

<u>Location:</u>	Land To The East Of 2 West Lane Pirton Hertfordshire SG5 3RA
<u>Applicant:</u>	Mr H Doyle
<u>Proposal:</u>	Extension of existing hardstanding. New concrete pad for siting of caravan (Development already carried out). Installation of permeable driveway (Development has commenced). Creation of vehicular access off West Lane.
<u>Ref. No:</u>	25/03153/FP
<u>Officer:</u>	Harriet Sanders

Date of expiry of statutory period: 18/02/2026

Extension of statutory period: 26/06/2026

Reason for Delay: Submission of further details in response to matters raised by Hertfordshire County Highways and in order to present the application to an available committee meeting.

Reason for Referral to Committee: Following Parish Council Objection, called in by Cllr Strong for the following reasons:

- concerned that the reasons for refusal in application 25/01198/FP points 1 to 5 have not been mitigated by this new application.
- All previous applications to build on the site were refused.
- This plan goes against the Pirton Neighbourhood Plan.
- There are no special circumstances to permit the destruction of the site in a Conservation Area.
- The site is unsuitable for development.

1.0 Policies

North Herts Local Plan 2011 - 2031

Policy SP2: Settlement Hierarchy and Spatial Distribution

Policy SP5: Countryside and Green Belt

Policy SP9: Design & Sustainability

Policy SP12: Green infrastructure, landscape and biodiversity

Policy SP13: Historic environment

Policy CGB1: Rural areas beyond the Green Belt

Policy CGB4: Existing buildings in the Rural Area Beyond the Green Belt

Policy T1: Assessment of transport matters

Policy D1: Sustainable design

Policy D3: Protecting living conditions

Policy NE4: Biodiversity

Policy HE1: Designated Heritage Assets

National Planning Policy Framework 2024

Relevant throughout but particular reference to:

Section 12 (Achieving well-designed places)

Section 16 (Conserving and enhancing the historic environment)

Pirton Neighbourhood Plan 2011-2031

Policy PNP2: Design and character

Policy PNP4: Hedgerows, Trees & Verges

Policy PNP5: Wildlife

Policy PNP7: Key views and vistas

Policy PNP8: Heritage Assets and Archaeological Heritage

Policy PNP 11: Safety of Pedestrians, Cyclists and Motorists

2.0 Site History

- 78/01492/1: Outline application for erection of detached house and double garage and formation of new vehicular access. Refused 30/11/1978. Appeal dismissed 1979.
- 92/00882/1: Detached dwelling with single garage. Refused. Appeal dismissed 27/05/1993.
- 94/00775/1: Two bed detached dwelling with new vehicular access. Refused 6/10/1994.
- 94/01353/1: Two bed detached dwelling with new vehicular access. Refused 19/07/1995.
- 95/01050/1EUD - Certificate of Lawful Use or Development – “Retention and continued use of mobile home”. Granted 21/11/1995.
 - o Reason - ‘A mobile home in residential occupation has been located on this site for in excess of 10 years.’

The lawful use of the site is therefore for mobile home. This is discussed in more detail below.

- 25/01198/FP “Extension of existing hardstanding (Development already carried out). Installation of permeable driveway (Development has commenced). Creation of vehicular access off West Lane.” Refused 29 August 2025. Reasons for refusal:
 1. The application site is located beyond the designated Pirton village boundary in the Rural Area beyond the Green Belt in the adopted North Herts Local Plan 2011 - 2031 (NHLP). The development the subject of this application does not meet any of the acceptable forms of development and criteria set out in Policy CGB1 of the Local Plan. As such the development is considered to result in harm to the openness and visual character and amenity of the countryside contrary to Policy CGB1 of the NHLP
 2. The development the subject of this application, by reason of the amount of hardsurfacing, boundary treatment and vehicular access proposed, would collectively result in an urbanising effect on the locality harmful to the character and appearance of the area contrary to the provisions of Policy SP9 and Policy D1 of the North Herts Local Plan 2011 - 2031.
 3. The application site is located adjacent to the Pirton Conservation Area. The application is not accompanied by a heritage assessment of the impact of the development on the setting of the Pirton Conservation Area. The development introduces a markedly urbanising effect on the historic character and appearance of the area without adequate justification. As such the development is considered to be harmful to the historic character and setting of the Pirton Conservation Area contrary to the provisions of Policy HE1 of the North Herts Local Plan and Chapter 16 of the National Planning Policy Framework 2024.
 4. The development site is located on a classified road opposite a busy junction with Royal Oak Lane and Holwell Road. The Highway Authority consider that the development is likely to lead to conditions prejudicial to highway safety and amenity. As such the development is considered to be contrary to the provisions of Policy T1 of the North Herts Local Plan.
 5. The submitted ecology report concludes that the development results in a loss of habitat and hedgerow units with no proposals for mitigation and or replacement. As such the development fails to achieve a net gain for biodiversity contrary to the provisions of Policy NE4 of the North Herts Local Plan 2011 - 2031.

3.0 **Representations**

Statutory Consultees

3.1 **Herts Highways – No objection**

Hertfordshire Highways (updated response dated 16/04/2026 following submission of additional information) – does not wish to restrict the grant of permission. The following comments are made in the consultee response:

- Background - Highways previously recommended refusal to application No. 25/01198/FP for a lack of information in respect of tracking diagrams to demonstrate how a vehicle towing a caravan can access the site and manoeuvre in to position. Such movements are demonstrated such that access will be in a forward gear when accessing the highway.

- Sustainability - Bus stops are available to both sides of the road (Royal Oak Lane) some 57m away to the East of the site.
- Trip Generation - No significant impact on the functioning of the highway network is identified in this respect.
- Visibility – appropriate sight lines shown on submitted plan are for a 20mph road.
- Parking - Off street spaces will be available on the driveway. Parking levels to LPA requirements. Traffic generation is not considered to be significant.
- Surface water - The Government's flood risk maps for planning indicate the nearby highway carriageway risk of flooding. The application does not appear to indicate how surface water will be discharged from the site, an informative is recommended in this respect.
- Rights Of Way - There are not any ROW footpaths in the area that the proposals will directly affect.
- Conclusion - In summary, the Highway Authority does not wish to restrict the grant of planning permission, although recommend the inclusion of the Advisory Notes in order to ensure compliance with the provisions of the Highways Act.

3.2 Pirton Parish Council – object for the following reasons (summarised):

- Refer to previous refusals at the site.
- Seeks clarification of the status of the site and the Certificate of Lawful Development 95/01050/1EUD and compliance of the existing mobile home. The PC state that they were unable to view 95/01050/1EUD on the public register. (The case is now available to view on the public register).
- Refer to Highways objection.
- Concerns regarding lighting – light pollution, hazard to traffic, impact on dark landscape and neighbouring properties.
- Concerns regarding flooding in the area.
- If permission granted, require conditions relating to landscaping.

3.3 Pirton NP Steering Group – no comment at the time of writing this report.

3.4 North Herts Council Ecologist – “BNG does not apply as it is retrospective and there's no ecological information submitted with the application. As such I have no comments to make.”

3.5 North Herts Council Conservation Officer – the application was reviewed during a surgery session with NHDC Conservation Officer. The Conservation Officer concluded that:

- the existing and proposed development would result in minimal impact on the character and appearance of the Conservation Area with only the very front section of the site falling within the Conservation Area.
- Overall, no harm would be occasioned to the character and appearance of the Conservation Area.
- No objection.

3.6 **Neighbour Representations**

Site and press notice and neighbour consultation has been undertaken.

- 3 objections have been received raising the following concerns:
 - Was a pristine site outside village envelope where no development is allowed.
 - Land should be restored to its original state.
 - Highway safety concerns regarding visibility at junction, unsuitable access location.
 - Reference to previous refusal for 25/01198/FP.
 - Unacceptable development in the countryside.
 - Changes land from agricultural field to developed curtilage.
 - Harm to rural character and landscape setting.
 - Erodes the countryside character of West Lane.
 - Creates pressure for further incremental intensification.
 - Retrospective works and harmful precedent.
- 1 comment in support:
 - The extension of hardstanding supports the provision of a static home which is more sympathetic to the area than a mobile home.
 - Preferable to have access onto West Lane rather than via muddy track.
 - Support proposal to plant trees and hedging to reduce visibility and return plot to more natural landscape which was there before.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The application site consists of a rectangular shaped site located on the north side of West Lane. It is sited between two residential properties with No 2 West Lane to the west and No 1 Holwell Road to the east. A track leading to an agricultural field to the north runs along the eastern boundary of the site.

4.1.2 A small portion of the front of the site falls within the Conservation Area. The rear of the site backs onto fields. The site is outside the village boundary as defined on the Local Plan proposals map and within the area designated as Rural Area Beyond The Green Belt.

4.2 **Proposal**

4.2.1 Consent is sought for:

“Extension of existing hardstanding. New concrete pad for siting of caravan (Development already carried out). Installation of permeable driveway (Development has commenced). Creation of vehicular access off West Lane.”

4.2.2 The proposal is a revised submission following the refusal of a similar scheme 25/01198/FP which was refused in August 2025. The revised application is for a slightly different siting of the hardstanding and supplies additional information in support of the proposal to clarify issues that arose previously.

4.2.3 It should be noted that the site already has a lawful use for mobile home. This is discussed in more detail below. The consideration of the current application is therefore limited solely to the planning merits of the area of hardstanding (already carried out), the gravel drive (commenced) and the proposed new access.

4.3 Key Issues

4.3.1 The current proposal is a revised submission following the refusal of similar scheme 25/01198/FP which was refused August 2025. The main differences are:

- Removal of existing hardstanding and creation of new hardstanding in centre of the site;
- Proposed landscaping including hedgerow at front of site with tree planting behind;
- Removal of 1m fence at front of site.

4.3.2 Therefore, the key material considerations when assessing the planning merits of the current proposal are whether the submission of the revised plans and additional information in support of the current proposal overcome the reasons for refusal for previously refused application 25/01198/FP.

4.3.3 25/01198/FP was refused for the following reasons (summarised):

- 1) the proposal would result in harm to the openness and visual character and amenity of the countryside contrary to Policy CGB1 of the NHLP.
- 2) urbanising effect on the locality arising from the amount of hardsurfacing, boundary treatment and vehicular access harmful to the character and appearance of the area contrary to Policy SP9 and Policy D1 of the NHLP.
- 3) no heritage assessment of the impact of the proposal on the character and appearance of the Conservation Area. Without adequate justification, the proposal is considered to be harmful to the historic character and appearance of the Pirton Conservation Area contrary to Policy HE1 of the NHLP and Chapter 16 of the National Planning Policy Framework 2024.
- 4) highways objection due to lack of information. Contrary to policy T2 of the NHLP.
- 5) the submitted ecology report concluded that the development would result in a loss of habitat and hedgerow units with no proposals for mitigation and or replacement contrary to Policy NE4 of the NHLP.

4.3.4 Each of these reasons has been addressed below with an assessment of the merits of the current application. Prior to this assessment, it is important to clarify the existing lawful use of the site and what can be considered under this current application.

Lawful Use of the Site

4.3.5 Matters concerning the lawfulness of the use of the site have been raised in the objection by Pirton Parish Council who sought clarification in the officer's report. This is set out below.

4.3.6 A Certificate of Lawful Use or Development for “*Retention and continued use of mobile home*” (95/01050/1EUD) was granted 21/11/1995. The reason was specified as:

‘A mobile home in residential occupation has been located on this site for in excess of 10 years.’

4.3.7 A Certificate of Lawful Use has no time limit and once issued, remains valid unless consent is issued for an alternative use. The lawful use of the site is therefore for a mobile home.

4.3.8 A mobile home shares the same legal definition as a caravan. The Caravan Sites and Control Development Act 1960 defines a caravan as “...*any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer) and any motor vehicle so designed or adapted....*”

4.3.9 The Caravans Sites Act 1968 s.13 extended the definition of a caravan and provided dimensions that the caravan must not exceed (metric figures replaced original imperial ones October 2006):

- Length – 20m.
- Width – 6.8m.
- Internal height – 3.05m.

4.3.10 Therefore provided a caravan/mobile home does not exceed these dimensions and can be physically moved, even in sections, then it fits the legal definition of a caravan.

4.3.11 Connection of a mobile home to services does not strip a mobile home of its caravan status. Provided the mobile home can be disconnected from the services and moved, it remains a caravan and retains its legal status as such. The critical tests remain – does it fit the dimensions of a caravan and can it be physically moved.

4.3.12 A mobile home can be occupied as a permanent place of residence provided that the siting of the mobile home is on land that has the appropriate use in planning terms.

4.3.13 Therefore in terms of the application site, the existing mobile home on the site meets the necessary dimensions to be considered a caravan. It can be disconnected from services and can be physically moved. The mobile home on the site therefore meets the necessary criteria to be considered a caravan.

4.3.14 The application site has a certificate of lawfulness for the “*Retention and continued use of mobile home*”. The use of the site for the mobile home as a permanent place of residence is therefore lawful in planning terms.

4.3.15 It is noted that there is a touring caravan on site. This also meets the necessary criteria discussed above and is lawful in planning terms.

4.3.16 The site does have lawful use for a mobile home. If consent is granted, it is considered necessary and reasonable to control this by condition to one mobile home and one touring caravan.

- 4.3.17 It is noted that there are other structures/development on the site that are not lawful. These include two sheds and lighting . These have been discussed with the applicant who has been invited to submit the necessary application for the consideration of these structures/development. They do not form part of the consideration of the current application.
- 4.3.18 In addition, clarification has been sought by the case officer from the applicant regarding the existing septic tank. Information has not been provided at the time of writing this report. If the septic tank does require planning permission, this can be submitted at a later stage with the structures/development noted above.
- 4.3.19 Comments have been received about development being carried out without consent and the removal of a hedgerow fronting the site. Whilst it is noted that development has been carried out without consent, this does not form part of the consideration of this application which must be considered solely on the merits of the information submitted against the relevant policy framework.

Previous Refusals on the Site

- 4.3.20 It is noted that the previous refusals for house/houses on the site have been referenced in objections submitted and by the Parish Council objection and the call in reasons. This is not considered to be relevant to the current application as the proposals are not comparable. Furthermore, the previous schemes were determined under a different national and local planning policy context.

Reason for Refusal 1 - Harm to the Openness and Visual Character and Amenity of the Countryside

- 4.3.21 Reason for refusal 1:

“1. The application site is located beyond the designated Pirton village boundary in the Rural Area beyond the Green Belt in the adopted North Herts Local Plan 2011 - 2031 (NHLP). The development the subject of this application does not meet any of the acceptable forms of development and criteria set out in Policy CGB1 of the Local Plan. As such the development is considered to result in harm to the openness and visual character and amenity of the countryside contrary to Policy CGB1 of the NHLP”

- 4.3.22 The application site is located outside of the village boundary and in the Rural Area beyond the Green Belt (RABGB). Chapter 4 of the Local Plan sets out the Strategic Policies for the district. Policy SP5: Countryside and Green Belt recognises the value of the countryside and sub section d) states that the council:

“d) Will operate a general policy of restraint in Rural Areas beyond the Green Belt through the application of our detailed policies.”

4.3.23 Supporting text at para 4.64 notes that:

“.....it remains appropriate to restrain the types of development allowed in the Rural Area beyond the Green Belt. Our detailed Development Management policies set out the approach that will apply in this area.”

4.3.24 Further supporting text at para 4.66 notes that:

“Both the Green Belt and the Rural Areas Beyond the Green Belt are policy designations designed to restrict the types and amount of new development that can occur.”

4.3.25 Chapter 6 provides the relevant specific Development Management policies referred to in para 4.64 of the Local Plan. Policy CGB1 ('Rural Areas beyond the Green Belt') sets out the broad typologies of development that would be considered acceptable in the RABGB. The developments on site do not fall within any of the categories listed.

4.3.26 However, whilst the proposal does not specifically meet the typologies in Policy CGB1, supporting text at para 6.2 notes that the typologies are broad. The RABGB designation seeks to operate a general policy of restraint, to restrict the types and amount of new development that can occur in order to maintain the openness of the countryside. The designation does not prevent development from occurring. It seeks to control the amount and type of development to a level that would not lead to unacceptable harm to the countryside.

4.3.27 Therefore whilst the broad typologies of CGB1 are not met, each site must be assessed on the specific merits of the proposal and the degree of harm caused to the aims and objectives of the RABGB designation.

4.3.28 It is important to remember that the elements under consideration in this application are the area of hardstanding, the gravel drive and the proposed access only. It is also important to consider the context of the site. The site sits just outside the village settlement boundary within a small enclave of several dwellings on the north side of West Lane/Holwell Road, all of which are outside the village settlement boundary. The site is sandwiched between two dwellings, both of which have reasonable levels of development within their curtilages. The site is not isolated within the countryside nor protrudes out into the wider countryside.

4.3.29 The proposed development is all at ground level. The hardstanding, drive and access do not have a materially greater impact on the openness of the countryside or undermine the general policy aims of RABGB. The location of the site between two existing dwellings means that the contribution of the site to the openness of the countryside is low. The site is not particularly visible from the rear across the fields. It sits within an enclave of neighbouring properties. The greatest impact of the site is from the front on West Lane which is part of the settlement of Pirton and not open countryside.

4.3.30 Some degree of harm to the openness of the countryside is caused as identified in the reason for refusal of 25/01198/FP. However, mitigating features have been submitted as part of the current application that serve to reduce the overall harm previously identified and result in a now supportable scheme.

4.3.31 These mitigating features include the introduction of landscaping to the site including reinstatement of the hedge that was removed and removal of the fence on the frontage. The proposed landscaping will serve to screen the hardstanding further within the site and will reduce the visual impact of the driveway and access. The removal of the fencing and replacement with landscaping will serve to reduce the potential harm to the countryside when viewed from West Lane.

4.3.32 In summary, some degree of harm will arise to the countryside as a result of the proposal, contrary to Local Plan Policy CGB1. However, the mitigating features serve to reduce the degree of harm to a level that does not warrant refusal of the proposal on this basis.

4.3.33 Reason for refusal 1 is overcome.

Reason for Refusal 2 - Urbanising Effect and Harm Caused to Character and Appearance of the Area

4.3.34 Reason for Refusal 2:

"2. The development the subject of this application, by reason of the amount of hardsurfacing, boundary treatment and vehicular access proposed, would collectively result in an urbanising effect on the locality harmful to the character and appearance of the area contrary to the provisions of Policy SP9 and Policy D1 of the North Herts Local Plan 2011 - 2031."

4.3.35 In the refused 25/01198/FP scheme, it was considered that the cumulative effect of hardstanding, removal of soft landscaping including hedgerow, provision of timber boundary fencing and a vehicular access onto West Lane resulted in the erosion of the landscaped character of the site and introduced an urbanising impact.

4.3.36 Local plan policy SP9 states that good design is a key aspect of sustainable development and that new development will be supported where it is well designed and located and responds positively to its local context.

4.3.37 Local plan policy D1 reflects this and states that planning permission will be granted provided that a number of criteria are met including that development proposals respond positively to the site's local context and that they take all reasonable opportunities, consistent with the nature and scale of the scheme, to retain existing vegetation and propose appropriate new planting.

4.3.38 Pirton Neighbourhood Development Plan Policy PNP2 refers to the design and character of residential developments. Whilst the current application is not specifically a residential development, the spirit of the wording is relevant and has been considered. Sub section 2.1 seeks to recognise, respect and reinforce the distinct local, rural character of the village, with particular consideration given to these elements reflected in dwellings in the immediate vicinity of the proposed development. 2.8 of the policy refers to good practice in lighting design and 2.11 seeks to ensure by

design that a development is fully integrated into the village and is not isolated and thereby form “satellite communities” separate from the main village.

- 4.3.39 The relevant policy context therefore requires the proposal to respond positively to the site’s local context, retain existing vegetation and propose appropriate new planting, recognise, respect and reinforce the distinct local, rural character of the village with particular reference to dwellings in the immediate vicinity, and be fully integrated into the village and is not isolated.
- 4.3.40 The site is in a visible location and is particularly visible from the street. Whilst the components of the current application remain similar to the refused 25/01198/FP scheme, a key difference is the reinstatement of landscaping and proposed removal of the 1m fence on the front boundary. The landscaping proposed includes replacement hedgerow at the front of the site, with native trees and large specimen trees behind either side of the drive up to the gravel parking area.
- 4.3.41 The removal of the 1m fence, combined with the proposed landscaping measures will soften the visual impact of the site’s front boundary facing the road. The landscaping will help to screen the gravel driveway and hardstanding to rear. This will reduce the urbanising effect of the proposed access, gravel driveway and hardstanding.
- 4.3.42 It is also noted that the application site is located between two existing dwellings which have a degree of hard landscaping and substantial plot coverage with built form. The hardstanding, driveway and access relate adequately to this local context and the dwellings in the immediate vicinity. The site is integrated into the village (albeit outside the defined village boundary) and is not isolated.
- 4.3.43 A large proportion of the gravel driveway of the current application and all of the hardstanding is set well back from the street and will be screened by the proposed landscaping. The gravel and hardstanding are low level and not particularly visible from the street. Existing vegetation has not been retained which is unfortunate. However, appropriate new planting is proposed.
- 4.3.44 The proposal does result in some degree of urbanising effect as a result on the new access, gravel drive and hardstanding and therefore would result in some harm to the character and appearance of the locality.
- 4.3.45 However, this harm can be mitigated to an acceptable level through the provision of the proposed landscaping and the removal of the existing fence. The new access is not out of keeping with local context along this area of the road in the village which has numerous driveways.
- 4.3.46 It is reasonable and necessary to control the landscaping and removal of the fence by condition.
- 4.3.47 Due to its siting between two existing dwellings, and with the introduction of landscaping and appropriate new planting, and removal of the fence, it is considered that the proposal now relates adequately to its local context.
- 4.3.48 With landscaping and fence removal mitigation, the revised proposal therefore now overcomes the previous reasons for refusal on urbanising effects and complies with Local Plan Policies SP9 and D1 and Policy PNP 2 of the Pirton Neighbourhood Plan.

4.3.49 Reason for refusal 2 is overcome.

4.3.50 Concerns regarding lighting raised by the Parish Council are noted. This is addressed in the report above and the applicant has been invited to submit the necessary application for the consideration of an appropriate lighting scheme.

Reason for Refusal 3 - Impact on Heritage Assets

4.3.51 Reason for Refusal 3:

“3. The application site is located adjacent to the Pirton Conservation Area. The application is not accompanied by a heritage assessment of the impact of the development on the setting of the Pirton Conservation Area. The development introduces a markedly urbanising effect on the historic character and appearance of the area without adequate justification. As such the development is considered to be harmful to the historic character and setting of the Pirton Conservation Area contrary to the provisions of Policy HE1 of the North Herts Local Plan and Chapter 16 of the National Planning Policy Framework 2024.”

4.3.52 Local Plan Policy HE1 requires applications for proposals affecting a designated heritage asset to be accompanied by a Heritage Assessment/Justification Statement. The policy continues that planning permission for development proposals affecting Designated Heritage Assets or their setting will be granted where they will lead to less than substantial harm to the significance of the designated heritage asset.

4.3.53 Pirton Neighbourhood Plan Policy PNP 8 states that development proposals will be supported where proposals conserve or enhance the heritage assets of the Parish and their settings in a way that is appropriate to their significance.

4.3.54 The front boundary of the application site is located within the Pirton Conservation Area. The 25/01198/FP refused application was not accompanied by a heritage assessment of the impact of the development on the setting of the Pirton Conservation Area.

4.3.55 The current application was reviewed during a surgery session with NHDC Conservation Officer. The Conservation Officer concluded that:

- the existing and proposed development would result in minimal impact on the character and appearance of the Conservation Area with only the very front section of the site falling within the Conservation Area.
- Overall, no harm would be occasioned to the character and appearance of the Conservation Area.
- No objection.

4.3.56 The applicant has submitted an assessment of the site and proposal and potential impact on the Conservation Area. The assessment refers to the Pirton Conservation Area Character Appraisal and Management Plan (March 2023).

4.3.57 The proposed removal of the fencing combined with landscaping proposals including a new hedge means the harm arising from the new access, gravel driveway and hardstanding will not cause unacceptable harm to the character and appearance of the Conservation Area.

- 4.3.58 The applicant notes that grass verges are a prominent part of the Character Area. The proposed works will result in the area in front of the site being available to be reinstated as grass verge which will contribute to the character and appearance of the Conservation Area.
- 4.3.59 Reference is also made to boundary treatments which the Appraisal and Management Plan notes are minimal in the area, limited to hedgerow, picket fencing and tree cover in the Character Area. The applicant notes that this is a feature of the application proposal with the introduction of the hedge and trees. It is noted that this is a key difference to the 25/01198/FP refused application.
- 4.3.60 The Appraisal and Management Plan identifies View 8 as one of the key views of the Character Area. The glimpse of agricultural views will not be interrupted down the access track to the fields. Whilst the original hedge has been removed, the replacement landscaping will soften the new access and screen the driveway and hardstanding, which sit at ground level.
- 4.3.61 The NHDC Conservation Officer raises no objection to the proposal. The proposal responds adequately to the existing scale, height and character of the Conservation Area.
- 4.3.62 It is considered that the previous reason for refusal has been overcome and the proposal meets the requirements of Local Plan policy HE1, Policy PNP 8 of the Pirton Neighbourhood plan and the provisions of the NPPF.
- 4.3.63 Reason for refusal 3 is overcome.

Reason for Refusal 4 - Highways

- 4.3.64 Reason for refusal 4:

“4. The development site is located on a classified road opposite a busy junction with Royal Oak Lane and Holwell Road. The Highway Authority consider that the development is likely to lead to conditions prejudicial to highway safety and amenity. As such the development is considered to be contrary to the provisions of Policy T1 of the North Herts Local Plan.”

- 4.3.65 West Lane is a classified road (C22). The application introduces a new vehicular access onto West Lane in close proximity to the West Lane/ Holwell Road/Royal Oak Lane junction. The Highway Authority previously objected to the 25/01198/FP application due to the absence of any detailed information regarding turning area within the site and therefore concluded that the development would have an adverse impact on highway safety and amenity.
- 4.3.66 The Highway Authority's initial response dated 21/01/2026 to the current application was also an objection based on the absence of necessary information.
- 4.3.67 Following submission of the requested information (Plan GP.03.26) on 14/04/2026, the Highways Authority amended their response to no objection to the proposal. The response noted the following:

- Access - tracking diagrams demonstrate how a vehicle towing a caravan could access the site and manoeuvre into position such that access will be in a forward gear when accessing the highway.
- Sustainability - bus stops are available to both sides of the road (Royal Oak Lane) some 57m away to the East of the site.
- Visibility – appropriate sight lines shown on submitted plan GP.03.26 for a 20mph road.
- Parking - Off street spaces available on the driveway. Parking levels to LPA requirements. Traffic generation is not considered to be significant.
- Surface water - The Government's flood risk maps for planning indicate the nearby highway carriageway risk of flooding. The application does not appear to indicate how surface water will be discharged from the site, an informative is recommended in this respect.
- Rights Of Way - There are not any ROW footpaths in the area that the proposals will directly affect.
- Conclusion - In summary, the Highway Authority does not wish to restrict the grant of planning permission, although recommend the inclusion of the Advisory Notes in order to ensure compliance with the provisions of the Highways Act.

4.3.68 Given the comments above, the proposal complies with Local Plan Policy T1 and Pirton Neighbourhood Plan Policy PNP 11 and the provisions of the NPPF and is acceptable in terms of access, parking and highways.

4.3.69 Reason for refusal 4 is overcome.

Reason for Refusal 5 - Ecology

4.3.70 Reason for refusal 5:

“5. The submitted ecology report concludes that the development results in a loss of habitat and hedgerow units with no proposals for mitigation and or replacement. As such the development fails to achieve a net gain for biodiversity contrary to the provisions of Policy NE4 of the North Herts Local Plan 2011 - 2031.”

4.3.71 The 25/01198/FP application ecology report concluded that the development would result in a loss of habitat and hedgerow units with no proposals for mitigation and or replacement contrary to Policy NE4 of the Local Plan.

4.3.72 As a retrospective application there is no BNG requirement. BNG requirement is a pre commencement condition and cannot therefore be applied to a retrospective application. However, the proposed landscaping will increase biodiversity across the site over and above the existing position.

The applicant has invited an Ecological Enhancement Plan condition to secure future ecological enhancements and this is considered to be reasonable and necessary.

4.3.73 Reason for refusal 5 is therefore addressed.

Impact on neighbouring properties

- 4.3.74 Policy D3 of the Local Plan states that planning permission will be granted for development proposals which do not cause unacceptable harm to living conditions. The development includes the new site access, area of hardstanding and gravel driveway. These elements will not result in any unacceptable harm being caused to neighbouring amenity.
- 4.3.75 The requirements of Local Plan policy D3 and the relevant provisions of the NPPF are therefore met.

Flooding

- 4.3.76 Pirton Parish Council has raised concerns about flooding in the area. Hertfordshire Highways comments also refer to surface water and that application does not appear to indicate how surface water will be discharged from the site. The gravel drive is stated to be permeable by the applicant. As such, surface water would be addressed by the provision of permeable material.

Objections Submitted

- 4.3.77 The objections are considered to have been addressed in the report above and summarised below:
- Was a pristine site outside village envelope where no development is allowed* – the site has a certificate of lawfulness for mobile home approved in 1995.
 - Land should be restored to its original state* - the site has a certificate of lawfulness for mobile home approved in 1995.
 - Highway safety concerns regarding visibility at junction, unsuitable access location* – County Highways raise no objection.
 - Reference to previous refusal for 25/01198/FP* – addressed in report above.
 - Unacceptable development in the countryside* - addressed in report above.
 - Changes land from agricultural field to developed curtilage* - the site has a certificate of lawfulness for mobile home approved in 1995.
 - Harm to rural character and landscape setting* – addressed in report above.
 - Erodes the countryside character of West Lane* - addressed in report above.
 - Creates pressure for further incremental intensification* – any future development would be assessed independently on its planning merits.
 - Retrospective works and harmful precedent* - any future development would be assessed independently on its planning merits.

- 4.3.78 Pirton Parish Council objection – considered to be addressed in the report above.

4.4 Conclusion

- 4.4.1 The site's lawful use is for the siting of a mobile home. The consideration of the current application is therefore limited solely to the planning merits of the area of hardstanding, the gravel drive and the proposed new access.
- 4.4.2 The proposal is a revised submission following the refusal of similar scheme 25/01198/FP which was refused August 2025. The revised application supplies additional information in support of the proposal to clarify matters and support the proposal and some mitigation features.
- 4.4.3 It is considered that the submission of additional information for clarification and justification of heritage and highways matters, combined with the introduction of replacement and additional landscaping to the front of the site.

4.5 Alternative Options

- 4.5.1 None applicable

4.6 Pre-Commencement Conditions

- 4.6.1 N/a.

4.7 Climate Change

- 4.7.1 The NPPF supports the transition to a low carbon future and the increased use of renewable energy sources. North Hertfordshire District Council has declared itself a Climate Emergency authority and its recently adopted Council Plan (2020 – 2025) seeks to achieve a Council target of net zero carbon emissions by 2030 and protect the natural and built environment through its planning policies. Local Plan Policy D1 seeks to reduce energy consumption and waste.

5.0 Recommendation

- 5.1 That planning permission be **GRANTED** subject to the following conditions:

1. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

2. The occupation of the site shall be for one mobile home and one touring caravan only unless otherwise agreed in writing by the Local Planning Authority.

Reason: To reflect the lawful use of the site as set out in the lawful development certificate 95/01050/1EUD and to safeguard the appearance of the site and the visual amenity of the locality, and to comply with Policy D1 of the North Hertfordshire Local Plan 2011 to 2031.

3. Within 3 months of the date of the consent hereby issued, full details of a comprehensive hard and soft landscaping scheme (including planting details and timescales for planting and implementation) and including front boundary treatment shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality, and to comply with Policy D1 and Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.

4. The approved soft landscaping / planting details shall be carried out in accordance with the timescales agreed by the discharge of condition 3. Any trees or plants which, within a period of 5 years from the date of the approval of this consent die, are removed or become seriously damaged or diseased, shall be replaced during the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to vary or dispense with this requirement.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality, and to comply with Policy D1 and Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.

5. Within 3 months of the date of the consent hereby issued, the existing timber fence sited along the site's boundary facing towards West Lane and returning 2m along the site's east boundary along the track off West Lane, shall be removed in its entirety.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality, and to protect against harm to the character and appearance of the Conservation Area and to comply with Policy D1 and Policy HE1 of the North Hertfordshire Local Plan 2011 to 2031.

6. Within 3 months of the date of the consent hereby issued, full details of an Ecological Enhancement Plan (EEP) for the creation of new wildlife features such as bird/bat and bee boxes, hedgehog holes in fences and hibernacula has been submitted to and approved in writing by the local planning authority. The approved measures must be implemented on site within 9 months of the issue of this consent and retained on site thereafter.

Reason: To ensure development is ecologically sensitive and secures biodiversity enhancements in accordance with the North Herts Local Plan policy NE4.

Proactive Statement

Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted proactively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Informatives:

1. New or amended vehicle crossover access (section 184): Where works are required within the public highway to facilitate a new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is

authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration.

2. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.
3. Extent of Highway: Information on obtaining the extent of public highway around the site can be obtained from the HCC website: www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx
4. Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
5. Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.
6. Gravel / shingle driveways: Where loose gravel or shingle is used, a suitable measure to prevent material spilling onto the road/footpath/verge must be installed. It is an offence under section 148 of the Highways Act 1980 to deposit debris onto the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Further information is available by telephoning 0300 1234047.
7. Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website

at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.