



---

## Appeal Decision

Hearing held on 4 and 5 September 2018

Site visit made on 5 September 2018

**by Brendan Lyons BArch MA MRTPI IHBC**

an Inspector appointed by the Secretary of State

Decision date: 18<sup>th</sup> January 2019

---

**Appeal Ref: APP/X1925/W/17/3184846**

**Land off Holwell Road, Pirton, Hertfordshire SG5 3QU**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
  - The appeal is made by Gladman Developments Ltd against the decision of North Hertfordshire District Council.
  - The application Ref 17/01543/1, dated 15 June 2017, was refused by notice dated 18 September 2017.
  - The development proposed is the erection of up to 99 dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point from Holwell Road, with all matters reserved except for means of access.
- 

### Decision

1. The appeal is dismissed.

### Preliminary matters

2. The application under appeal was submitted in outline form, with only the principle of development and the proposed new access to the site for full approval at this stage. I have assessed the appeal on this basis. The other matters of the layout of development, and its scale, appearance and landscape treatment ('the reserved matters') would be for later detailed consideration. However, the application was supported by a Design and Access Statement ('DAS') that considers how the site might be developed, with plans showing a development framework and an indicative layout. These informed the assessment of the effects of development on the character and appearance of the area in the submitted Landscape and Visual Appraisal ('LVA'). While recognising that much of this information is indicative only, I have taken it into account in the assessment of the appeal.
3. Following submission of the appeal statements, Government planning policy was updated by the publication of the July 2018 revision of the National Planning Policy Framework ('NPPF'). The appellant supplemented their statement with comments on the revised NPPF, and all parties were able to adapt their submissions at the Hearing to reflect the latest policy position, which the appeal decision must take into account.
4. Before the Hearing, a signed Statement of Common Ground ('SCG') was submitted, which sets out matters not in dispute between the appellant and the

- Council. The SCG outlines an agreed description of the site and its surroundings and the policy context for consideration of the appeal proposal.
5. The SCG records that the Pirton Neighbourhood Plan 2011-2031 ('NP'), which was close to final approval when the application was refused, has since been formally 'made' and now forms part of the development plan for the area. The appellants supplemented their statement with comments on the NP as made.
  6. The development plan also comprises the saved policies of the North Hertfordshire District Local Plan No.2 with Alterations, first adopted in 1996 ('NHDLP'). It is intended that this plan will be replaced by the emerging North Hertfordshire Local Plan 2011-2031 ('ELP'), which is currently progressing through examination. Since the appeal Hearing, proposed Main Modifications to the ELP have been published and these, together with additional evidence submitted by the Council during the examination, are to be subject to formal consultation in early 2019. The main parties to the appeal were allowed additional time to make representations on the implications of this latest stage in the ELP's progress towards adoption.
  7. The fourth reason for refusal of the application related to the lack of commitment to provide affordable housing and address other infrastructure and service impacts. The SCG records the intention that affordable housing at the level of 40% sought by emerging local policy and other infrastructure provision would be secured by a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended). The appeal was accompanied by a draft unilateral undertaking ('UU') setting out covenants on the provision and management of affordable housing and open space on the site and the payment of financial contributions for infrastructure and service provision. A signed copy of the UU presented at the Hearing was withdrawn following discussion and a certified copy of a slightly amended form provided shortly after the Hearing in accordance with an agreed timetable.

### **Main Issue**

8. In the light of the reasons for refusal of the planning application and of the SCG, I consider the main issue in the appeal to be whether the site would be suitable for the proposed development, having regard to national and local policy on the provision of rural housing, and in particular to:
  - The site's location outside the designated settlement boundary;
  - The effect on the character and appearance of the area;
  - The use of best and most versatile agricultural land;
  - The site's accessibility to services and facilities.
9. A number of other matters were raised by interested parties, which I also cover below.

### **Reasons**

10. The appeal site comprises a large rectangular-shaped field of some 6.5ha in area, located just to the east of the rural village of Pirton. The land immediately to the west, known as Elm Tree Farm 1<sup>1</sup>, is currently being

---

<sup>1</sup> The appeal site is referred to as Elm Tree Farm 2

developed by the construction of 78 houses, for which outline planning permission was granted by the Council in 2016.

11. That development is to be accessed by forming a priority junction at the point where Holwell Road bends sharply on the approach to the village. It is proposed to access the appeal site by taking a spur off the road through the new development, so that traffic from both sites would make use of the priority junction.
12. The site is bounded to the south by Hambridge Way, a footpath and bridleway that here forms part of the long-distance Icknield Way Trail, beyond which, and to the east, lie open fields. The northern boundary of the site is formed by the enclosed garden of a detached house just outside the village.
13. The village has a roughly triangular layout, and apart from some outlying farm groups to the north-west appears compact in form with well-defined edges. The core of the village is characterised by a number of historic buildings and has been designated as a conservation area, but there is also a variety of housing of different more recent periods.

### **Site location**

14. National policy as stated by the NPPF reflects the Government's objective of significantly boosting the supply of homes, with a sufficient amount and variety of land to come forward where it is needed<sup>2</sup>. Rural housing should be located where it will enhance or maintain the vitality of rural communities<sup>3</sup>.
15. It is common ground that the NHDLP is now effectively time-expired and that its provisions for housing supply do not reflect up-to-date need. The main parties agree that the 'tilted balance' outlined by paragraph 11(d) of the NPPF should apply. I accept that position. However, that does not mean that NHDLP policies now carry no weight. The weight to be given to policies in such circumstances will depend on their degree of consistency with the policies of the NPPF<sup>4</sup>.
16. Pirton is identified by NHDLP Policy 7 as one of several 'Selected Villages beyond the Green Belt', within whose main areas development will normally be permitted, subject to character and appearance criteria. Land outside the settlements is classed as 'Rural Areas beyond the Green Belt', where development is restricted by Policy 6 to limited exceptions. The appeal site is outside the NHDLP settlement boundary and it is agreed that none of the Policy 6 exceptions apply.
17. The appellant suggests that Policy 6 should receive only limited weight, arguing that it seeks to protect the countryside to a greater degree than now supported by the NPPF. But the approach to development in rural areas outlined by Policies 6 and 7 does represent a coherent response to the location of rural development that remains broadly consistent with the NPPF support for planned development<sup>5</sup>, with patterns of growth to be managed to focus significant

---

<sup>2</sup> NPPF para 59

<sup>3</sup> NPPF para 78

<sup>4</sup> NPPF para 213

<sup>5</sup> NPPF para 13

- development in the most sustainable locations<sup>6</sup>, and appropriate recognition of the intrinsic character and beauty of the countryside<sup>7</sup>.
18. The particular settlement boundaries and restrictions set by the NHDLP may have reflected a strategy that is now overtaken, but that does not fundamentally undermine the continued relevance of the approach. In seeking to 'maintain' the character of the countryside the language of Policy 6 differs from the current NPPF expression, but I agree with the Council that the objective of seeking to control development in the open countryside while focusing growth within designated settlements is not inconsistent with the NPPF, and should continue to receive at least moderate weight.
  19. Support for this interpretation is found in the examination of the ELP, which continues to promote a very similar strategy. ELP Policy SP1 seeks to direct most development to key settlements and supports growth of villages to ensure their vitality. Pirton is one of more than 20 'Category A' villages identified by the submission version of Policy SP2, within which development will be allowed within their defined settlement boundaries. Land outside the boundaries continues to be treated as Rural Areas beyond the Green Belt. Policy SP5 confirms recognition of the intrinsic value of the countryside and a general principle of restraint in these areas. This is expanded by Policy CGB1 which proposes to restrict development to certain defined categories, including that to meet proven local needs for community facilities or rural housing. Had the examining Inspector found any inconsistency with the NPPF in this approach, he would almost certainly by now have required a modification to the draft plan to be brought forward.
  20. Instead, the most relevant published Main Modification to Policy SP2 now proposes to clarify that 5 of the Category A villages, not including Pirton, would accommodate a much greater share of planned growth. The emerging policy context for the village would thus show a high degree of continuity from the adopted NHDLP.
  21. However, the settlement boundary proposed by the ELP has expanded from the NHDLP boundary and would now include the Elm Tree Farm 1 site adjoining the appeal site, as well as the site at Priors Hill for which permission has been granted for 24 houses. Evidence was also provided at the Hearing of a number of other smaller sites for which permission has been granted or sought within the village. A considerable degree of growth of the village has already been allowed within the ELP period.
  22. The parties differ on the degree of weight that can be afforded to the ELP in the light of the publication of proposed Main Modifications. Having regard to the NPPF criteria<sup>8</sup>, I endorse the Council's view that the Inspector's lack of requests for changes to the housing numbers and strategy is significant, and supports increased weight to relevant policies of the emerging plan as a result.
  23. The appellant also draws attention to a previous appeal decision where the Secretary of State chose to give limited weight to an emerging plan that had reached a similar stage<sup>9</sup>, but that was in the particular circumstances of that

---

<sup>6</sup> NPPF para 103

<sup>7</sup> NPPF para 170(b)

<sup>8</sup> NPPF para 48

<sup>9</sup> Appeal Ref APP/P1615/A/14/2218921RD, Appendix 1 to appellant's additional submission on ELP progress, December 2018

case and where the Inspector's report had flagged considerable uncertainty about the emerging plan and had recommended very limited weight to be given to it. In my view, publication of proposed Main Modifications can normally be seen as an advanced step towards adoption of the plan.

24. The appellant also places reliance on the fact that the forthcoming consultation will be the first opportunity for representors to comment on the additional evidence brought forward by the Council in response to the examining Inspector's requests. In response to a query, the Inspector has confirmed<sup>10</sup> that he will not be in a position to reach a final view on the soundness of the plan until he has received all the representations. However, the same would be true of any examination that had reached the stage of consultation on Main Modifications. The consultation on further evidence adds a slightly greater degree of complexity to the process, but in my view the important factor is that the Inspector would not have invited the publication of Main Modifications to proceed if he had not been satisfied, in the light of the additional evidence, that they were at least capable of addressing his concerns to date.
25. For these reasons, I agree with the Council that at least moderate weight, and in the case of uncontested policies a greater degree of weight, can now be given to the policies of the ELP, although not the full weight argued by the Parish Council.
26. As well as the conflict with the adopted and emerging local plans, the appeal site's location is also not in accordance with the NP, whose addition to the development plan is a significant step. The NP adopts the same expanded village boundary as the ELP. Policy PNP1 supports residential development within the boundary, subject to a number of criteria including an appropriate mix of homes. While the NP does not offer an explicit policy about such development outside the boundary, the clear objective is to focus development within the boundary in order to maintain the character of the village and its setting.
27. The scale of the appeal proposal, with up to 99 dwellings subject to the final reserved matters, would also conflict with the Policy PNP1 limit of 30 houses on any one site. I acknowledge that the NP does not impose an upper limit on the total number of dwellings that might be allowed under Policy PNP1, but the number of opportunities within the village envelope beyond those recently permitted appears likely to be limited. Nevertheless, the essence of the policy requirement is to ensure an incremental rate of change.
28. Because the NP does not allocate specific sites, it cannot alter the 'tilted balance'<sup>11</sup>, but the conflict with this component of the development plan does weigh against the appeal proposal.
29. I conclude on this issue that the appeal site's location would not be consistent with national policy which supports a plan-led approach or with local policy. I consider the weight to be given to this conflict in the final balance below.

### ***Character and appearance***

30. In addition to the LVA submitted with the application, the appellant's appeal statement was supplemented by a Technical Response to the Reason for

---

<sup>10</sup> Correspondence with CPRE, Appendix 2 to appellant's additional submission on ELP progress, December 2018

<sup>11</sup> NPPF para 14

Refusal in Landscape and Visual Terms, and specialist evidence was given by both sides at the Hearing.

31. It is agreed that the landscape around the appeal site has no formal quality designation and that it would not be classed as a 'valued landscape' in national policy terms<sup>12</sup>. The Chilterns AONB comprises rising ground immediately to the west of the village, over 1km from the appeal site.

*Landscape character*

32. The appeal site lies within the Pirton Lowlands Landscape Character Area ('LCA'), as defined by the North Hertfordshire and Stevenage Landscape Character Assessment (2011). Its open, flat character, enclosed by linear hedges, with some lengths missing, is very typical of the large-scale expansive nature of the wider LCA. Despite its closeness to the village and notwithstanding the ongoing Elm Tree Farm 1 development, the character of the site is much more of the wider landscape rather than of the village fringe.
33. The Character Assessment advises that there may be scope for carefully located and small scale developments within the LCA, but the appeal proposal would not fall within that type. In this regard, I agree with the Council that the appeal proposal should be regarded as an urban extension, which the Character Assessment considers would not be an appropriate form of development in the LCA. In fact, at 6.5ha, the appeal proposal should in itself be regarded as a large scale extension, as there appears to be no published justification for counting only the likely built core of the site. Green areas around the edges of the site would form part of the development rather than of the wider landscape.
34. Furthermore, in this case the appeal site would be seen very much in conjunction with the nearly contemporaneous Elm Tree Farm 1 site, so that both together would appear as a very significant extension of the village. Whereas Elm Tree Farm 1, particularly at the northern end, can be taken as an almost incremental expansion, the addition of the appeal site would create a very marked incursion into the countryside to the east. This would be very noticeable from the Holwell Road approach to the village and from Hambridge Way, where the open character of the site is currently readily apparent.
35. The final landscape treatment of the site would be subject to later detailed design, but it is unlikely that either proposed tree planting or the existing perimeter hedge would be fully effective in mitigating the perception of the altered character of the site, which would be prominent from public vantage points.
36. While the development of any site at the village edge will have an inherent urbanising effect, at the scale of Pirton the degree of change in this instance would be significant. While the impact on the extensive LCA as a whole would also inevitably be modest, the impact in the immediate vicinity of the site is of much greater relevance. I agree with the Council that effects both at one year and ten years post-completion would be considerably greater than those assessed by the LVA and would be at least 'moderate adverse' over that term.

---

<sup>12</sup> NPPF para 170(a)

*Visual effects*

37. The LVA assessment of visual effects predicts no greater than a moderate adverse effect after one year and minor-moderate after ten years, with the great majority being ranked as minor or negligible. This appears to me to underestimate the proposal's effects.
38. When taken with the Elm Tree Farm 1 site, there would be significant change over a considerable length of Hambridge Way, with the presence of the new development likely to be perceived for some distance to the east. The effect on users of this important recreational route, who would be regarded as sensitive to change, would be much greater than moderate at the outset, because of the prominence of the new development and the change from the current rural aspect. The limited depth of the intended open space at the southern end of the site would not be sufficient to reduce the long-term effect to minor-negligible as assessed by the LVA. The effect on users of Footpath 005, just to the south, would be slightly mitigated by the greater distance, but would also be adverse in the long term.
39. Close views from Holwell Road on leaving and entering the village would be in the context of the completed Elm Tree Farm 1, but that would form a new edge. There would still be an important open aspect over the appeal site which would be lost. In assessing effects the LVA places undue reliance on the mitigation offered by the intended small area of open space at the corner of the site. Further north on Holwell Road, the development would become visible in views filtered by the intervening hedges. The degree of adverse effect would be less, but there would still be a clear perception of development extending out into the countryside.
40. In more distant views from the south, the effect of expansion of development to the east of the village would also appear rather incongruous, and the measures outlined by the LVA would not produce effective mitigation. This would be particularly apparent from the footpath adjoining Hitchin Road (LVA vp16) and the nearby Footpath 028. The latter lies within the AONB, from where the development would also be partly seen from elevated positions (LVA vp17-19) as an incursion into the countryside. The effects on users of what are said to be popular recreational routes at the edge of a designated landscape would be more adverse than allowed by the LVA.

*Conclusion on character and appearance*

41. I conclude that the proposal would have long term adverse effects, both on the character of the landscape and on its appreciation by users of local roads and footpaths. The adverse impact of increased urbanisation at the village edge would be greater than that inherently involved in any similarly-sized development. This would particularly be so because the proposed housing would inevitably be seen in conjunction with the adjoining Elm Tree Farm 1 as an expansion of significant scale, which would have an urbanising effect on part of an important long-distance pedestrian/cycle/equestrian rural route.
42. The proposal would be contrary to national policy that development should be sympathetic to local character, including landscape setting<sup>13</sup> and should recognise the intrinsic character and beauty of the countryside<sup>14</sup>. ELP Policy

---

<sup>13</sup> NPPF para 127(c)

<sup>14</sup> NPPF para 170(b)

NE1 is consistent with the NPPF in this respect, and requires development to respect the sensitivity of relevant landscape character areas and to accord with landscape management guidelines, without a detrimental effect on the immediate surroundings. The proposal would conflict with this policy and also with the recognition of the character of the countryside set by NHDLP Policy 6 and ELP Policy SP5, as reflected by NHDLP Policy 7 and ELP Policies SP2 and CGB1. The change at the village edge arising from the approval of Elm Tree Farm 1 does not establish a principle of continued incremental expansion to the east of the village, which is specifically resisted by Policy 7.

43. The NP stresses the importance of the village's relationship with its landscape setting. The proposal would be contrary to Policy PNP2 which requires development to respect and reinforce the distinct local character of the village.

### **Agricultural land**

44. The second reason for refusal of the planning application was that the proposed development would be unsustainable in both environmental and economic terms.
45. The land that makes up the appeal site is assessed as Grade 3a, and is therefore ranked as 'best and most versatile' ('BMV') agricultural land. National policy states<sup>15</sup> that decisions should recognise the wider benefits from natural capital and ecosystem services, including the economic and other benefits of BMV agricultural land.
46. It is not disputed that the surrounding area predominantly comprises BMV land, and that the development of the appeal site would not sever an agricultural unit. This context would serve to mitigate any adverse impact of the loss of 6.5ha of the lowest grade of BMV land.
47. The Council also accepts that permission has been given to develop other sites of BMV grade, including Elm Tree Farm 1, and that some ELP proposed allocations would include BMV land. However, the particular circumstances that led to those decisions do not necessarily justify further losses.
48. The Government's Planning Practice Guidance explains<sup>16</sup> that soil is an essential finite resource, with both economic, and biodiversity value. The site is currently productive arable land. The loss of this amount of BMV land would have adverse economic and environmental effects, but relatively minor in their impact. This harm must be weighed in the balance against different economic and other benefits, which I address below.

### **Accessibility**

49. The proposal is also seen by the Council as unsustainable in regard to dependency on services outside the immediate area, resulting in a significant reliance on private car transport.
50. Services available within the village include a primary school, two public houses, a small convenience store, two churches, a village hall and a recreation ground with a pavilion. While noting reservations expressed about the store's limitations in respect of stock and opening hours, I agree with the appellant that this is a reasonable range of services for a village of this size.

---

<sup>15</sup> NPPF para 170(b)

<sup>16</sup> PPG: Natural Environment para 025



51. The SCG sets out agreed schedules of walking and cycling distances and times from the site to facilities within the village. These, together with isochrone maps included in the submitted Transport Assessment ('TA') show that all of the communal facilities within the village would lie within recommended maximum walking distances, although outside the preferred desirable distances. I recognise that these anticipated routes would mainly involve use of Hambridge Way, which is currently unlit and unsurfaced. Increased use of the footpath could lead to pressure for surfacing and lighting, which could result in a harmful change of character. However, alternative routes, which would be slightly longer and involve use of roads that are narrow, often without footways and with limited street lighting, would still allow walking to be a realistic option for trips within the village.
52. Access for virtually all employment, secondary and higher education, shopping, leisure and medical needs would require trips to larger places. The proposal is virtually identical in this respect to the schemes for which permission has been granted at Elm Tree Farm 1 and at Priors Hill. Bus stops are located close to the site, with services to Hitchin, which has a main-line railway station and medical provision. Although the SCG records agreement that the proximity to public transport would allow for a sustainable mode of transport for trips to employment, retail and leisure, the Council continues to express reservations about the scope of this option and the appropriateness of the site's accessibility. Contrary to the appellant's interpretation, I note that similar reservations were expressed in the officer report on the Elm Tree Farm 1 application, but were outweighed in the final balance for that decision.
53. I acknowledge that the existing level of service is limited, particularly for return trips at and beyond the evening peak and at weekends, and that some doubts about its reliability were voiced at the Hearing. However, at current levels it could allow a realistic alternative for at least some commuting and daytime shopping and leisure trips.
54. Similarly, I consider that cycling to Hitchin and other centres, although possibly requiring a stronger level of commitment than the distances involved would suggest, would still provide an option for some residents.
55. The proposal is supported by an outline Travel Plan, which indicates potential targets for modal shift to these more sustainable modes of transport. Interim and final versions of the Travel Plan would be secured by a planning condition, and support for its implementation through the planning obligation. Even with those improvements, the proposed development would involve much reliance on the private car. Although national policy recognises that opportunities to maximise sustainable transport will vary between urban and rural areas<sup>17</sup>, it does not suggest that development of this scale is best located where sustainable options are relatively limited.
56. Therefore, I find that the site's accessibility by sustainable modes is marginal at best, which reflects the village's non-identification for significant further growth. However, this would not alone provide justification to reject the proposal.

---

<sup>17</sup> NPPF para 103

## **Other matters**

### *Archaeology*

57. The third reason for refusal of the planning application related to the lack of sufficient information to establish the site's archaeological value, and the potential impact of the proposed development. The appellant subsequently commissioned an archaeological field evaluation, the report of which was submitted to the County Council's specialist adviser, and was later updated in response to comments received. The SCG records the District Council's acceptance that the report has now provided adequate analysis and that any archaeological impacts could be addressed by means of a condition.
58. Representations on behalf of the local archaeological society maintain opposition to the proposal. It is argued that the significance of the site has been misunderstood, given the extent of archaeological interest in the immediate vicinity, as exemplified by the finds revealed on the Elm Tree Farm 1 site. An application to have the site scheduled was unable to proceed in the absence of more detailed analysis.
59. The County Council's adviser has now accepted that the revised evaluation report is sufficiently detailed to accord with national guidance and that its conclusions can be broadly accepted. He has recommended the terms of a condition on further investigation should permission be granted. While I acknowledge the detailed analysis provided by the local society, who clearly have considerable levels of expertise and dedication at their disposal, there is insufficient reason to overrule the conclusion of the County Council's adviser, whose professional standing was accepted at the Hearing.
60. I consider that, subject to the necessary condition, the proposal would comply with national policy<sup>18</sup> on the conservation of the historic environment including non-designated heritage assets, which is echoed by ELP Policy HE4, and with NHDLP Policy 16, which envisages development subject to conditions in appropriate circumstances. The submitted evaluation would meet the requirements of NP Policy PNP8.

### *Drainage*

61. Evidence was given at the Hearing of periodic problems at the village pumping station, leading to overflows of untreated sewage and contamination of watercourses. While I have no reason to doubt this, I must give weight to the confirmation by the local drainage undertaker that there would be adequate safe capacity for the appeal proposal. The remediation of any previous technical faults would be a matter for the service provider.

### *Highway safety*

62. The site would rely on the principal access from Holwell Road whose details will already have been approved as part of the Elm Tree Farm 1 development. In the absence of any objection by the highway authority, there are no good grounds to conclude that increased traffic from the appeal site would add any unacceptable risk to the safe operation of the junction or of roads in and around the village. Particular concern has been raised about the impact of construction traffic on local roads, especially the sometimes narrow road

---

<sup>18</sup> NPPF Chapter 16

through neighbouring Holwell. However, such impacts are by definition of time-limited duration, and could be minimised by the approval through a planning condition of a Construction Management Plan, which could learn from the experience of the adjoining development to specify access routes and timings.

### **Planning balance**

63. As earlier noted, there is agreement that the 'tilted balance' should apply in this case. None of the NPPF policies that protect areas or assets<sup>19</sup> would indicate a different approach. Despite the further progress in the ELP examination, the Council continues to maintain a 'precautionary approach' to the estimation of housing land supply, which means that a five-year supply cannot currently be shown with certainty.
64. The principal benefit of the appeal proposal would lie in the provision of 40 units of affordable housing. Although this would not relate to an identified need in Pirton, there is an acknowledged shortfall in the area, which the provision would help to address. Substantial weight can be given to this benefit.
65. The addition of the other units of market housing would also be of some social benefit. But in the light of progress on addressing the district's full housing need through the ELP and by the permissions already granted to address any local need for housing in the village and provide a considerable element of growth, only moderate weight can be attached to this.
66. I understand the concerns raised by the Parish Council about possible social harm due to the difficulty of assimilating a rapid increase in population, in addition to growth already permitted. However, population growth could also have benefits in supporting some local services, so that I find this to be a neutral factor.
67. There would be some time-limited economic benefits from the investment in construction and some modest longer-term benefits from increased local government revenues and from additional spending on goods and services in the local economy. However, these effects would also be delivered by development in accordance with the development plan, so that very limited weight can be given to them in this instance.
68. Set against this would be the environmental harm to the adopted and emerging plan-led development strategy by adding a significant amount of new housing in a location not identified for this level of growth with constrained accessibility by sustainable modes of transport, and which could only be achieved with significant adverse effects on the character and appearance of the countryside. These are matters of substantial weight.
69. There would also be minor economic and environmental harm from the loss of BMV agricultural land.
70. Other than the delivery of affordable housing, the UU covenants predominantly address mitigation of impacts rather than benefits, and do not add any extra weight in support of the proposal.

---

<sup>19</sup> NPPF para 11(d)I and footnote 6

71. Taking all the above into account and assessing the proposal against the NPPF as a whole, I find that the proposal's adverse impacts would significantly and demonstrably outweigh the benefits.
72. I have considered the schedule of possible conditions discussed at the Hearing, but have concluded that none of them, either alone or in combination, would render the proposal acceptable.
73. Therefore there would be no material considerations that would outweigh the acknowledged conflict with the development plan.

**Conclusion**

74. For the reasons set out above, and having taken account of all matters raised both in writing and at the Hearing, I conclude that the appeal should be dismissed.

*Brendan Lyons*

INSPECTOR

Richborough Estates

## APPEARANCES

### FOR THE APPELLANTS:

Chris Ball	Gladman Developments Ltd
Keith Nye	FPCR
Rob Hindle	Rural Solutions

### FOR THE LOCAL PLANNING AUTHORITY:

Shaun Greaves	GC Planning
Jonathan Billingsley	Landscape Partnership

### INTERESTED PERSONS:

Bim Afolami	Member of Parliament
Jacqueline Veater	Pirton Parish Council
Diane Burleigh	Pirton Neighbourhood Plan Steering Group Pirton Parish Council
Tom Gammell	Pirton Parish Council Pirton Neighbourhood Plan Steering Group
Gilbert Burleigh	North Hertfordshire Archaeological Society
Michael Ransom	Local resident
Alison Smither	On behalf of Clare Baines, local resident
Wilfred Aspinall	Local resident
Ken Jordan	Holwell Against Construction Traffic Holwell Parish Council
Jacqui Jordan	Holwell resident
David Barnard	District and County Councillor, representative on Chilterns (AONB) Conservation Board

## DOCUMENTS

- 1 Pirton Neighbourhood Plan 2011-2031
- 2 Pirton Village: List of planning applications for residential development since 2011
- 3 Plan of proposed and completed residential development in Pirton since 2011
- 4 Appeal Decision Ref APP/X1925/W/17/3187286: Land off Luton Road, Offley, Hitchin
- 5 Photographs and note on Pirton sewerage system
- 6 Land off Holwell Road, Pirton: Archaeological Evaluation Report
- 7 Map of Prehistoric and Roman Sacred Landscape around Pirton
- 8 Hertfordshire County Council response to Archaeological Report
- 9 Land adjacent to Elm Tree Farm: Layout plan
- 10 Photographs of vehicle conflict along Pirton Road and Waterloo Lane, Holwell
- 11 Photograph of traffic on Holwell Road
- 12 Submission on housing numbers and density
- 13 Landscape Character of Pirton (extract)
- 14 Plan of Pirton Visual Character Areas
- 15 Photograph of Icknield Way/Hambridge Way in winter conditions