



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

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Response to Matters and Issues for the  
Examination

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Matter 9

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*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.*

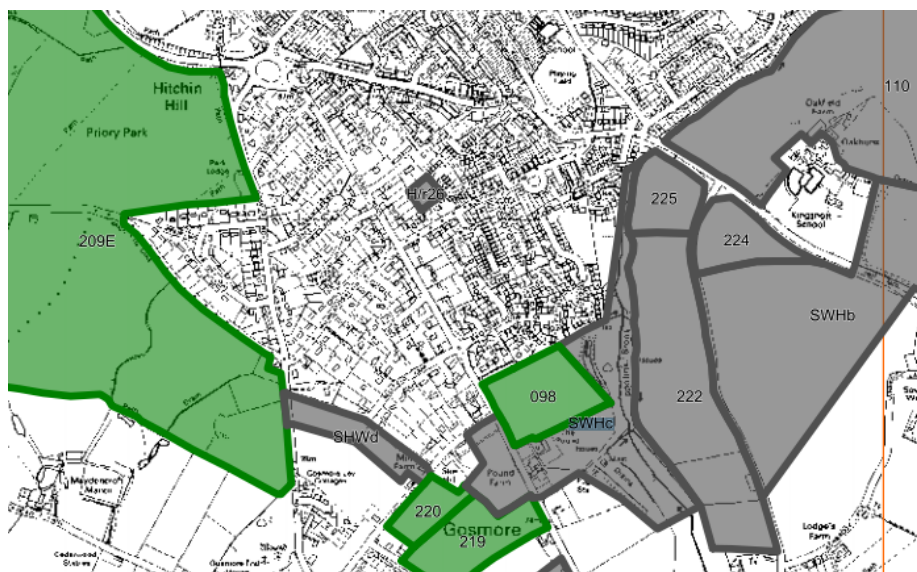
*This report summarises our objection to the current Local Plan which is being proposed by the Council and, most critically, the decision to allocate site HT2 whilst discounting other land within the same area. The justification for this allocation and the technical documents which have been used to 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](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 Response to Matter 9

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### *Issues*

*9.1 Have all sites put forward for allocation been considered through the SA? Is the SA based on appropriate criteria and is it a robust and sound base of evidence?*

Although the majority of the sites put forward for allocation are contained within Appendix 7 of the SA, the document does not fully consider the impacts of the different options of growth for the District or comment on the alternative sites that have been submitted through the earlier stages of the plan preparation process. It merely contains the sustainability matrix responses and does not seem to fully set out the reasons and justification as to why some sites were discounted (which is criticised in our answer below for question 9.2).

The SA comments on the SHLAA process and findings but doesn't show the evolution of the site assessment process through the Local Plan preparation. This lack of justification leads us to question the robustness of the allocation of some sites over others, particularly in the same area where the sites scored similar results to that of allocated sites. Although the previous SHLAA documents are available online we believe the SA needs to adequately address the alternative sites that were submitted.

The SA appears to not look at the alternatives for site selection nor look at the impact that these alternatives may have had to the objectives. The SA appears to have been written after the sites have been selected and does not form a robust and sound base of evidence.

*9.2 What process or methodology has been used to select sites for allocation? In particular:*

*a) Has information from the SHLAA formed the starting point, then the outputs from the SA and the Green Belt review considered, along with an assessment of suitability, availability and achievability?*

*I ask that the Council clearly and precisely explains the site selection process/methodology, including all of the criteria considered. A flow chart may assist.*

The SHLAA information contained at Appendix 7 of the SA only includes the information on the sites which remained within the process in 2016. Prior to this version of the SHLAA several other rounds of consultation and representations were submitted and none of these previous SHLAA assessments have formed part of the evidence base. We ask that the Inspector reviews the previous SHLAA assessments and is made aware of the evolution of the allocation decisions. We believe that the SA should be modified to adequately comment and justify the reasons for the dismissal of the sites not included in the latest SHLAA. In particular, the area of South West Hitchin and the subsequent split of the large parcel into small elements has not been discussed in adequate length. This includes the Site Assessment Matrix of 2014 and the SHLAAs between 2014-2016. Of particular concern is the Council's decision to allocate site HT2 and the justification for this where alternative land within the same area was discounted due to Landscape Impacts and questions over deliverability. We dispute this methodology and the justification behind the allocation of some land in this area whilst discounting other very similar, if not more suitable land, for development.

*b) Have all sites put forward for allocation been considered through the process/methodology? Has the testing of reasonable alternatives been robust?*

The SA does not provide an assessment of all the sites put forward and only comments on those which were not discounted through the SHLAA. A series of sites on the edge of Hitchin were put forward as part of a strategic allocation known as South West Hitchin (SWH). This strategic allocation was then subdivided into four spatial areas and then further split through the process. The Housing and Green Belt Background Paper (HOU1) doesn't comment on the background to this, nor does it suggest that these alternative locations for growth in and around Hitchin were given adequate consideration.

We would particularly like to draw your attention to site 220 which has been increased in size through our representation to the Proposed Submission Local Plan (ID 6143) to also accommodate a section of land which was previously submitted as part of SWH and later formed a part of SWHc. This site has been submitted as an alternative site and we request that this is assessed as an alternative or additional site to be allocated on the South West of Hitchin. SWHc was dismissed in the 2014 SHLAA due to questions over deliverability but we would like to confirm that the section of SWHc contained within this alternative site is wholly in control of Mr R Daniels as set out in Appendix A.

We believe that the justification behind the allocation of site HT2 and no other sites within the area is flawed and additional housing land should come forward in this area and additional allocations should be made as a main modification to the plan.

*c) Have sites been discounted from possible allocation for any reason (for example, through the use of site size thresholds)? If so, are all of the reasons for excluding sites justified?*

Some sites were discounted within the SHLAA for reasons that are not clearly set out within the evidence base and the lack of consistency in the approach is unjustified. For example, site HT2 appears to have been allocated due to the results of a Landscape Sensitivity Study commissioned in 2012, which concentrated on the South West of Hitchin (CG7). This Landscape Sensitivity Study seems to suggest that the only landscape area within the vicinity of the site which is 'least sensitive' is a portion of land which lies within the exact field boundaries of site 98 (which later became site HT2). This assessment is only apparent on the plan which precedes the beginning of the document online and we are unsure as to when this additional plan was produced (it is not dated). Within the body of the document the whole area is classified as 'moderate/high sensitivity' with no areas shown as being 'least sensitive'. For this reason it would appear that all other sites within the vicinity of this parcel (but not the exact field) were discounted, as were other areas outside of site 98(HT2). We question this justification which was used to discount alternative sites. A landscape area does not just stop at field boundaries; it should describe the general characteristic of the landscape as a whole.

Site HT2 (98) is an open field which is visible from London Road and the surrounding area. It is our opinion that this site is, in fact, a more sensitive landscape to change than some of the alternative sites that were promoted and submitted within the area. For example, site 220/SWHc is enclosed and barely visible from any public viewpoint but the landscape study suggested that this land was moderate/high sensitivity. We ask that this paper be reviewed and the capacity for further development within this area to be reconsidered.

*9.3 Overall, has the SA of sites and the selection process been appropriate and robust?*

The SA does not appear to have involved or been part of any of the site selection process. It would appear that the Site Assessment Matrix tested alternatives after the proposed allocations had been made and did not test some of the earlier site submission. We question whether some of the other sites (if tested) would have performed better, if not the same, against the site assessment matrix and, therefore, would equally justify an allocation.

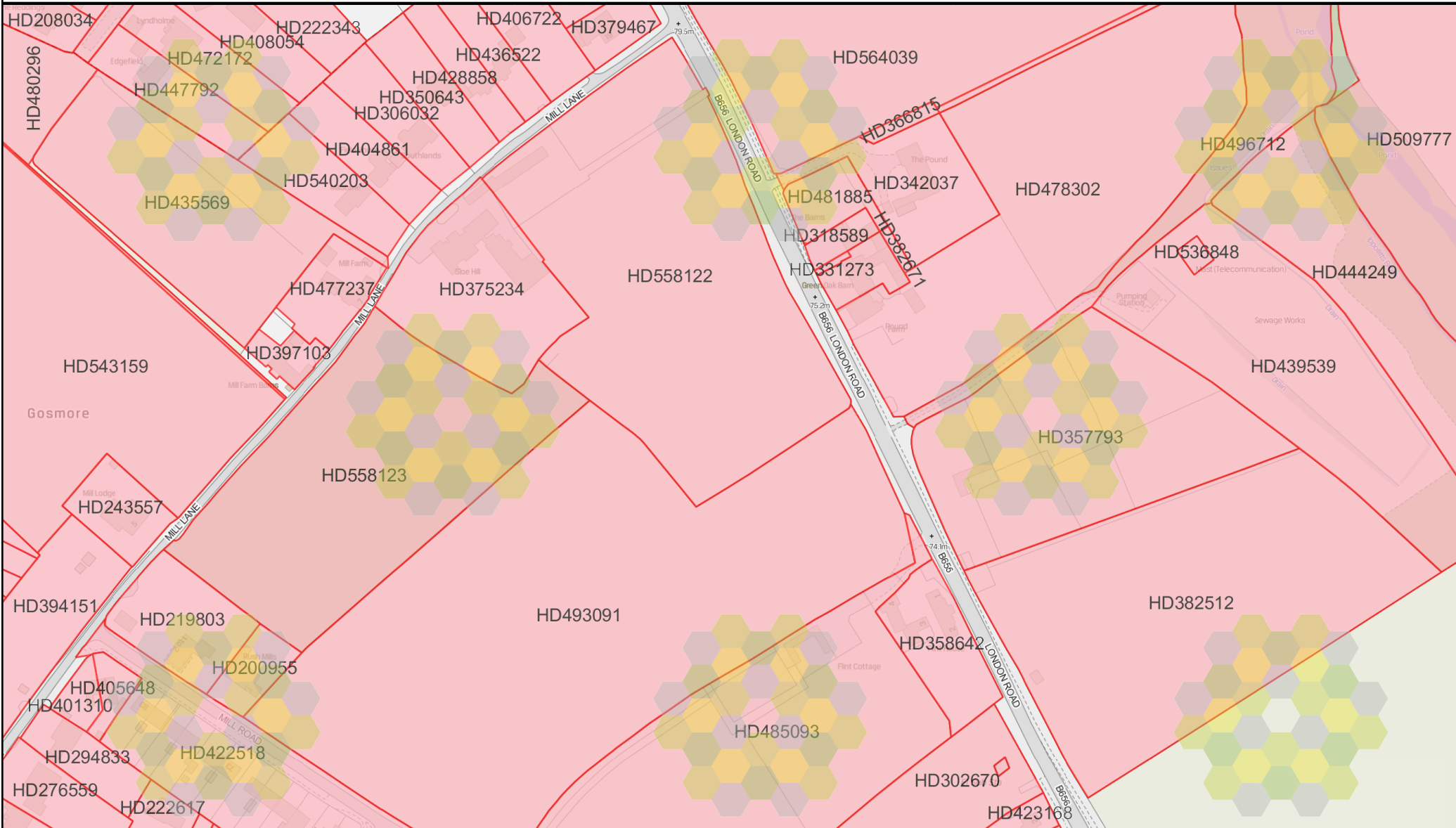
*9.4 In general terms, do the proposed allocations reflect the outcomes of the sustainability appraisal and testing of reasonable alternatives through the site selection methodology? Is there a clear audit trail in this respect?*

The proposed allocations appear to have already been decided prior to the SA being produced. The SA doesn't seem to look at alternatives or justify the reasons for not looking at alternative locations for allocations within the same area. The SA appears to take the conclusions from the SHLAA but this did not look at alternatives or justify why one site has been chosen in favour of others in close proximity. We question the findings of the SHLAA and also the lack of testing of alternatives within the SA where other sites are located within similar areas.

# Appendix A

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*Land Registry Information*



0 10 20 30 40 50 60 70 80 100m

Map scale 1:2500

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This map is for reference purposes only. You are not permitted to copy, sub-license, distribute or sell any of this data to third parties in any form.  
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.

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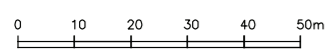
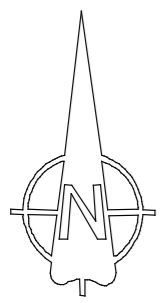
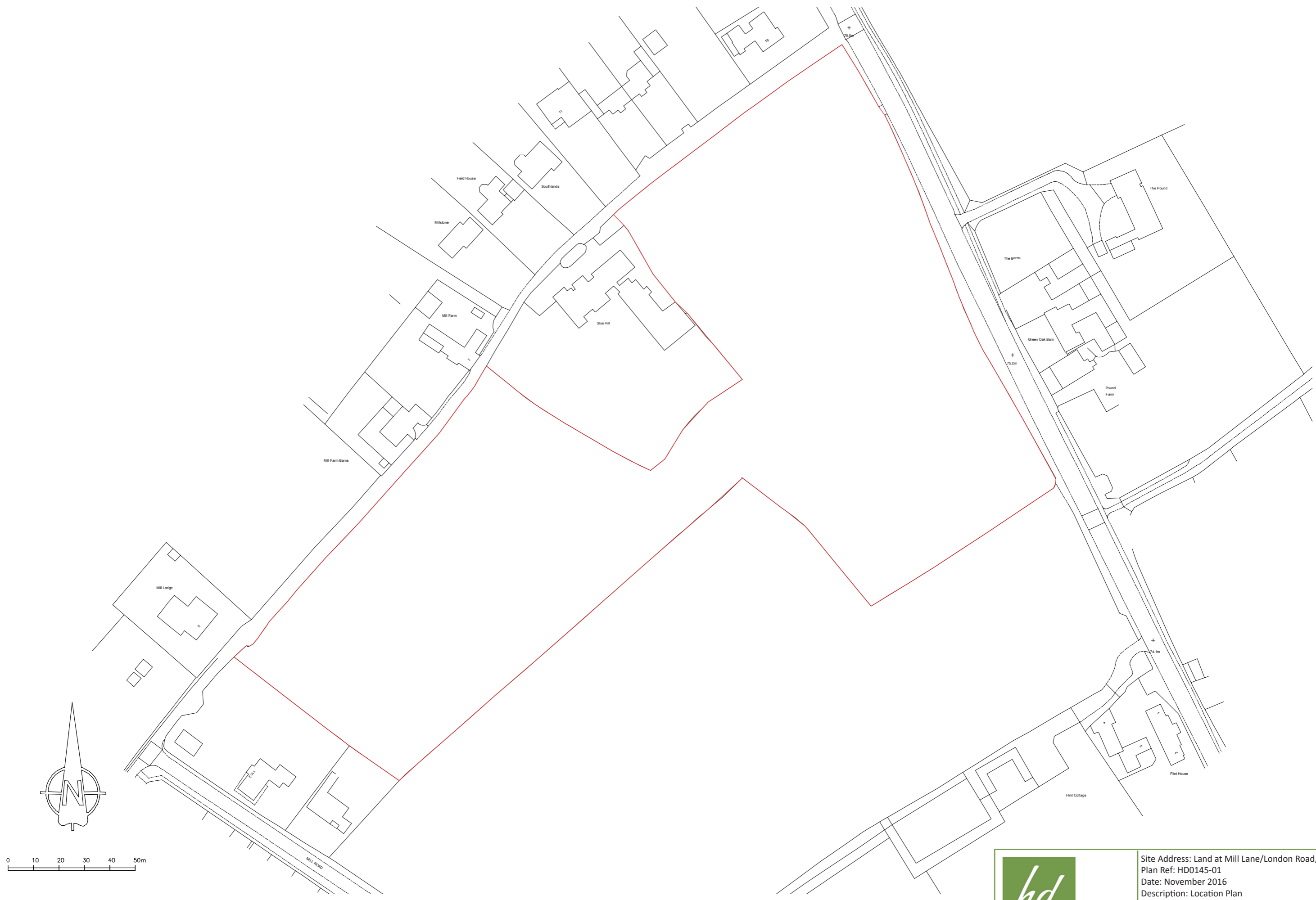
REGISTER EXTRACT

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

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*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:**

 <a href="http://www.hdplanning.co.uk">www.hdplanning.co.uk</a> <a href="mailto:hayley@hdplanning.co.uk">hayley@hdplanning.co.uk</a> 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
	hd planning is a trading name for HD Planning Ltd: Registered in England & Wales under company registration No. 8787670 Registered Address: Suite 1, The Stables, 6 Church St, St. Neots, PE19 2BU Director: Mrs H Doyle






# Appendix C

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*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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 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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