

PLANNING AND COMPULSORY PURCHASE ACT 2004

Planning, Design and Access Statement

Proposed Residential Development (Outline)

Site at:

Land off Priors Hill

Pirton

Hitchin

Herts

SG5 3QQ

For:

Court Homes Limited

*Statement prepared by
Steven J Barker MA (Cantab) MA MRTPI
Director of
Barker Parry Town Planning Ltd
33 Bancroft, Hitchin,
Herts SG5 1LA*

*SJB/14093_PDAS
December 2014*

Barker Parry Town Planning Ltd
33 Bancroft, Hitchin, Herts SG5 1LA
Tel: 01462 420 224
Fax: 01462 420 171
Email: office@barkerparry.co.uk

1.0 **INTRODUCTION**

1.1 This statement has been prepared to accompany an outline planning application (access **only** unreserved) for submission to North Herts District Council. It proposes the residential development of the major part of a draft Local Plan preferred housing site, the balance of which is currently being built out with eleven affordable homes.

1.2 The applicants are Court Homes Limited, a local family run firm of house builders who are based in the district and have been active for over 40 years. They have an option with the owners of the site, one of whom lives in Pirton, and are currently building the adjacent site.

1.3 The Local Plan site mirrors a longstanding SHLAA site which is 4.377 hectares in extent. The affordable homes site occupies 0.51 hectares of the allocation/SHLAA site leaving a balance of 3.867 hectares, the subject of this application.

1.4 This statement focuses on planning policy but is cross referenced to, and attaches, a Design and Access Statement prepared by the Pentangle Design Group (PDG) and a Transport Statement prepared by Rowland Bilsland Traffic Planning (RBTP). It also references aboricultural, archaeological and ecological matters.

1.5 In this regard the current proposal like that before it, qualifies for scrutiny as a Schedule 2 "*Urban Development Project*" in the EIA Regulations 2011. Mindful of the criteria set out in Schedule 3 and the response in respect of the smaller site, it is contended that an EIA is neither appropriate nor necessary. Consequently, no formal Environmental Statement is attached to this application, but under Regulation 7 (Part 3) of the Regulations, the local planning authority may, should it so wish, take this submission as a deemed request for screening as if it were made under Regulation 5 (paragraph 4 and 5(1)) of the 2011 Regulations.

1.6 This Statement is set out as follows:

- 1.0 Introduction
- 2.0 Description of the Site and Surroundings
- 3.0 Review of Relevant Policy and Guidance
- 4.0 Assessment of the Proposal
- 5.0 Conclusions

1.7 In addition there are the following appendices:

- Appendix 1 Design and Access Statement
- Appendix 2 Transport Statement
- Appendix 3 Ecological Informative on Badgers

2.0 **DESCRIPTION OF THE SITE AND SURROUNDINGS**

2.1 Pirton is a fairly tight knit 'nucleated' village of some antiquity featuring as it does in the Domesday Book and having the remnants of a motte and bailey castle at its core. It is located approximately 1½ miles from the edge of the market town of Hitchin to which it is linked by the ancient Ickneild Way, but is 3 or 4 miles distant by road for vehicular traffic.

2.2 It has a junior school, church, village hall, two pubs and a shop and post office and a regular bus service and reportedly an active community. In the Local Plan Housing Background Paper (2007), it has a middle ranking amongst the 21 listed villages ranked in terms of available services within them.

2.3 In landscape terms it sits in the lowland area north of the Chiltern scarp characterised as having "*Large scale open, flat farming landscape given over predominantly to arable production. Remnant hedges, gappy and predominantly hawthorn but with occasional mature trees. Hedges generally well trimmed. Very little woodland cover except adjacent to settlements*".* The Chiltern Area of Natural Beauty (AONB) extends up to the western edge of Pirton.

*(Source: North Hertfordshire and Stevenage Landscape Character Assessment)

2.4 The Google Earth aerial image scanned in below shows the entire village. The application site is edged in red. The image pre-dates the construction of 11 houses to the south and east of the site, the location of which is blocked in yellow. This development provides one of the accesses into the site. The image confirms the contained nature of the village and the open arable fields around it.



- 2.5 The site can be seen in greater detail on the enlarged image below. Again the new development in the corner of the field is missing. It occupies 0.51 hectares of the larger parcel which extends to some 4.377 hectares, giving a residual of 3.867 (3.9) hectares. It has been farmed for many years and boundary hedgerows apart is devoid of features. There is a small spur running off the Chilterns which runs roughly west east across the site, which slopes consequently downwards to the north and south.

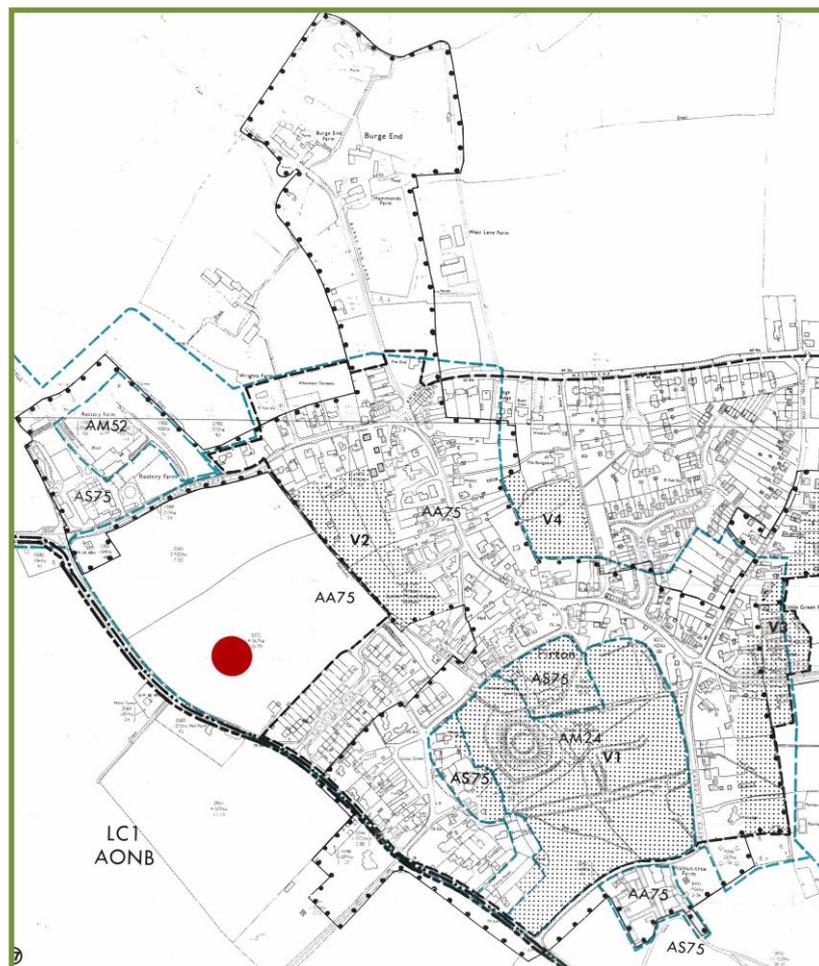


- 2.6 The hedgerow is of varying depths and heights. It is at its most open where agricultural vehicles enter to and from Priors Hill. Priors Hill runs along the western boundary, a hedge line along the north (within which is an active badger sett), there is a further hedgerow and unmettalled public footpath to the east, housing immediately adjoining to the south and built development (water town and farm) across the road along most of the Priors Hill frontage. Other parts of the village are clearly seen in all other directions.

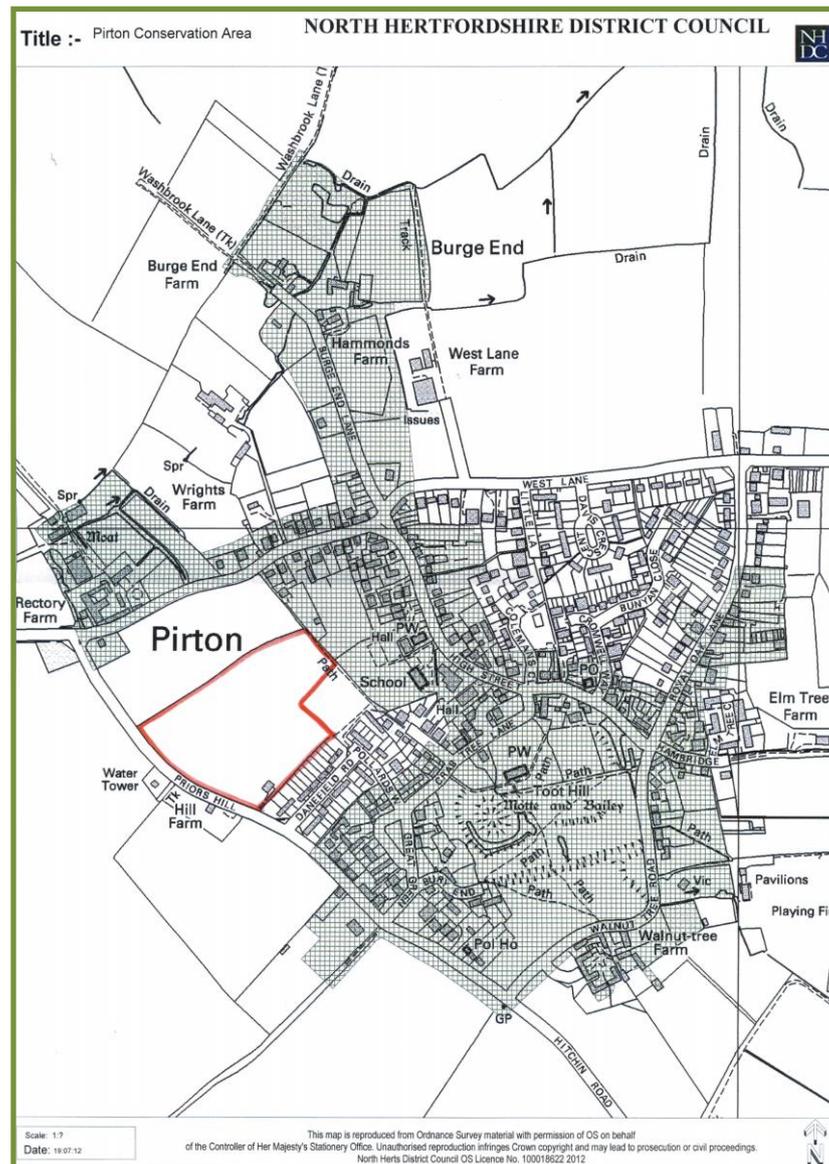
3.0 THE DEVELOPMENT PLAN

3.1 The Development Plan now comprises a single document, namely the 1996 North Hertfordshire Local Plan No.2 with Alterations, as saved since 2007. This Plan, itself a roll forward of an earlier Local Plan, is both dated and in many respects out of date. It predates the, now itself replaced, 2004 Development Plan regime, so consequently the provisions of the March 2012 National Planning Policy Framework (NPPF) took immediate effect, there being no 12 month period of grace as with post 2004 Development Plans.

3.2 Some policies in the 1996 Plan are still relevant insofar as they provide a context in which to assess planning applications. Scanned in below is an extract from Sheet F of the Proposals Map. It shows most of Pirton and may usefully be compared with the aerial images in Section 2 above. The application site is denoted by the red dot.



- 3.3 Pirton is designated as one of seven "selected villages beyond the Green Belt", the settlement boundary of which is marked by a broken line. The recently approved affordable housing site lies outside, but adjacent to the settlement boundary, as does the current application site.
- 3.4 The faint line with dots demarcates the Conservation Area designated in 1969 and amended in 1979. It includes most of the older parts of the village and adjoins the new affordable site and the current application site on their eastern edges. It excludes the mid-20th century housing estate to the south of the site (Danefield Road/Pollards Way). A copy of the Conservation Area Boundary Map with the site edged in red is scanned in below.



- 3.5 The only designation which applies to the site (and that of the 11 adjacent houses) is the wider Archaeological Area (AA) 75, which covers much of the village and is shown by a broken blue line. Blue also designates Ancient Monuments (AM) and Areas of Archaeological Significance (AS) of which there is several in Pirton, but not on or adjacent to the application site.
- 3.6 The V designations denote Character Areas. V2 to the east is an area of backland with little built development. V1 is sited on the remains of the motte and bailey (Toot Hill). V3 and V4 have been redeveloped largely since the plan was adopted, in both cases by cul-de-sacs of housing. V2 is presently landlocked and V1 is largely a designated AM.
- 3.7 Finally, to the west of the application site across Priors Hill is the Chilterns AONB and Landscape Classification LC1. The former remains in force and policy is dictated by statute. The latter has been replaced by modern systems of classification and the whole of Pirton lies in the abovementioned lowland area at the foot of the Chilterns, which extends northwards and across the district boundary into Bedfordshire.

Emerging Plans

- 3.8 Replacement of the 1996 Local Plan began in 1999, but progress has been slow owing, not least, to changing national policy and guidance, which has twice revised the structure of the Development Plan system. Presently, a draft Local Plan known as Preferred Options has been approved for public consultation. It includes both strategy, allocations and detailed policies for the period to 2031 (indeed beyond). It is expected to be adopted in 2017 and its content and *evidence base* are material considerations in determining planning applications.
- 3.9 In terms of Pirton and this application, salient features are:
- The village is now one of 22 proposed second tier settlements in the district, wherein general development is proposed (Policy HDS2: Settlement Hierarchy).
 - Within an overall aim to make 35% of new dwellings affordable, sites of 25 or more dwellings must make 40% provision affordable (Policy HDS3: Affordable Housing).

- It is proposed to allocate two housing sites in Pirton within a redefined settlement boundary, which, with post 2011 completions and permissions as at April 2014, will see 142 additional dwellings in the plan period.
- The application site (and the existing 11 dwellings) is identified as **Site PT1** with a dwelling estimate of 88.

3.10 What is now PT1 has been promoted by Court Homes on behalf of the owners for many years and has featured in various versions of the Council's SHLAA and was originally the subject of consultation as a housing site in the July 2009 Issues and Options Paper. It was then "Site 64" and combined with the field to the north. That site has been rejected in the latest SHLAA and is not proposed to be allocated.

3.11 At the time of writing, the consultation into the Preferred Options is just to begin and will run until late January 2015.

National Policy and Guidance

3.12 Since 2012, this is principally to be found in the NPPF, March 2012 and the subsequent and more detailed National Planning Policy Guidance (NPPG), March 2014 and consequent ongoing updates. The NPPF provides national policy to shape emerging Local Plans and, in their absence, provides a policy basis upon which decisions in respect of individual applications are to be made.

3.13 The NPPF is to be read as a whole, but of particular relevance to this proposal are the following paragraphs:

1-17, 47-55, 186-187, 196-197, Annex 1 214-216.

3.14 The principal issues in respect of which the NPPF must be brought to bear are that the current Local Plan is dated and out-of-date in terms of housing numbers and site allocations. The Council also does not have a 5 year supply of housing based upon its emerging evidence base and findings on objectively assessed housing need. The latest SHLAA (November 2014 – accompanying the draft Local Plan) confirms that "*for current development control purposes... 2.2 years' supply is probably the more appropriate (figure) to use.*"

- 3.15 The emerging plan, despite its lengthy gestation period, is realistically still more than 2 years from adoption and during this policy hiatus, applications need to be determined in accordance with principles established in the NPPF, tempered where relevant by the current and emerging planning policies. The NPPF is underpinned by the three dimensions of economic, social and environmental sustainable development. Mindful of these tests it is now proposed to assess the application.

4.0 **ASSESSMENT OF THE PROPOSAL**

- 4.1 This planning application is fully in outline other than access from the public highway, which is to be resolved and is not reserved. It is, however, accompanied by an illustrative plan of what could be achieved and that plan shows a mixture of 77 dwellings. That figure is chosen because the SHLAA/Local Plan site has been given a capacity of 88 dwellings, 11 of which are now under construction adjacent to the application site.
- 4.2 The 77 figure has also been used as a basis for the RBTP Transport Statement and as a basis for ongoing discussions with the County Council as highways authority. It may well be that owing to feedback and discussions, the actual figure is higher or lower, as much will depend upon the final mix of housing both in terms of size, format and tenure.
- 4.3 There is no discussion of detail in terms of design, layout, landscaping, etc, all of which would be the subject of subsequent applications, suffice to say that in preparing the illustrative layout, Pentangle has had regard to the topography, landscape, existing vegetation, road layouts and surrounding housing in devising their illustrative scheme. Their Design and Access Statement is appended and the rationale for the illustrative layout explained.
- 4.4 On the matter of the proposed accesses, one is a completely new one from Priors Hill and the other a further extension of the newly extended Pollards Way cul-de-sac. It is not intended to have a through route for motorised vehicle across the site and the number of homes served off each point and the precise split will be determined through negotiations. There will, however, be full permeability for pedestrians and cyclists and, if necessary, provision for emergency access through the site.

The Provision of Sustainable Development

1. An Economic Role

- 4.5 The provision of new housing provides both an immediate and ongoing fillip to the local economy. At a recent home counties edge of settlement appeal, the construction cost of 51 dwellings was estimated at nearly £7m. A sum of this order may be anticipated in this instance and whilst not all of this would be spent locally, the fact that the

applicant/developer is locally based will mean that local trades and professions would benefit.

- 4.6 Other benefits include the New Homes Bonus and the expenditure of the new households, both in Pirton and on services and goods in the wider locality. In this regard the shops and pubs in the village would benefit, as would the community, as new households become assimilated.
- 4.7 Although a rural location, Pirton achieved a middle ranking in the original 2007 village services survey (now updated for the Local Plan evidence base) and it has been assessed and selected as suitable for growth. It is acknowledged that most households in the village do, and will continue to, rely on private transport and in particular those households which include, for whatever reason, non-drivers. There is, however, a school in the village, which is within safe and easy walking distance of the site, a modicum of day-to-day facilities and it is possible on weekdays to catch a bus from the village to Hitchin at 07:03 hours. There is also a return bus in the evenings.
- 4.8 In locational terms, the site is sustainable and extra housing will assist with the self-containment and self-dependence of the village by supporting, and possibly creating need for new services.

2. A Social Role

- 4.9 Not unrelated to the economic role, the NPPF recognises the planning system as *"supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations"*.
- 4.10 In this regard, the proposed Local Plan site would provide approximately 88 dwellings, 40% of which would be affordable. 40% of 88 is 35.2 (35). 11 of these have already been built, so of the remaining 77 dwellings the subject of this application, 24 would need to be affordable in order to achieve 40% across the site. The tenure mix across the Local Plan site would be 53 market dwellings and 35 affordable, and the latter would meet ongoing need in the parish during the plan period, as well as wider needs in the district.
- 4.11 The precise mix and distribution of both affordable and market housing would be the subject of discussions and negotiations with all stakeholders. In this regard, Court

Homes has experience of providing a range of new homes, working closely with housing associations, building for 'empty nesters' and 'down sizers' as well as building larger family homes.

- 4.12 The illustrative layout includes a new village hall. This has been shown because Court Homes is aware that some local residents have expressed an interest in the existing hall being relocated to this site. Consequently, it is shown and has been considered by RBTP in terms of highways implications. If there is no widespread public desire for this, it can be deleted from subsequent proposals, but it is offered as an improved social facility in conjunction with new housing and it could help to bind together the old and new households if sited in this new development.

3. An Environmental Role

- 4.13 As will be clear from the site description and policy review above, Pirton has a rich architectural/built environment heritage, as is confirmed by the numerous designations in the village. Of these, the only one to affect the site directly is its location in a wider archaeological area.
- 4.14 In this regard, the conditional approval for the 11 homes on a part of the Local Plan site, included the need for a pre-commencement archaeological report. That revealed that the risk that proposal "*might disturb archaeological remains of significance may be considered to be **High** for the Romano-British period and **Low** for all other periods*". It is not unreasonable to assume that similar considerations would apply to the larger balance of the field and as a consequence a similar pre-commencement investigation would be appropriate.
- 4.15 The previous application for the 11 dwellings was also accompanied by an ecological and an arboricultural report. With regard to the latter, the extension to Pollards Way necessitated breaching a belt of perimeter planting (scrub and trees) around the field. Consequently, it was necessary to prepare a report. On this occasion, there will be no breach to further extend Pollards Way and any impact upon the existing vegetation around the current field access in Priors Hill, through which large agricultural vehicles currently enter and leave, would be negligible. There is, therefore, no need for an arboricultural report in this instance.

4.16 In terms of new landscaping, this is a reserved matter, but as the illustrative layout plan shows, there is ample scope for introducing new structural landscaping and reinforcing that which is already there as part of a residential scheme. Given the mono-culture and herbicide sprayed crops that have subsisted at the site for many years as a result of intensive arable farming the habitat can only be improved. A pre-determination ecological survey was prepared in respect of the 11 house site in October 2012. It made the following observations:

“The arable field in which the development is proposed is devoid of any vegetation and appears to be sterile soil resulting from an application of herbicide in the recent past.

One habitat is recorded on site however, Continuous Scrub (A2.1) which forms a linear boundary feature which it is proposed to build a new access through. This small area of continuous scrub is comprised of essentially bramble (*Rubus fruticosus agg.*) with ivy (*Hedera helix*), unidentified umbellifers, common mallow (*Malva sylvestris*), black horehound (*Ballota nigra*) and perennial rye grass (*Lolium perenne*).

The site was found to have minimal bird nesting habitat in the continuous scrub with limited hedgehog habitat and the majority of the development footprint contains no semi-natural habitat. As such, using the appended Valuing Ecological Receptors chart, it has been concluded that the site had ‘negligible’ value for a site with ‘*little biodiversity and minimal nature conservation value*’. This small site will have no discernible or significant effect on biodiversity and therefore is *Neutral, leading to a Negligible impact significance.*”

(Source: paragraphs 3.2.2, 3.2.3 and 4.3.1
ELMAW Consulting Preliminary Ecological Appraisal)

4.17 As discussed above in respect of vegetation, the current site is the same arable field bound with scrub. In this instance, the surrounding scrub is not being disturbed so it is only reasonable to conclude that in respect of the field, similar considerations apply now.

4.18 The ecological report did, however, identify something which was not a constraint upon the 11 house scheme, owing to its location, but which may impact upon development on the balance of the field. This is in the form of a badger sett described in 2012 thus:

"There is however a badger (*Meles meles*) sett located 60m north of the development footprint in the dividing hedgerow and embankment which runs south west to north east. The dense shrubbery constrained a detailed survey of the sett, however, the sett appears to be a main breeding sett with at least 5-10 entrance holes.

The entrance holes and resulting tunnels leading to their underground chambers do run southerly towards the development footprint. However, such chambers are rarely deeper than 20m and Natural England expects an impact assessment and subsequent disturbance licence application if the development falls within 30m of the sett. This is not the case with current proposals, the northern edge of the development footprint falls some 60m from the sett and therefore no adverse impact of the development on the sett is predicted.

A number of well-worn badger tracks are obvious, leading to and from the sett; one major path leads away from the sett in a northerly direction and another follows the hedge east and along the public footpath, past the rear of the Pirton School playing fields. None of the paths appear to cross the proposed development footprint, but do run alongside the footprint down its eastern side along the public footpath".

(Source: paragraphs 4.2.2-4.2.4
ELMAW Consulting Preliminary Ecological Appraisal)

4.19 As this sett falls within the current application site (straddling the northern boundary), ELMAW have revisited the site to establish whether circumstances have altered. Attached as Appendix 3 is an update prepared by Keith Seaman. As can be seen, he concludes that the sett need not preclude the development of the larger field, but rather it needs to be considered at the detailed design stage. As this is an outline application, such impact and mitigation measures can be considered when the detailed layout is prepared. Indeed, the sett can be accommodated in accordance with best practice within the final layout.

- 4.20 Unlike the 11 house scheme, the current proposal expands up to Priors Hill, beyond which to the west lies the Chilterns AONB. The site can be seen from, and is read with, the AONB landscape and consequently attention needs to be paid to the type of development proposed. Court Homes' preference, as is portrayed on the illustrative layout drawing, is to have larger plots backing on to the road with generous gardens and enhanced roadside planting. Subject to detailed design and careful choice of materials and mindful of the existing development fronting Priors Hill (the water tower, Hill Farm, Danefield Road, etc), this should be perfectly compatible with the AONB designation and the quality of the interface between settlement and countryside.
- 4.21 Finally, on the matter of environmental sustainability, the question of whether an EIA is required is discussed at 5 above. In a similar vein, an FRA, if deemed necessary, could be considered at the same time under the deemed request for scoping. Either is discretionary and for a proposal of this nature, on a site of this size, in this location, neither is considered to be justified.

5.0 **SUMMARY AND CONCLUSIONS**

- 5.1 The timing of this application is dictated by contractual obligations and as a consequence it will run in parallel with ongoing Local Plan and Neighbourhood Plan work. In this respect Court Homes looks forward to continuing to work in and with the local community. This outline application with illustrative details, including a possible replacement village hall, is a suitable vehicle for this process.
- 5.2 This notwithstanding, the site is the larger part of a site allocation in the Preferred Options Local Plan. Further, the evidence base for that plan establishes an objectively assessed housing need, which although not tested, shows that the Council has a 2.2 years supply of housing land.
- 5.3 The current Local Plan cannot be relied upon to provide housing sites and in this policy vacuum there is a presumption in favour of sustainable development. The NPPF provides a policy template for assessing such proposals, and as this is an outline application we have concentrated on the principle economic, social and environmental criteria against which an application for new housing should be judged.
- 5.4 The application is commended for approval as an appropriate site whereupon the housing needs of the district can be met in a sustainable fashion. It is accompanied by sufficient information to allow validation and we will be happy to amplify and clarify where necessary.