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NORTH HERTFORDSHIRE DISTRICT COUNCIL

PLANNING CONTROL COMMITTEE

TUESDAY, 25TH FEBRUARY, 2025

SUPPLEMENTARY AGENDA

Please find attached supplementary papers relating to the above meeting, as follows:

Agenda No	Item
7.	**24/02606/FP LAND WEST OF TUTHILL HOUSE, KELSHALL TOPS, THERFIELD, HERTFORDSHIRE (Pages 3 - 12)** REPORT OF THE DEVELOPMENT AND CONSERVATION MANAGER Erection of three detached dwellings (1 x 3-bed,1 x 4-bed and 1 x 5-bed) and with associated infrastructure and landscaping

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Application ref: 24/02606/FP

Site address: Land west of Tuthill House, Kelshall Tops, Herts

Addendum to committee report

Update 1 – response received from Conservation Officer

The response from the Council's Conservation Officer has been received and is attached below. This concludes no objection to this application and recommends conditions. In response to the conditions below from the Conservation Officer and those already recommended on the decision:

1. Standard time condition. Included.

2. Precise details or actual sample of the roof materials for the dwellings shall be submitted to and approved in writing by the Local Planning Authority prior to the roofs being covered. Thereafter the roofs shall be implemented in accordance with the approved roof materials.

   Recommend updating condition 3 to state:

Precise details or actual samples of materials to be used on all external elevations and the roof of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced and the approved details shall be implemented on site.

   Reason: To ensure that special regard is paid to the character and appearance of the area and to the setting of Tuthill Manor under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy HE1 of the North Hertfordshire Local Plan 2011 - 2031.

3. The roofs of all three buildings shall be constructed with exposed rafter feet (open eaves) unless otherwise agreed and approved in writing by the Local Planning Authority. Added as condition 18.

   Reason: To ensure that special regard is paid to the character and appearance of the area and to the setting of Tuthill Manor under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy HE1 of the North Hertfordshire Local Plan 2011 - 2031.

4. Prior to the commencement of the above ground site works, details and/or samples of the brick type for the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the facing brickwork shall be implemented in accordance with the approved details/sample. Already covered in updated condition 3.

Reason: To ensure that special regard is paid to the character and appearance of the area and to the setting of Tuthill Manor under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy HE1 of the North Hertfordshire Local Plan 2011 - 2031.

5. All windows/external doors/glazed screen framing shall be manufactured in timber and the windows shall receive flush as opposed to stormproof casements unless otherwise agreed and approved in writing by the Local Planning Authority. Added as condition 19.

   Reason: To ensure that special regard is paid to the character and appearance of the area and to the setting of Tuthill Manor under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy HE1 of the North Hertfordshire Local Plan 2011 - 2031.

   Condition 20

   All rainwater goods are to be cast-iron effect (i.e. Floplast, Brett Martin, Lee Jones products).

   Reason: To ensure that special regard is paid to the character and appearance of the area and to the setting of Tuthill Manor under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy HE1 of the North Hertfordshire Local Plan 2011 - 2031.

Update 2 – neighbour reply

A neighbour reply was received after the committee report was written. This objects to the application on the basis of:

- The site has been previously refused by the Inspector.
- There is a S106 which stipulates agricultural purposes on the land.
- The land is outside of the village and would increase the village limits.
- The access is onto a 60 mph road and is and dangerous.
- The village does not have the amenities to absorb heavy development. These large houses are not needed.
- There is considerable development in Royston, Melbourn and Buntingford.

These objections are similar to those already listed in the committee report and are matters already discussed in the report.

North Hertfordshire District Council

Building Conservation comments

File Ref: 24/02606/FP

Date: 11/02/2025

Planning Officer: AMCD

Address: Land west of Tuthill House. Kelshall Tops, Therfield, Hertfordshire

Subject: Erection of three detached dwellings (1 x 3-bed,1 x 4-bed and 1 x 5-bed) and with associated infrastructure and landscaping.

1.0 Recommendation

1.1 At 5.3 of the submitted Heritage Statement, it says:

The proposed development would have no impact on the significance of the scheduled Motte and Bailey Castle, the Grade II listed Tuthill Manor or the Therfield Conservation Area. Therefore, the proposed development accords with sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act, 1990, in addition to local plan policy HE1 and policies provided in the NPPF.

1.2 Whilst I concur with the view that the proposed development would have no impact on the significance of the scheduled Motte and Bailey Castle, the grade II listed Tuthill Manor or the Therfield Conservation Area, the fact that the site lies outside the conservation area means that Section 72 of The Act does not directly apply. The proposal satisfies the provisions of Sections 66(1) of the Planning (LB & CA) Act 1990 and will accord with Section 16 of the Framework and Policy HE1 of the North Hertfordshire Local Plan 2011 – 2031 and is **UNOBJECTIONABLE** in heritage terms.

2.0 The Local Plan and NPPF (Dec 2024)

2.1 Policy HE1 of the North Hertfordshire Local Plan 2011 - 2031 is relevant as are the following paragraphs of the NPPF:

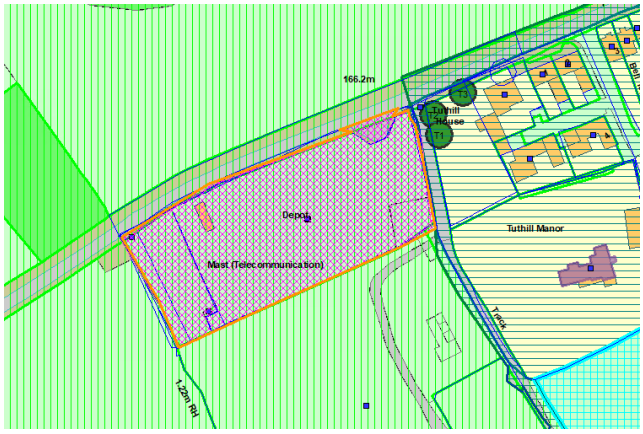
- ***135 c)*** *(sympathetic to local character and history, including the surrounding built environment),*
- ***207*** *(local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting)*

- ***210*** *(desirability of new development making a positive contribution to local character and distinctiveness),*
- ***212*** *(great weight should be given to the asset's conservation),*
- ***213*** *(clear and convincing justification), and*
- ***215*** *(harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use).*

3.0 Context

3.1 As the application is close to a grade II listed building, Tuthill Manor, I have had special regard to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act). I have also had particular regard to the adjacent Therfield Conservation Area and nearby Scheduled Monument (Motte and bailey castle and associated earthworks 100m south of Tuthill Farm). The site is located adjacent to but outside the Therfield Conservation Area and lies directly west of Tuthill Manor. The listed buildings and the conservation area are Designated Heritage Assets for the purpose of applying the aims of the National Planning Policy Framework. The statutory list entry for Tuthill Manor reads as follows:

House, at one time 4 dwellings. Late C15, extended mid C16, floored, heated and extended mid to late C17. Restored and rebuilt c.1970. Timber frame, all exposed, rendered brick infill, brick base. Thatched roof, half hipped on main range. Originally a 2 storey Beacon Tower, extended to right with open hall and parlour end in C16, stack inserted, hall floored and cross wings added to front and rear of original tower in C17 to form a T on plan. 2 storeys and attics. Entrance in 2 storey projecting gabled porch at left end of hall range, plank and muntin door, first floor jettied with moulded bressumer, later brick buttresses, exposed close studding with curved tension braces, jowled posts to clasped purlin roof. Right return of porch has an early ovolo moulded mullioned 2 light window frame with intermediate small diagonal mullions. Bay to right of porch has tension braces, originally internal now external, close studding, early window frames, ground floor 2 lights hollow moulded, first floor 3 lights with diagonally set mullions. Further right a C20 ground floor bay window with a thatched head, first floor C20 2 light casement. Right hand bay of hall is filled by large C17 red brick axial ridge stack, all exposed with first floor open framing. Parlour bay to right has close studding, tension braces, ground floor early ovolo moulded mullioned 3 light window frame with intermediate iron mullions, C20 gabled dormer. Right end, tension braces, close studding, early ovolo moulded mullioned 4 light window frame in attic. To left cross wing projects forward with similar framing, first floor early ovolo moulded mullioned 2 light window frame with intermediate small diagonal mullions. Gable end C18 red brick external stack with an offset. Left return of cross wing has a ground floor 4 light and first floor 3 light early window frames with diagonally set mullions. Larger scantling to jowled posts on late C15 bay. External red brick stack and lean-to projections towards rear of cross wing. Hall range to rear has tension braces, close studding, an early first floor window, C20 gabled dormer and catslide roofs over C20 lean-to outshuts. Interior: frame entirely exposed, stop chamfered bearers and joists, some re-used C17 turned balusters on stair, arched braces to cambered tie beams, clasped purlin roof with curved wind braces.



3.2 Although I provided no formal comment under ref: 21/03533/FP at para 3.7 of the case officer's report the following is noted:

3.7 ***Senior Conservation Officer:*** *Conservation surgery discussion and considers that overall harm to designated heritage assets is within the lower end of the less than substantial harm test set out in paragraph 202 of the NPPF. Considers that some harm would be caused by the larger dwelling proposed on plot 3 to be of a scale that would be dominant within the courtyard setting when compared with the smaller barn style dwellings on plots 1 and 2.*

3.3 This application for three detached dwellings (1 x 4-bed, 1 x 5-bed and 1 x 6-bed) with associated infrastructure and landscaping was refused and subsequently dismissed at appeal on 22 February 2024.

3.4 The following is noted in the Inspector's Decision:

In this case, there would be a range of harms and benefits arising from the development ***which were carefully balanced in the officer's report*** *to the planning committee, resulting in a clear conclusion that the benefits would outweigh the harms and so planning permission should be granted i.e. material considerations indicate a decision other than in accordance with the development plan…. (para 11)*

There is only one area where I disagree with the planning officer's recommendation and that is in relation to the effect on the character and appearance of the area, or more specifically the design of the scheme. Whilst redevelopment of the site would be a significant benefit, ***given its unsightly and discordant appearance at present, the proposed 'Manor House' (Plot 3) is simply too large.*** *Two stories with additional rooms within the roof, coupled with the substantial width and depth of the proposed building would result in a building of excessive scale and mass. It would become* ***overly prominent on the edge of the village****, where it might be expected that development would be diminishing, transitioning between the settlement and the countryside beyond. (para 12)*

*The **site is eminently suitable for a residential development of three houses**, which would make a contribution to housing supply in the district, consistent with the objective to boost housing supply contained in the Framework. **The introduction of a residential use would also be far more appropriate than the extant use**, which could continue at any time, albeit subject to conditions and obligations. The proposed design approach, to introduce buildings of an agricultural style would reflect the site's rural context, as would the use of timber weather boarding, but that does not overcome my concerns in relation to plot 3. (Para 13)*

3.5 The above is acknowledged at 4.2 of the submitted Heritage Statement where it reads as follows:

The Inspector considered the proposals and the conclusions of the Planning Officer (who confirmed that any planning harms would be outweighed by the benefits of the proposals) and disagreed on the area (see reasoning at paragraph 11 of the Inspector's Decision Letter). The Inspector found that the design of Plot 3, the "manor house" typology would be too large and discordant in the local area. For that reason, the design would fall short of the "high bar" of good design (paragraph 14).

3.6 It is noted that although the Inspector did not explicitly identify any harm to any designated heritage assets or consider this matter in detail (with it not forming a reason for refusal), the Planning Officer did identify less than substantial harm to the significance of the conservation area, but considered this to be outweighed by the public benefits of the proposals. I note para 4.3 of the Heritage Statement where it states that the impacts to designated heritage assts did not form a reason for refusing the previous application or the dismissal of the subsequent appeal.

4.0 The Proposal - Erection of three detached dwellings (1 x 3-bed,1 x 4-bed and 1 x 5-bed) and with associated infrastructure and landscaping.

4.1 Whereas the previous scheme provided for 1 x 4-bed, 1 x 5-bed and 1 x 6-bed, the scheme now provides for Plot 1 (5-bed), Plot 2 (4-bed) and Plot 3 (3-bed).

4.2 It is noted at 4.4 of the Heritage Statement that:

The proposals have been amended to reduce the height, scale and overall massing of Plot 3, while still retaining the other core design principles and introducing an agricultural character into the Site. ***This will comprise the principal "farmhouse"*** *and smaller barn and stable typologies, finished in timber weatherboarding. The balance between hard and soft landscaping will be retained, while the planted boundaries to the Site will also be retained and managed.*

4.3 The principal "farmhouse" typology has since been omitted so perhaps a more appropriate typology for the site might be to say that all three units have agrarian accents forming a barn-like grouping.

Proposed Front Elevation

4.4 Whilst the dwelling at Plot 3 is considerably reduced in height (by a third), I have a couple of design observations to make:

- If dwelling 3 is to read as essentially agrarian rather than domestic in character, the chimney disturbs this perception and appears somewhat 'out-of-place'; also
- There are two large blacony roof lights on the rear elevation of Unit 3 and a similar one proposed on the south elevation of Unit 2. This design feature was proposed in the same location for the south elevation of Unit 2 and for which no comment was made in the Inspector's Decision. Depending upon their visibility when entering Therfield from the west, I may be slightly concerned that the balconies on Plot 3 may also introduce a more residential character. This to an extent depends on what tree screen remains once the development is completed. However, on balance probably not objectionable.

4.5 Finally, unlike the previous scheme where all the land to the west and behind Unit 3 appeared to go with that plot, there is now a dashed line with the following annotation *'overgrown land to the rear to be managed separately'*. I am curious as to what this actually means. Who will own the land? If in separate ownership how is access provided as this would appear to be land-locked? Will there be some form of boundary demarcation?

5.0 Suggested conditions

5.1 It assumed that the case officer will be dealing with any hard/soft landscaping, boundary treatment, cycle/bin store matters via condition if required and the following is noted at page 37 of the Planning Statement:

> The scheme, as revised, has now resulted in an improved appearance overall particularly in relation to Plot 3 following the Inspector's decision. Should any appropriately worded conditions be required to secure further details of external finishes we would be happy to discuss these in conjunction with the Applicant to ensure the overall design and appearance is supported for this proposal. Taking into account the above the development is considered to reflect a positive addition to this part of Therfield, improving the appearance of the Site and creating three attractive and high-quality homes.

6. Standard time condition.

7. Precise details or actual sample of the roof materials for the dwellings shall be submitted to and approved in writing by the Local Planning Authority prior to the roofs being covered. Thereafter the roofs shall be implemented in accordance with the approved roof materials.

   Reason: To ensure that special regard is paid to the character and appearance of the area and to the setting of Tuthill Manor under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy HE1 of the North Hertfordshire Local Plan 2011 - 2031.

8. The roofs of all three buildings shall be constructed with exposed rafter feet (open eaves) unless otherwise agreed and approved in writing by the Local Planning Authority.

   Reason: To ensure that special regard is paid to the character and appearance of the area and to the setting of Tuthill Manor under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy HE1 of the North Hertfordshire Local Plan 2011 - 2031.

9. Prior to the commencement of the above ground site works, details and/or samples of the brick type for the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the facing brickwork shall be implemented in accordance with the approved details/sample.

   Reason: To ensure that special regard is paid to the character and appearance of the area and to the setting of Tuthill Manor under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy HE1 of the North Hertfordshire Local Plan 2011 - 2031.

10. All windows/external doors/glazed screen framing shall be manufactured in timber and the windows shall receive flush as opposed to stormproof casements unless otherwise agreed and approved in writing by the Local Planning Authority.

    Reason: To ensure that special regard is paid to the character and appearance of the area and to the setting of Tuthill Manor under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy HE1 of the North Hertfordshire Local Plan 2011 - 2031.
    Note: Ideally, I would also like to include a condition relating to rainwater goods (cast-iron effect i.e. Floplast, Brett Martin, Lee Jones products) but you may consider that with this site being outside of the conservation area and a little distance from Tuthill Manor that this would be unreasonable.

Mark Simmons

Senior Conservation Officer