



North Hertfordshire District Council
Examination of the Local Plan 2011-2031

Response to Matters and Issues for the
Examination

Matter 10

Land at Mill Lane and London Road, Hitchin (Site reference 220/SHWc)

PREVIOUS REPRESENTATION ID: 6143

October 2017

1.0 Introduction

This report is prepared on behalf of Mr Richard Daniels by hd planning in response to the ‘Matters and Issues’ raised by the Inspector prior to the Examination in Public commencing. This report provides a detailed response to the relevant questions raised by the Inspector as set out within the Schedule of Matters and Issues for the Examination.

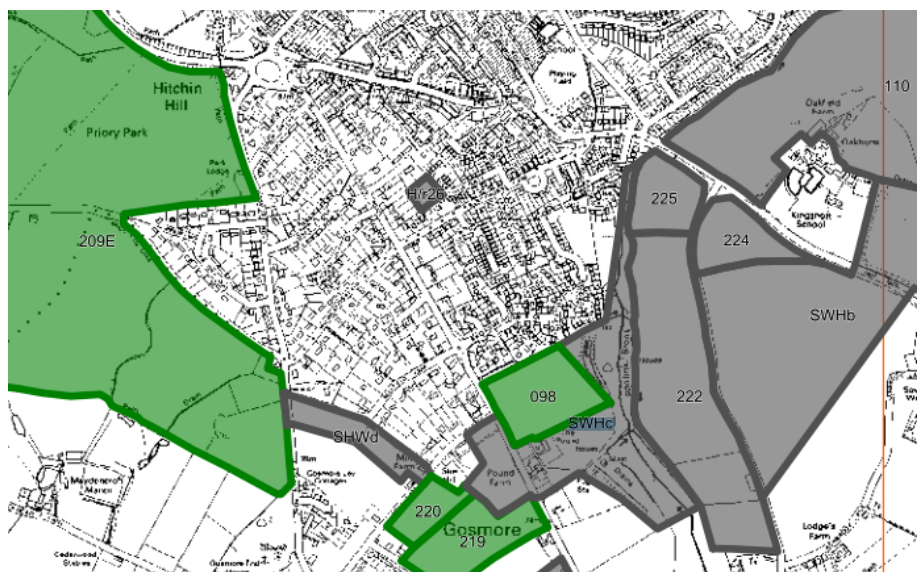
This report summarises our objection to the current Local Plan which is being proposed by the Council and, most critically, the decision to allocate site HT2 whilst discounting other land within the same area. The justification for this allocation and the technical documents which have been used to justify the allocation are considered unjustified and we believe the alternative sites have not been given adequate consideration.

2.0 Previous Submissions

Our representation submitted in November 2016, against the Proposed Submission Draft Local Plan, sought to clarify the existing site submissions in the area to the South West of Hitchin and we questioned the methodology and validity of the SHLAA process over the production of the Local Plan. In addition to this, to clarify the previous site submission through the Local Plan process, we wished to introduce a new site boundary to the submitted site 220 (as included within the SHLAA 2016 –HOU9 and HOU9a) to include some of site SWHc (2014 SHLAA source: https://northherts-cms.cms-dev.firmstep.com/sites/northherts-cms/files/files/strategic_housing_land_availability_assessment_2014_0.pdf)

Site Submission Background

Site 220 formed part of a previous site submission known originally as a strategic site, South West Hitchin (SWH). Later in the Local Plan process this large strategic expansion proposed for Hitchin was divided into four sections (SWHa, SWHb, SWHc and SWHd). At this time site 220 formed part of SWHd and the additional land, that we are now including as an alternative site, was shown within SWHc. This split is shown within the 2014 SHLAA which is available to view through the North Hertfordshire website (extract below), but doesn’t form part of the evidence base or examination library. Within this document SWHc was dismissed due to questions over landownership and deliverability. We can confirm that the land now included within this larger site is owned by our client and we have included land registry details at Appendix A which proves this ownership.



The Housing and Green Belt Background Paper (ref HOU1) and SHLAA documents (HOU9 and HOU9a) submitted, do not comment on the other alternative sites and their reasons for dismissal nor does it comment on the previous strategic site submission in South West Hitchin. We believe this is unjustified as the SHLAA gives the impression that only a few alternative sites were submitted and eventually discounted and this is not correct.

Fig 1. Extract from 2014 SHLAA page 53 – Hitchin (East) sites

3.0 Matter 10

Hitchin

Hitchin

10.6 Are all of the proposed housing allocations deliverable? In particular, are they:

a) confirmed by all of the landowners involved as being available for the use proposed?

b) supported by evidence to demonstrate that safe and appropriate access for vehicles and pedestrians can be provided?

c) deliverable, having regard to the provision of the necessary infrastructure and services, and any environmental or other constraints?

We question the deliverability of site HT2 due to its close proximity to a Wildlife site. The landscape impacts that would be caused by the development of such an open field in this sensitive landscape location have also not been given adequate consideration. We believe there are more suitable sites which should be considered on the edge of Hitchin that will be more deliverable and have less impact on the area. Alternative sites within close proximity to HT2 have not been assessed in adequate detail.

We ask whether there has been adequate research into the impacts that this development would have on the wildlife site and whether this has been taken into account when allocating this site over and above others that have been submitted in the area which are less likely to impact this important area of land.

We question the findings of the Landscape Sensitivity Study (2012) (CG7) and as this has formed the main justification for the allocation of site HT2, we believe the constraints surrounding the site have not been adequately addressed.

We would like to draw the Inspector's attention to the consideration of the landscape area (L1) within this report and ask that a site visit be undertaken to review the findings of this section of the landscape assessment where site HT2 was considered to be 'least sensitive' to change within the surrounding landscape. We believe there are other areas within the vicinity that could be developed with less impact on the landscape area but that have been discounted. This includes the area of land which has been submitted as an alternative site and previously considered under site reference 220 and part of SWHc, as shown at appendix B & C.

10.7 Are all of the proposed housing allocations justified and appropriate in terms of the likely impacts of the development?

As set out to our response to question 10.6, we believe that there is a lack of clear justification for the allocation of site HT2 where other sections of land within the same vicinity were discounted. This allocation appears to have been justified due to the results of a Landscape Sensitivity Study (CG7) which was undertaken in 2012. We suggest that the Inspector revisits the findings of this report and the history of the site selection process (particularly around the Hitchin area) to assess whether there was sufficient justification to warrant the dismissal of other sites on the South West of Hitchin where HT2 was considered acceptable within the same context.

We believe that the impacts that would be caused by the development of HT2 on the landscape area and wildlife designations surrounding the site would be more detrimental to the area than the development of other alternative sites in the vicinity. In particular, the submitted alternative site which has been outlined in our previous representation (ID 61433 - as shown at Appendix B) would be more suitable for development as it would cause less

of an impact to the landscape character area. In fact, the development of this site would help to deliver some open space and landscape protection between the site and the village of Gosmore whilst also helping to improve the highways access to the village. This has been demonstrated on the Indicative Scheme contained at Appendix C.

We refer the Inspector’s attention to our site submission information which was submitted to the Proposed Submission consultation. Full details are contained within document LP7 under ID ref 6143.

Referring to the Landscape Sensitivity Study in more detail (CG7) the Inspector will note that area L1 of the report (which contained HT2) was classified as ‘Moderate/High Sensitivity’. It was concluded that “this landscape unit has a very limited ability to accommodate anything other than very small scale development which fits within the existing landform and landscape structure pattern, and which responds to the existing scale and quantum of settlement.”

Within this section of the report there appears to be no explanation or justification for the decision to show the area surrounding HT2 on the Constraints and Opportunities Plan, which forms page 1 of the pdf report, as ‘least sensitive’ on this plan. We are unclear as to whether this plan forms part of the report or whether it was prepared at a later date as the plan is not referenced within the report and is not dated or referenced separately. The lack of clarity appears to suggest that the justification for the allocation of HT2 was prepared after the landscape sensitivity study was first released.

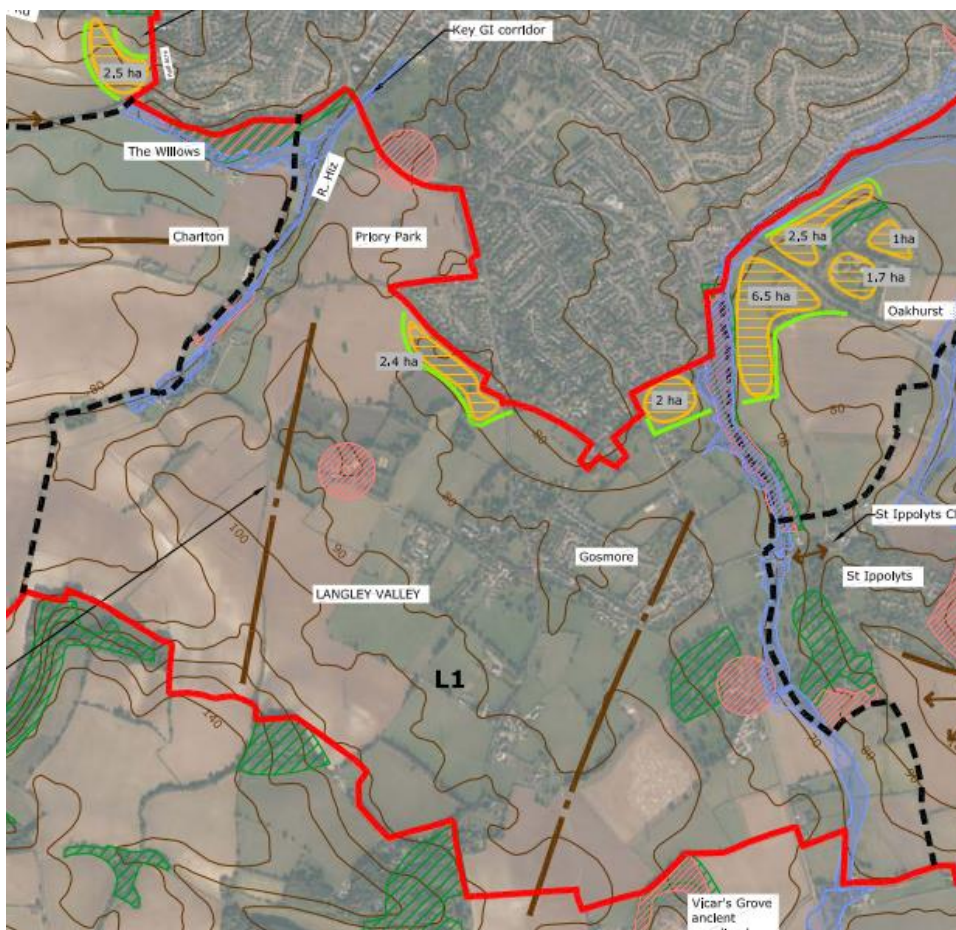


Fig.2 Extract from the Constraints and Opportunities Plan preceding document CG7

10.8 Are all of the proposed allocations the most appropriate option given the reasonable alternatives?

We are unclear on how the Council has considered the alternative sites available. The SHLAA document appears to have been the main document where the housing sites have been tested against a defined assessment criteria. However, the Council has not submitted the previous versions of the SHLAA and haven't commented on how the alternative sites have come through this long process within the evidence base.

The sites visible on the submitted document (HOU9 and maps HOU9a) are only a proportion of those submitted through the Local Plan process. This document also does not adequately justify the reason for allocating some sites over and above others. If this is the Council's main document for assessing and appraising alternative development options this is not set out clearly.

For example, the sites surrounding the South West of Hitchin have not been given adequate assessment. We believe this is due to the background of the sites surrounding HT2. The majority of the residual land around HT2 was put forward as a strategic site (SWH) which was dismissed by the Council in 2014 due to the infrastructure requirements which would have been required to deliver a large site (a separate representation is being submitted by DLP in respect of this matter). This site was later fragmented into sections by the promotor. The closest parcels to HT2 being SWHc (which includes part of the land subject put forward as an alternative within this representation) and SWHd. These split sites were not carried forward into the draft plan due to fragmented ownership and questions over deliverability. However, none of this history and justification has been included within the examination documents. We understand that this fragmented site submission process may have caused some confusion regarding the deliverability of sections of land but we believe the alternative allocations within the vicinity of site HT2 haven't been thought through clearly and that there are more suitable alternatives or additional sites in the area which should be considered.

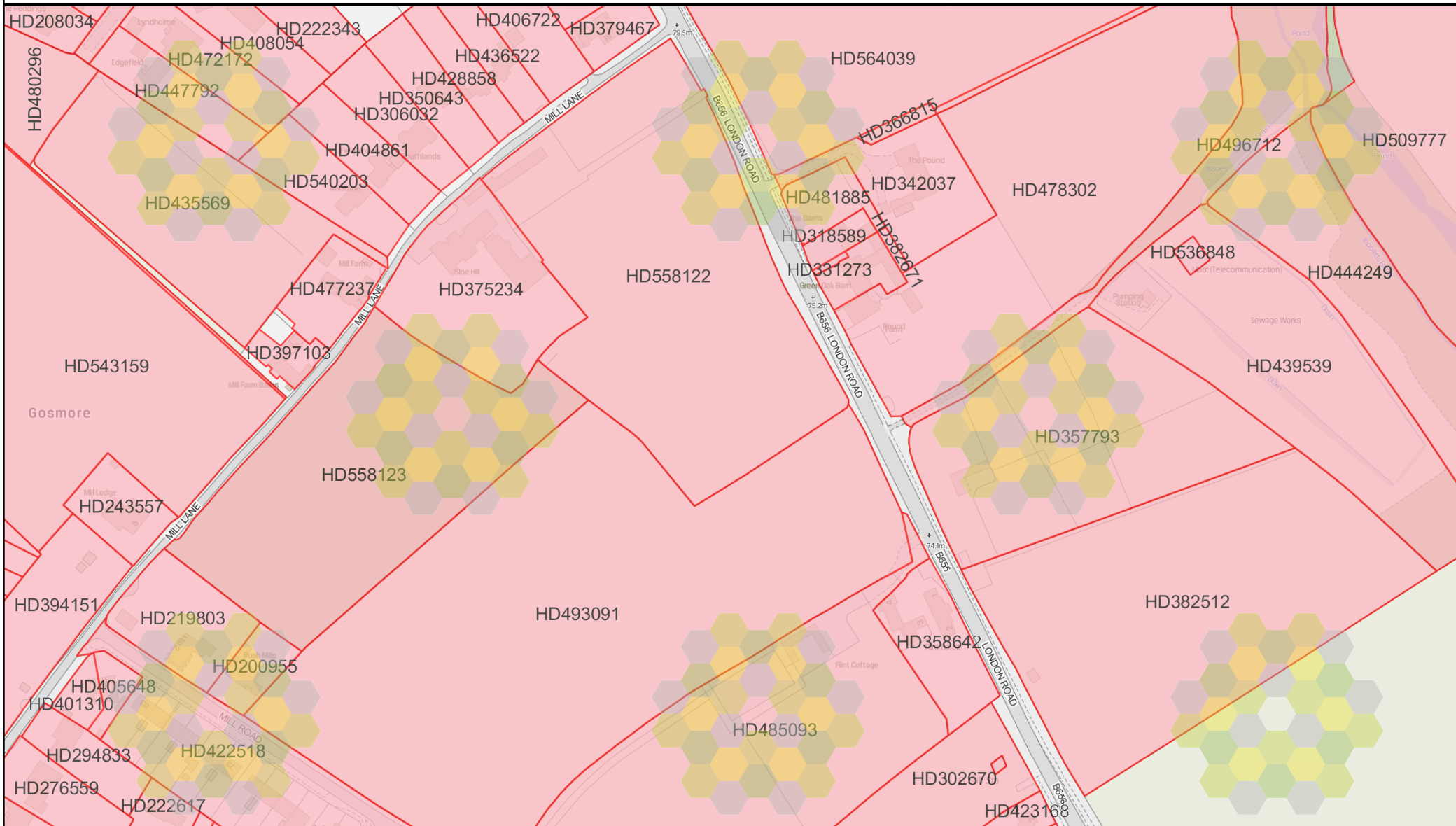
In particular, we would like the Inspector to consider site 220 and part of site SWHc in more detail. We have submitted this alternative site which comprises of a reconfigured site boundary combining areas of land from the two references. This site is deliverable, achievable and is justified to form an additional allocation.

Site SWHc does not appear within the examination documents as the Council does not appear to have provided an account of the other sites submitted through the Local Plan process and their reasons for dismissal. We believe this section of land was dismissed as part of the 2014 SHLAA due to questions over deliverability but it should be clear that the site submitted as an alternative, which we are representing within this submission, is available for development and is under the control of Mr R Daniels.

We ask that the Inspector considers the allocation of this additional section of land as a main modification to the Local Plan.

Appendix A

Land Registry Information



0 10 20 30 40 50 60 70 80 100m

Map scale 1:2500

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Data last updated 10:00pm 27 OCTOBER, 2017

Title Number : HD558122

This title is dealt with by Land Registry, Leicester Office.

The following extract contains information taken from the register of the above title number. A full copy of the register accompanies this document and you should read that in order to be sure that these brief details are complete.

Neither this extract nor the full copy is an 'Official Copy' of the register. An official copy of the register is admissible in evidence in a court to the same extent as the original. A person is entitled to be indemnified by the registrar if he or she suffers loss by reason of a mistake in an official copy.

This extract shows information current on 28 NOV 2016 at 16:56:49 and so does not take account of any application made after that time even if pending in the Land Registry when this extract was issued.

REGISTER EXTRACT

Title Number	: HD558122
Address of Property	: Land on the south-east side of Mill Lane, St Ippolyts, Hitchin
Price Stated	: £40,000
Registered Owner(s)	: RICHARD JACK DANIELS of 98 New Road, Clifton, Shefford SG17 5JJ.
Lender(s)	: Malcolm Winston Tucker

Title Number : HD558123

This title is dealt with by HM Land Registry, Leicester Office.

The following extract contains information taken from the register of the above title number. A full copy of the register accompanies this document and you should read that in order to be sure that these brief details are complete.

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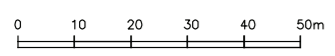
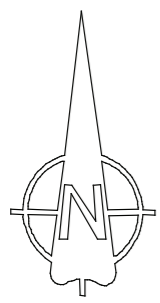
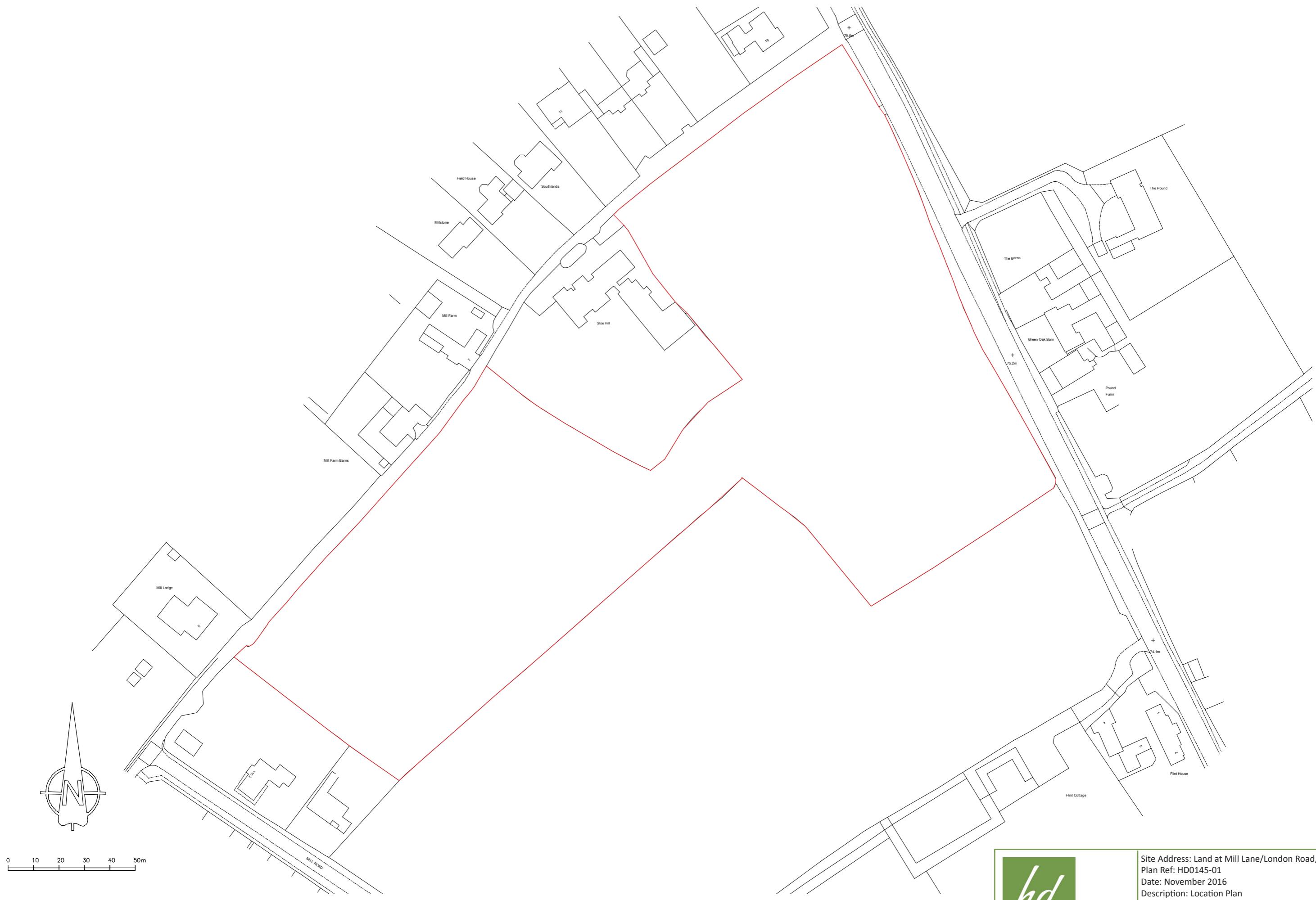
This extract shows information current on 30 OCT 2017 at 11:28:06 and so does not take account of any application made after that time even if pending in HM Land Registry when this extract was issued.

REGISTER EXTRACT

Title Number	: HD558123
Address of Property	: Land on the south-east side of Mill Lane, St Ippolyts, Hitchin
Price Stated	: £40,000
Registered Owner(s)	: RICHARD JACK DANIELS of 98 New Road, Clifton, Shefford SG17 5JJ.
Lender(s)	: Malcolm Winston Tucker Malcolm Winston Tucker

Appendix B

Location Plan



This drawing has been produced for indicative purposes only. A site survey has not been undertaken and measurements should be treated as approximate. This drawing should not be reproduced or copied without the consent of hd planning.

Informatives:






 www.hdplanning.co.uk hayley@hdplanning.co.uk 07916276436	Site Address: Land at Mill Lane/London Road, Hitchin Plan Ref: HD0145-01 Date: November 2016 Description: Location Plan Client: Mr R Daniels Scale: 1:1250 @ A3
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Appendix C

Indicative Site Plan



KEY

- Main Access Point 
- Mill Lane Junction Improvements 
- Mill Lane Widening/Improvements 
- Tree Preservation Order protected with additional landscaping enhancements 
- Open area between Gosmore and Hitchin protected by Green Gap 



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hayley@hdplanning.co.uk
 07916276436

Site Address: Land at Mill Lane/London Road, Hitchin
 Plan Ref: HD0145-02
 Date: November 2016
 Description: Indicative Site Plan
 Client: Mr R Daniels
 Scale: 1:1250 @ A3

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