures:

- Solar and ground source heat pump.
- Wood burning appliance
- Passive ventilation
- Sewage treatment and grey water harvesting
- Dwelling to be built with 75% reused and repurposed materials and components.
- Site resources to be used to service the dwelling.

These measures would all be in excess of the minimum requirements set out in Part L of the building regulations.

Flood Risk

The site is located within Flood Zone 1 and is an area of low risk of surface water flooding. Accordingly, it is unlikely that the proposals would increase flood risk on the site or elsewhere. Further information regarding this is contained within the 'Flood Risk Assessment' that accompanies the application.

Very Special Circumstances - Planning Balance

Firstly, the case is put forward that this proposal for a permanent dwelling for a rural worker in this location is fully justified and that there is a persistent need for such in association with the long-established farming enterprise that operates from the site. Accordingly, it is considered that the proposed development would be compliant with Policy CGB3 and Paragraph 84 of the Framework.

However, the site is located in the Green Belt, and it is acknowledged that the proposal would not be compliant with any of the exceptions in Paragraphs 154 and 155 of the Framework. Accordingly, the proposed development would be inappropriate development in the Green Belt and permission should only usually be granted in very special circumstances (VSC). The applicant considers that VSC exist and the case for these is set out in the following paragraphs:

Essential Need for a Rural Worker

As covered in detail in the foregoing, and other supporting documentation submitted with the application, there is an essential need for a tied dwelling on the site to house a rural



work to assist with the established agricultural operation, safeguard its future and potentially enable its expansion. The business is already well-established and a presence on site is considered to be of vital importance from a security perspective. This is further crucial due to the presence of livestock on site and the birthing of piglets in particular which will take place adjacent to the barn in close proximity to the proposed cottage.

Limited Green Belt Impact

It is further worth noting that, notwithstanding the definitional harm to the Green Belt as a result of a lack of compliance with Paragraphs 154 & 155 of the Framework, the proposals would otherwise have little wider effect on the openness the Green Belt in this location. The site is located immediately adjacent to the settlement limits of Hitchin, whilst the proposed would be located immediately to the rear of a large agricultural barn. Moreover, due to the relatively modest size of the proposed, the wider visual impacts on the openness of the Green Belt would be limited. It is not considered that the proposals would conflict with the purposes of the Green Belt.

Sustainability Credentials of the Proposed Dwelling

The following measures are proposed to aim for a zero-carbon dwelling:

- Solar and ground source heat pump.
- Wood burning appliance
- Passive ventilation
- Sewage treatment and grey water harvesting
- Dwelling to be built with 75% reused and repurposed materials and components.
- Site resources to be used to service the dwelling.

These measures would all be in excess of the minimum requirements set out in Part L of the building regulations and would exceed minimum planning policy requirements. The energy efficiency and sustainability of the proposed dwelling is a clear benefit of these proposals.

Summary

In light of the foregoing, it is considered that the essential need for a dwelling for a rural worker in this location would, in combination with the other positive factors referred to



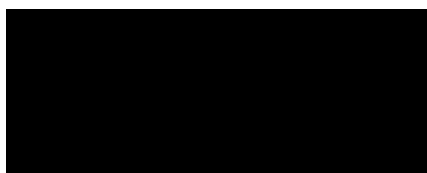
above including the limited harm to the openness and purposes of the Green Belt, clearly outweigh the harm to the Green Belt by way of inappropriateness. Very special circumstances to justify the development have therefore been demonstrated and the proposals would be compliant with Policy SP5 and Section 13 of the Framework.

There are no other material considerations weighing against the proposals.

It is therefore respectfully requested that planning permission be granted for the proposed development.

Please contact me if you require further information in order to determine this planning application.

Yours sincerely,



Tom Donovan BA(Hons) MA MRTPI, Director

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