

To: Anne McDonald – Development Management Team Leader  
cc: NHC Planning Control

4<sup>th</sup> December 2025

Dear Anne,

### **Introduction**

This document forms Ashwell Parish Council's (APC's) response to planning application 25/02547/FP, Land off Station Road, Ashwell.

In this document APC has put forward arguments and provided analysis related to the above application solely in support of its position (that planning permission should be denied). It is aware that North Herts Council's planning team will be familiar with the points being made and the underlying policy. APC has no wish to guide or instruct North Herts Council (NHC).

### **Application description**

Residential development of 36 no. dwellings including creation of vehicular access off Station Road, associated parking, drainage, amenity space and landscaping.

### **Application Site**

The application site lies to the southeast of Ashwell, a Local Plan 'category A' village. It is outside the settlement boundary as defined in both the Local Plan and the Ashwell Neighbourhood Plan (ANP). The site forms an area of transition between the built area adjacent to Station Road and open countryside that rings the village. It is clearly visible when approaching from the direction of the railway station.

To the west is a scheduled monument comprising five ring ditches, probably the visible remnants of a number of Bronze Age barrows.

### **Planning history**

The application extends the recently built development of 28 dwellings bordering Station Road. This original development was the subject of two applications: 17/01406/1 and 20/0370/FP, which were refused by NHC. Both decisions were appealed, the second being allowed.

The ANP, made in December 2021 postdated the first appeal and does not appear to have been taken into account in the second, which was decided on 22 March 2022.

### **Applicant's position**

The applicant's justification for the application is that North Hertfordshire Council cannot demonstrate a five-year supply of deliverable housing sites. Therefore the Local Plan is out of date and the presumption in favour of sustainable development is engaged (the 'tilted balance'). The applicant also claims that ANP policies do not apply.

### **Ashwell Parish Council's position**

APC objects to the application.

It considers that the adverse impacts of granting planning permission would significantly and demonstrably outweigh benefits. It does so by reference to the NPPF, and also to the Local Plan and Ashwell Neighbourhood Plan, which it maintains are both relevant.

The first part of the objection refers to the Local Plan and ANP, clarifying why APC understands that these policies have weight in deciding the application. Following that it gives reasons for the Parish Council's objection by reference to these policies.

### **Tilted balance and 'out of date' Local Plan policies:**

Contrary to the applicant's suggestion, engagement of the tilted balance does not mean Local Plan policies then have no weight in planning decisions. The Plan is considered 'out of date' only for the purpose of engaging the tilted balance exercise.

Furthermore, when engaged, footnote 9 to NPPF para 11(d)(ii) states that decisions must have particular regard (i.e. give significant weight) to Plan policies relating to, for example: maintaining the area's prevailing character and being sympathetic to local character and history.

APC understands that, even in the context of the tilted balance, how much weight to be attached to Plan policies remains a matter to be assessed by the decision maker in their planning judgment.

### **Ashwell Neighbourhood Plan:**

In para 4.27 of its Planning Support Statement the applicant maintains that, according to para 14 of the NPPF, the Neighbourhood Plan should have no weight because it does not contain policies and allocations to meet its identified housing requirement.

However, paras 5.7 to 5.9 of the ANP provide sound justification to show that its remaining housing requirement for the relevant period (i.e. 2011-2031) is zero. This conclusion has been examined and approved by the appointed inspector and the ANP has been made. The scrutiny applied when making it excised any policy statements that were not consistent with the NPPF, Local Plans and other planning policies.

It would be absurd for the ANP to specify an allocation of zero homes, located nowhere, simply to make compliance with para 14 of the NPPF explicit and more obvious.

Consequently APC maintains that both NPPF sub paras 14(a) and (b) apply and, "*... the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits.*"

## Reasons for objection

APC objects to the application for the following reasons:

### ■ The development is outside the settlement boundary

The application is for a site that lies in 'Rural Area Beyond the Green Belt' which the Local Plan treats in a similar way to Green Belt. NPPF para 11(d) i. footnote 7 states that there is a strong reason refusing development in these areas.

Local Plan policy SP5(d) is a general policy of restraint in Rural Areas Beyond the Green Belt and APC notes that Local Plan Policy SP2 only supports development outside of settlement boundaries where this is supported by an adopted Neighbourhood Plan, which the ANP does not.

Being outside the settlement boundary, the application is not acceptable according to ANP Policy ASH1(A) and (C).

### ■ Housing mix

NPPF, para 63 recognises that housing built must match the size, type and tenure of housing needed for different groups in the community. Both the Local Plan and the ANP have policies to do this.

The predominance of three, four and five-bedroomed houses (72%) in this application fails to adequately meet the need for one and two-bedroom properties in ANP policy ASH2(A)(ii).

Nor is it likely to provide a significant proportion of one, two and three-bedroom properties at lower quartile cost as supported by ANP policy ASH2(C). Note this policy does not refer to affordable housing (whose availability is restricted to a narrow range of applicants), which is separately addressed in ANP policy ASH2(C).

While Local Plan policy HS3(a) and its clarification in para 8.21 consider that a suitable mix is, "*On most suburban and edge-of-settlement sites... an initial assumption of 60% larger (3+ bed)*", this application is well in excess of that proportion, is not suburban and is outside the settlement. Additionally the policy is clearly enhanced by adopted ANP policies. These policies recognise a need in Ashwell and in a large part of the wider district for homes for older downsizers and the young entering the housing market.

### ■ Local character, the natural landscape and significant views

The proposed development adds a further element of suburbanisation into the landscape, up to the point where it would be excessively intrusive. On two sides there is open farmland with extensive views. On one side there is a nearby village with diverse built forms and on one a very recently built, similar but smaller development. The attempts proposed to mitigate or hide the out-of-place construction, i.e. by planting and landscaping, are out of character with the area's open fields and extensive views. As stated in ANP para 7.4, "*The wide open fields that characterise the outer parts of the parish play an important role in its character... The views of the village from the main approaches need to be recognised and protected.*"

The NPPF requires planning policies to take local circumstances into account and reflect the area's character (paras 9, 135(c)) and should be developed with local communities so they reflect local aspirations (para 132). Applications should respond to local character (para 117(c)), taking into account the area's prevailing character and setting (para 129(d)). This application fails to take account of these matters.

The emphasis placed on these policies in the NPPF indicates that they are of significant weight. The Local Plan and ANP support and clarify these requirements

The application conflicts with Local Plan policy SP9 (Design and Sustainability) because it does not positively reflect and respond to the local landscape and historic character. It does not comply with NE2 (Landscape), in that it fails to mitigate harm to the surrounding area or Local Character Area. Being in a Rural Area Beyond the Green Belt means the policy SP5 of restraint applies.

This application conflicts with ANP policies ASH3(A) and (C)(i) as its out of context building fails to "*conserve and enhance*" VCA V2 or make a positive contribution to the visual impact of the village from highway and footpath approaches. The development is close to the Visual Character Area V2 as mapped in ANP Policy ASH3. The VCA's aim is to protect the ribbon development east of the recreation area and treats it as part of the countryside.

As for policy ASH8, there would be a detrimental effect on view SVG, looking along Station Road to the village.

The application conflicts with ANP policy ASH9 in so far as it does not enhance the natural environment, '*Development proposals should maintain and enhance the natural environment, and retain landscape features... for the East Anglian chalkland character area and enhance the rural character and setting of Ashwell*'. As stated above the proposed development and mitigations are at odds with the open chalkland nature.

■ Design of the development in relation to village character

The application submitted is a large generic cul de sac layout that, when taken with the recent build would overwhelm the current village-style layout of roadside building, streets and small cul de sacs. It would not reflect, but dilute, the mixed and integrated character of Ashwell.

In Ashwell there is a variety of building styles that shows its development over the centuries, but no single style dominates the layout. The position of the proposed development is in a prominent location at the southeastern entrance to the village. Here, a large estate of modern suburban houses, mostly of a similar size and all of the same short period, would significantly damage the setting by creating a jarring contrast with the village and surrounding open countryside.

Local Plan policy HS3(b) states that, "*Planning permission for new homes will be granted provided that... the scheme would provide a density, scale and character of development appropriate to its location and surroundings.*"

The development's design does not take account of the local context or reflect the character or vernacular of the area as required by ANP policy ASH3(B). As a homogenous off-the-shelf development of very similar dwellings it would fail to integrate well with its surroundings or be capable of meeting the changing needs of residents as specified in policy ASH4(A).

■ Sustainability

NPPF (para 89) requires that policy in rural locations should "*... ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable.*"

The proposed development is in Rural Area Beyond the Green Belt and will have a negative effect on sustainability being almost 1 mile from the primary school and key village facilities (baker, butcher, post office, Surgery) and approx. 1.5 miles from the main line station. This means that most residents of the development would choose to drive

into the centre of the village and to the station, adding significantly to pollution, congestion and parking issues.

The Local Plan, para 4.64, states, "... outside of the defined settlements, many sites are not well located in relation to key services. On these grounds it remains appropriate to restrain the types of development allowed in the Rural Area beyond the Green Belt."

■ Environmentally sustainable design

APC is not certain what form of heating is proposed for the dwellings. However, if it is the same as in the related and adjacent 28 homes development, it will gas-based so therefore unable to exploit a low-carbon energy source.

Para 161 of the NPPF states that the planning system should support the transition to net zero, and in para 167 goes on to say, "Local planning authorities should also give significant weight to the need to support energy-efficiency and low carbon heating improvements to existing buildings..." This requirement is reflected in Local Plan policy D1(b)(iii) and is further detailed in para 9.6.

ANP Policy ASH6(A)(v) applies and para 6.30 states: "New construction should have low energy needs in line with current best practice." The application does not commit to building houses with Air Source Heat Pumps that would provide a low carbon, efficient, source of heating and hot water in line with this Policy.

If the development does not conform to these policies this could be considered to cause significant harm.

■ Providing a solution to the impact on Education provision

The application ignores the impact that an additional 36 houses will have on local education provision, the majority of which are large family sized homes.

Ashwell Primary School is already largely at capacity. The situation will not improve in the foreseeable future. Proposed developments in Baldock and school closures elsewhere are likely to place a greater demand than the current structure and facilities will be able to accommodate. The likely closure of Sandon School is predicted in July 2026. There is also an HCC plan to provide housing for children in care in Ashwell. Should a child be placed in Ashwell they would be entitled to a place in Ashwell school regardless of whether the year group is full or not as a result of their LAC status.

The SEND needs in the school have increased considerably. The school has gone from having 1-2 Children with an EHCP to now having 9 EHCPs and is likely to add 2-3 more to this in the coming months. The provision outlined within a child's EHCP is a legal requirement and comes at considerable cost to the school, costs beyond any additional funding. This therefore leads to finances becoming a strain and cuts must be made in other areas to fund this provision.

The ANP in para 10.18 states that "Planning applications should provide solutions to their impact on education provision." At present, there does not appear to be a solution in place to accommodate the impact of 36 additional dwellings.

### **Claimed benefits**

The applicant claims the following benefits for the development:

■ Contributes to housing delivery

The scheme is for 36 dwellings, large in Ashwell terms but small compared with a 2011-31 requirement of at least 13,000. It is less than the 100 considered significant in Local Plan

policy SP9(b) when applying its other policies. Therefore APC suggests the benefit is modest.

■ Provides affordable housing

The major need is for low-cost housing (i.e. lower quartile, see ANP policy ASH2(C)) rather than affordable housing, which is available only to people that meet narrow criteria. APC suggests this does not just apply to Ashwell but across the region. Therefore the provision for affordable housing is a modest benefit – a claim backed up by the inspector in the first (rejected) appeal but admittedly recognised in the second.

### **The adjacent site: views expressed by the National Inspectors in past appeals**

APC suggests the appeals regarding the adjacent Station Road site are relevant to this application because it is clearly an extension of the development that took place – essentially a there is a scheme for 64 houses split into two phases.

The first of the two applications was for 46 dwellings and was refused on appeal. The second was for 28 dwellings which was allowed on appeal.

In both previous appeals the key issues have been:

- negative effect on the countryside and
- negative effect on the character of the settlement
- the benefit in providing affordable dwellings
- NPPF paragraph 11 and the Council's inability to demonstrate a five-year supply of deliverable housing sites

At the time of the appeals the ANP either was not made or was not considered. Issues such as housing mix were not considered.

Regarding balancing the negative effects on countryside and character of the settlement against provision of affordable homes and the effect of para 11, the inspectors disagreed on their significance. This could very likely have been due to the differing sizes of the developments, 46 and 28 houses.

In this application it would seem reasonable to consider the impact of 36 to be greatly significant. Particularly in this case when there is an almost identical recent build adjacent to it. The negative impact of approving the application would have even greater significance owing to the neighbouring estate contributing to an overall impact of 64 dwellings.

### **Other Public Comments Received**

The Parish Council would also like to endorse the comments made by Mr David Short in his email to Ms McDonald dated 12 Nov 2025. Mr Short was co-author of the Ashwell Village Design Statement 2000 which was incorporated into the Ashwell Neighbourhood Plan and adopted by North Herts Council in its Local Plan. The Design Statement carries significance and weight which should be considered when deciding this Application.

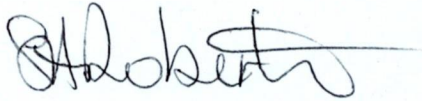
### **Conclusion**

APC accepts the possibility that any one harm described in the objections may not be enough to outweigh the tilted balance in favour of development and affordable housing provision. However, when taken together, the adverse impacts would significantly and demonstrably outweigh the relatively modest benefits.

**s.106**

If NHC is minded to grant the application, APC will want to request s.106 funding in respect of this development. Such a request will follow.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Sally Roberts', with a long horizontal flourish extending to the right.

Sally Roberts

**Clerk – Ashwell Parish Council**