

<u>Location:</u>	<b>Nicholls Yard Crow Lane Reed Hertfordshire SG8 8BJ</b>
<u>Applicant:</u>	<b>K D Duke &amp; Partners</b>
<u>Proposal:</u>	<b>Erection of three 2-bed, three 3-bed, and one 4-bed dwellings and associated parking and formation of vehicular access onto the highway.</b>
<u>Ref. No:</u>	22/02225/FP
<u>Officer:</u>	<b>Tom Rea</b>

**Date of expiry of statutory period:** 18/10/2022

**Submitted Plan Nos:** 2420se-01 1 of 2 21741se-02 2 of 2 AH015.001.00 afaP400-1A afaP400-2 Units 1; 2 and 3 afaP400-3 Units 1; 2 and 3 afaP400-4 Unit 4 afaP400-5 Unit 4 afaP400-6A Units 5 and 6 afaP400-7 Units 4; 5 and 6 afaP400-8 Units 4; 5 and 6 faP400-9 Unit 7 afaP400-10 Unit 7 afaP400-11 afaP400-12A

**Extension of statutory period:** 16/6/23

**Reason for referral to Committee:** Residential development on a site in excess of 0.5 hectares

## 1.0 **Site History**

- 1.1 The following list of applications at Wisbridge Farm are of some relevance :
- 1.2 03/01483/1: Land at Wisbridge Farm – Conversion of barn into a five bedroom dwelling with garaging and parking. Erection of three four bedroom detached dwellings with detached garages following demolition of existing agricultural buildings. Alterations to existing vehicular access from Crow Lane and provision of landscaping. Granted 31/3/04
- 1.3 04/01593/1: Land at Wisbridge Farm – Conversion of barn into 2 three bedroom dwellings with garaging and parking. Erection of 2 four bedroom detached dwellings with detached garages and a courtyard group of 2 three bedroom and 1 two bedroom dwellings following demolition of existing agricultural buildings. Alterations to existing vehicular access from Crow Lane and provision of landscaping and ancillary works (as a variation of planning permission 03/01483/1) Granted 20/1/05

1.4 05/00664/1: Land at Wisbridge Farm – Erection of two 4 bedroom detached dwelling houses with detached garages as variation of details approved as part of planning application 04/01593/1) . Granted 21/06/05

## 2.0 **Relevant Planning Policies**

### 2.1 North Herts Local Plan 2011 - 2031

2.2 Policy SP1: Sustainable development in North Hertfordshire  
Policy SP2: Settlement Hierarchy and Spatial Distribution  
Policy SP6: Sustainable Transport  
Policy SP8: Housing  
Policy SP9: Design and Sustainability  
Policy SP12: Green Infrastructure, landscape and biodiversity  
Policy SP13: Historic Environment  
Policy T1: Assessment of Transport matters  
Policy T2: Parking  
Policy HS2: Housing mix  
Policy D1: Sustainable Design  
Policy D3: Protecting living conditions  
Policy D4: Air Quality  
Policy NE2: Landscape  
Policy NE4: Biodiversity and geological sites  
Policy NE7: Reducing flood risk  
Policy HE1: Designated heritage assets  
Policy HE4: Archaeology  
Policy IMR1: Five Year Housing Land Supply  
Policy IMR2: Local plan early review

### 2.3 National Planning Policy Framework

Section 2: Achieving sustainable development  
Section 5: Delivering a sufficient supply of homes  
Section 9: Promoting sustainable transport  
Section 11: Making effective use of land  
Section 12: Achieving well-designed places  
Section 14: Meeting the challenge of climate change, flooding and coastal change  
Section 15: Conserving and enhancing the natural environment  
Section 16: Conserving and enhancing the historic environment

### 2.4 Supplementary Planning Documents

Vehicle Parking Standards at new development  
Design Supplementary Planning Document

2.5 Reed does not have a Made Neighbourhood Plan

### 3.0 Representations

#### 3.1 Reed Parish Council:

Objects to the planning application on several grounds.

##### Summary of Objections:

1. The application does not conform to key elements of the North Herts Emerging Local Plan (ELP), which has additional weight and relevance following publication on 8 Sept. of the Inspector's Report and Main Modifications. It is also in conflict with policy 6 of the Saved Local Plan, which accords with the NPPF in its aim to protect the intrinsic value of the countryside. Non conformity of this application to the ELP consists in: a) the availability of an allocated site in Reed to be built out within the period of the ELP and: b) the relevant local context, which is one of extensive housing growth already in Reed in the period covered by the ELP since 2011 and the fact that Reed is not a "growth" village in the ELP. (Note: though Policy 6 is time expired it remains applicable, pending the expected and imminent adoption of the ELP).
2. The application if granted would set a precedent for building on all remaining green space within the Reed Settlement Boundary in the ELP and would be a misapplication of Policy SP2.
3. The application would cause harm to the Reed Conservation area, contrary to the aims of section 16 of the NPPF and to the exemptions set out in footnote 7 to NPPF 11(d)(i); it is also at odds with policy 6 of the Saved Local Plan.
4. The application is not sustainable. Services and amenities are already very limited in Reed and the small contribution of these houses to supporting such as exist is far outweighed by the additional pressure they would impose, given that the application does not meet local need, or the need for affordable housing.
5. Limited Weight should be attributed to North Herts' Deficiency in 5 Year Housing Supply
6. Should a resolution be made to grant permission the Parish Council expect the developer to volunteer a mitigating financial contribution towards improving local infrastructure to accommodate the development of at least £30,000

#### 3.2 Local Highway Authority

Advises that the principle of the development is acceptable however a number of details are required to enable the application to be approved.

#### 3.3 NHDC Conservation officer

Raises an objection on the basis that the proposal will fail to satisfy the provisions of Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the aims of para 130 and Section 16 of the NPPF and the aims of Policy HE1 of the North Hertfordshire Local Plan 2011-2031.

#### 3.4 Hertfordshire County Council Historic Environment Advisor:

Requested an Archaeological Desk Based Assessment (submitted on 4<sup>th</sup> April 2023). Response to submitted assessment awaited.

3.5 Hertfordshire Ecology

Any comments will be provided at the meeting

3.6 NHDC Environmental Heath team:

Air Quality officer – Requests an Electric Vehicle Recharging Infrastructure condition and informative

Noise and Other nuisances officer – Recommends an informative

Contamination officer - Requests a land contamination condition to secure a Phase I assessment

3.7 Hertfordshire County Council Growth & Infrastructure team

Advises that HCC will not be seeking financial contributions due to the size of the site and number of dwellings. Advises that HCC Fire & Rescue service may request the provision of fire hydrants through a planning condition.

3.8 Hertfordshire County Council Rights of Way officer

No response received

3.9 Site Notice, Press advertisement and Adjoining residents

Several local residents have responded. Full comments can be seen on the web site. The comments can be summarised as follows:

- No comments on how local services would be enhanced / no benefit to village
- Inadequate infrastructure in the village to accommodate the development
- An overdevelopment / overcrowding / insufficient room
- Overbearing impact / excessive height
- Detrimental to visual amenity through bins and parking
- Concern over highway safety and spaces for visitor parking
- Concern over access for emergency and service vehicles
- Concern over construction traffic
- No affordable housing
- Adverse impact on properties in Nicholls Yard
- Harmful to the Conservation Area
- An unsustainable development
- Would result in a disproportionate growth in housing for the village

3.10 Councillor Morris wrote in support of the Parish Council's objection requesting that the application be referred to the Planning Committee for determination. Councillor Hill objects to the development endorsing many of the points already made by residents.

#### 4.0 **Planning Considerations**

##### 4.1 **Site and Surroundings**

- 4.2 The application is located at the eastern end of the village of Reed on the south side of Crow Lane covering an area of approximately 0.51 hectares of currently open land. The site is irregular in shape and is bisected by an existing vehicular and pedestrian access off Crow Lane that serves development on the former Wisbridge Farm known as Nicholls Yard. The western part of the site, including most of the access road, is within the Reed Conservation Area. All of the site is within the village boundary as defined in the Proposals Maps forming part of the adopted Local Plan and designated as a Category A village of Reed in Policy SP2 of the Plan.
- 4.3 The site has a wide frontage onto Crow Lane and includes the vehicular entrance into Nicholls Yard. The separate parcels of land each side of the access road within the site are undeveloped with no buildings, structures or hardsurfacing. The access road is surfaced in a bonded gravel type material and is a 'shared surface' with soft verges.
- 4.4 The Crow Lane frontage comprises a mainly hawthorn hedgerow, shrubs and trees. The two parcels of land are enclosed with post and rail fencing and hedgerow and contain mainly unmanaged grassland although both have also been planted with young trees. The southern part of the site around the turning circle has more mature planting with several good quality trees.
- 4.5 Footpath Reed 005 which has an unmade surface, dissects the eastern parcel of land running in a north south direction linking with Crow Lane through the hedgerow. Arable farmland is located to the east of the site boundary.
- 4.6 To the north of the site on the opposite side of Crow Lane are several dwellings forming a generally loose knit linear development along the Lane. North Farmhouse and Crabtree Cottage are Grade II listed. To the south of the site is the Nicholls Yard development comprising of new build dwellings and converted barns. Wisbridge Farmhouse to the south west is Grade II listed.
- 4.7 Whilst there is residential development to the north, south and west of the site it has rural character as emphasised by significant amount of soft landscaping including grassland, hedgerows and tree planting and the narrow Crow Lane carriageway which has no footpaths or street lighting. The extensive arable land to the east underpins this rural, edge of settlement and undeveloped character.

##### 4.8 **Proposal**

- 4.9 This detailed application seeks permission for the erection of seven dwellings. All of the dwellings would be of two storey height.

#### Units 1, 2 & 3

These units would be provided on the western parcel of land in the form of a short terrace with the principal elevation facing eastwards towards the existing access road.

Each of these dwellings would contain 3 bedrooms and each have a private rear garden. A communal parking area is proposed to serve these units off the private access road to south of Unit 3. The external appearance would be of painted render.

#### Units 4

This unit would be two storey with single storey wings facing the existing access road. The unit would contain 3 bedrooms and would have a side and front garden. Cladding would be the main external material.

#### Units 5 & 6

These units would consist of a pair of 3 bedroom semi-detached two storey dwellings. The principal elevation would face towards an internal courtyard shared with Units 4 & 7 with the main rear elevations and gardens facing Crow Lane. The main external material would be timber cladding.

#### Unit 7

Unit 7 would be a detached two storey dwelling comprising 4 bedrooms with the principal elevation facing towards the internal courtyard. Cladding would be the main external material.

The development would provide 14 parking spaces overall via the shared parking area for units 1,2 & 3 and within the courtyard area serving units 4, 5, 6 & 7.

An area of open space is proposed to the east of Footpath 005.

All of the dwellings would be for open market sale – no affordable units are proposed

### 4.10 **Key Issues**

#### 4.11 The principle of development

4.12 The main issue is whether the proposal, in respect to land use and amount of development, would be suitable in this location having regard to local and national planning policies.

4.13 The site is located at the eastern edge of the village within the village boundary as identified in the adopted Local Plan. Reed is classed as a Category 'A' settlement in the Plan. Strategic Policy SP2 of the Plan ('Settlement Hierarchy and Spatial Distribution') states the following:

*'In Category A villages, general development will be allowed within the defined settlement boundaries'*

4.14 In view of the above there is clearly a presumption in favour of development within the boundaries of Category A villages. This is consistent with the Council's strategy which, whilst focussing the majority of new development on the existing towns in the district in order to make maximum use of existing infrastructure, considers it is important also to allow the growth of villages and to permit those village communities to continue to thrive and function. That does not automatically mean that any land within the settlement

boundaries is suitable for development and regard must be had to other relevant policies in the Plan, the guidance in the NPPF as a whole and other material considerations.

- 4.15 Strategic Policy SP1 of the Plan in supporting the principles of sustainable development states that the Council will:

*Grant planning permission for proposals that, individually or cumulatively:*

- i. deliver an appropriate mix of homes, jobs and facilities that contribute towards the targets and aspirations in this Plan;*
- ii. create high-quality developments that respect and improve their surroundings and provide opportunities for healthy lifestyle choices;*
- iii. provide the necessary infrastructure required to support an increasing population;*
- iv. protect key elements of North Hertfordshire's environment including biodiversity, important landscapes, heritage assets and green infrastructure (including the water environment); and*
- v. secure any necessary mitigation measures that reduce the impact of development, including on climate change*

- 4.16 The message in Policy SP1 is clear that whilst the Council will support growth, delivering sustainable development also means protecting key elements of the natural and historic environment. This approach is also endorsed by Paragraph 130 of the National Planning Policy Framework which seeks to ensure that developments:

*a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*

*b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*

*c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*

*d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*

*e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*

*f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

- 4.17 Policy D1 of the Local Plan ('Sustainable Design') provides more detailed advice on the criteria for acceptable development advising that development should '*respond positively to the site's local context*' and enhances its surroundings.
- 4.18 Whilst the principle of development within the village boundary may be accepted in broad policy terms, the question of whether the proposed development is appropriate requires a more detailed assessment of the character and appearance of the site and its immediate surroundings and then an analysis of the proposed design and layout having regard to that character taking into account relevant development plan and national planning policies and all other material planning considerations.
- 4.19 Impact of the development on the character and appearance of the area
- 4.20 The village of Reed has a distinctly rural setting with the majority of the surrounding land in arable farming use. The character of the village is defined by a series of rural lanes and network of public footpaths and low-density linear development comprising both modern and historic buildings.
- 4.21 The Reed Conservation Area is extensive and covers the majority of the village save the far western end and includes a number of open spaces and historic buildings and monuments. The Conservation Area can be described as being predominantly rural with a strong sense of openness and a countryside setting.
- 4.22 The Category A village boundary is drawn tightly around the linear development along the lanes throughout the village and the application site together with Housing Allocation site RD1 (Land at Blacksmiths Lane) and the school are effectively the only open, non-residential curtilage areas of land within the village boundary. As Site RD1 is earmarked for housing development and the school playing field is a necessary functional element of the school. The application site is essentially the only undeveloped space within the new village boundary and as such its value as an area of open land contributing towards the open character of the village is of particular importance.
- 4.23 The submitted Planning Heritage statement agrees that the application site has a rural setting at paragraph 2.1 as follows:
- 'The development site, although situated within the settlement boundary of Reed (as defined in the emerging local plan), does appear to have a ruralised setting'*
- 4.24 The application site contributes to the open rural character of the village, and it acts as a transition from the built development along Crow Lane to the west and north to the farmland to the east of the site. It also provides 'breathing space' between the Crow Lane properties and the Nicholls Yard development echoing the spatial quality and context of the village and maintaining the open vista across to the adjacent farmland.
- 4.25 The proposed scheme would almost completely develop the site for residential development (approximately 80%) except for the far eastern part which would be planted as a triangular shaped area of open space. Such development would substantially erode the open, rural character of the site and this would be compounded by the density of development and its two-storey scale together with all of the usual paraphernalia



associated with residential development such as on-street parking, garden sheds and other garden structures and equipment, bin stores, fencing and lighting.

- 4.26 Moreover, upon investigation of the original planning permission for the Nicholls Yard development (planning permission ref: 03/01438/1) it is apparent that the application site (on both sides of the existing access driveway) was part of the setting agreed by the Local Planning Authority for that development with the intention that the land was undeveloped and landscaped. The submitted Design statement for that scheme stated as follows:

*'A full and complimentary landscaping scheme, promoting indigenous tree and hedge planting, will enhance the site and wider area and will reinforce the village boundaries to the residential curtilage with a softer and more natural appearance'*

The approved site plan and landscaping scheme for that planning permission is attached at **Appendix A** to this report. Development on the application site would breach the terms of that permission irrespective of the concerns raised above regarding loss of openness.

- 4.27 The proposed development also proposes the construction of two, 2 storey houses (Units 6 & 7) together with a garage block immediately up to the boundary with the adjacent Footpath 005. Whilst the alignment off the footpath would not be altered by this proposal, it would be bounded along its western side by built development. This would have an overbearing and partial enclosing effect curtailing views across the application site. The footpath currently provides a direct route from the village into the countryside and is therefore of high sensitivity. As such the eastern part of the development would have a significant impact on the experience and enjoyment of this rural footpath by reason of the proximity and scale of new housing development to the footpath.
- 4.28 In terms of layout and design it is noted that Units 4, 5 and 6 all have their primary elevations facing inwards towards the internal courtyard area with their main garden areas facing towards Crow Lane and the access road. This arrangement is not reflective of the prevailing pattern of housing development along Crow Lane in particular where the majority of houses have their main frontages facing the Lane. This inward facing part of the development, turning its back to the highway and the access road would fail to integrate the scheme with the village, create little sense of arrival into the development and is considered to be poor placemaking.
- 4.29 Unit 4 is considered cramped by reason of the lack of space around the building, no front garden and its main usable outdoor amenity spaces facing the access road and Crow Lane.
- 4.30 The proposal would result in a significant amount of built form. This would result in an erosion of the area's rural and open character especially through the density of development, its two-storey scale and domestic style of architecture. This adverse effect would occur irrespective of the materials from which the proposed development would be constructed from.

- 4.31 The proposed development would be of significant height and overall footprint and would include a substantial amount of hardsurfacing to create the courtyard access, the courtyard itself, the shared parking area (for plots 1 – 3) and associated footpaths. It would therefore have a substantial urbanising effect upon the rural character of the site and the surrounding area.
- 4.32 By reason of its close proximity to Crow Lane and the footpath the development will be very prominent. It will be readily viewed from public areas and has the potential to be experienced by a great number of people, including passing motorists and other road users. Consequently, the proposal would result in a strident and non-confirming form of development in this location.
- 4.33 It is concluded that the proposed development would have an adverse effect upon the character and appearance of the surrounding area. The development in this regard would conflict with Policies SP1, SP2, SP9 and D1 of the Local Plan.
- 4.34 Impact on Heritage Assets
- 4.35 In assessing these impacts it is useful to refer to the Reed Conservation Area Character Statement (November 2019) which describes the significance of the assets. Extracts from the statement are set out below with relevant text highlighted:

*2.1.1 The current layout of Reed Conservation Area continues to reflect the early pattern of medieval settlement. Groups of cottages and farmsteads, as well as an unusually high number of moated manorial sites, are scattered around three historic greens and tracts of agricultural land. The Conservation Area follows an unorthodox arrangement encompassing a roughly square space defined by four lanes (Church Lane, High Street, Jackson's Lane and Driftway). These bound a central expanse of open farmland. The Conservation Area, therefore, can be characterised by extensive tracts of agricultural land with a low density of historic and modern buildings fronting the country lanes. Accordingly, **the character of Reed Conservation Area is highly rural with a strong countryside setting.***

*2.1.2 **The key character of Reed Conservation Area is its openness. There is no suburban quality to the area, instead houses and farms are mostly scattered along the various country lanes, often with an abundance of space in between properties.** There is a slight increase in density of housing in the northern parts of the Conservation Area.....*

2.1.3 The historic buildings located along Crow Lane and High Street are typically one and a half storeys, with steeply pitched thatched or tile roofs..... **The substantial, non-designated threshing barn of Wisbridge Farm House (1175755) is the tallest structure in the area and is highly visible from the road (Figure 2.1).** The historic buildings in these areas are arranged in a loose, organic pattern, with several exhibiting later extensions (e.g. North Farm House, 1175734) and often positioned with their gable ends facing the lanes (e.g. Wisbridge Farm House, 1175755). **The properties are spaced apart and set in spacious plots with views afforded in between buildings.** Unlike the row of 20th century housing established on Brickyard Lane, there is little uniformity of scale to the roadside frontages in these areas, providing the historic and rural setting for this part of Reed.

2.1.7 **Reed Conservation Area is most notable for the inclusion of large tracts of agricultural land.** The central green space, bounded by four country lanes, provides the setting for most of the surrounding cottages, manorial sites and farmsteads in Reed.....

2.2.2 The area of central open agricultural land, surrounded by country lanes and historic cottages, farm buildings and moated sites, is a focal point for the Conservation Area. **Additional surrounding farmland bounds the village and provides a countryside setting. The confined country lanes, tightly bounded by thick hedgerows and veteran tree coverage, creates a peaceful experience which positively contribute to the rural character of Reed Conservation Area.**

- 4.36 The application site make a positive contribution to the heritage significance of the Conservation Area. This is found in its open character, historic association with the Grade II listed Wisbridge Farmhouse and associated outbuildings and the views it affords into and out of the Area, including from the public footpath which crosses the site.
- 4.37 The application site is a unique example of open land within the village bounded by a country lane, a public footpath, adjacent farmland and nearby historic buildings all of which contribute to the countryside setting so characteristic of the Reed Conservation Area. Moreover, the location of the site at the edge of the village, yet still within the village boundary, reinforces its importance as a piece of open space as the land transitions toward the open farmland immediately to the east.
- 4.38 The Council's Conservation Officer has assessed this proposal in considerable depth noting that the site performs an important function in that it maintains the set back position of the nearby Wisbridge Farm development so that this development does not overtly assert itself upon the rural character of the Reed Conservation Area.

- 4.39 The Conservation officer also notes the important contribution of that the openness of the site makes to the setting of North Farm and Crabtree Cottage (both Grade II listed). Currently only the top part of the threshing barn can be seen over the substantial hedgerow along Crow Lane. The development as proposed, in particular Units 5 & 6 and the gable end of Unit 4, would bring development much closer to Crow Lane and its full two storey height and continuous built form would have an adverse impact on the setting of the listed buildings as well as adversely affecting openness. Views along Crow Lane in the vicinity of the site are referred to as a key view in the Conservation Area character statement (KV3).
- 4.40 Units 1 – 3 would also have a significant effect upon the openness of the site and therefore the character of the Conservation Area as well as adversely impacting upon the rural context of the threshing barn and hence the wider setting of Wisbridge Farmhouse.
- 4.41 The Conservation officer concludes that the application site forms an important part of the setting in which the Conservation Area is experienced and consequently it makes a positive contribution to the character and appearance of the Conservation Area. Harm caused by loss of openness would not be adequately mitigated and the development would harm the character and appearance of the area; and would result in harm to the significance of the Conservation Area as a whole.
- 4.42 Paragraph 199 of the NPPF requires that “... *great weight should be given to the asset’s conservation....*”. Paragraph 200 says that “... *Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification*”. In addition, parts a) and c) of Policy HE1 of the North Hertfordshire Local Plan 2011 - 2031 are relevant where it states that planning permission for development proposals affecting Designated Heritage Assets or their setting will be granted where they “*enable the heritage asset to be used in a manner that secures its conservation and preserves its significance*”.
- 4.43 The proposal would result in the loss the open, undeveloped character of the application site. The urbanising influence of the residential development would be experienced across the site as a whole. The grassed open character of the land would be lost and open and direct views between the Conservation Area and the countryside would be entirely closed off. The proposal would therefore have a significant adverse effect on the setting of the Conservation Area.
- 4.44 Although the proposal would not have a direct effect on the historic buildings which are the main contributors to the significance of the CA, the site makes a particular contribution to that setting and the proposal would have a substantial impact on that contribution. It is considered that the proposal would cause less than substantial harm to the heritage significance of the CA as a whole and would fall in the middle of the spectrum of less than substantial harm.

- 4.45 The applicants have submitted a Heritage Impact Assessment (April 2023). This statement concludes that there is only one instance of less than substantial harm and that is in relation to North Farmhouse and that this harm is at a very low level. The justification is given that the scheme has been sensitively designed and that there is a green buffer between the new development and the listed building thereby mitigating any impact to a very low level.
- 4.46 The Council's Conservation officer disagrees with the conclusions of the submitted heritage impact statement identifying a greater level of harm. In particular, the officer is of the view that the proposed scheme is not sensitively designed, stating that an abundance of 'barn-like' dwellings is not necessarily regarded as a positive especially in this case when seen alongside and diluting the significance of the Wisbridge Farm grouping. Planning officers concur with this view and have attributed substantial weight to it in the planning balance.
- 4.47 In conclusion on the heritage impact issue it is considered that the proposal would result in the loss of the open, undeveloped character of the site and that, notwithstanding a relatively small part would be retained as open space, the urbanising influence of the residential development would be experienced across the site as a whole. The open, direct views between the Conservation Area and the countryside would be almost entirely closed off. The proposal would, therefore, have a significant adverse effect on this element of the setting of the Conservation Area. The effects of the proposal on the settings of the listed buildings would be less significant but would add to the overall heritage impact.
- 4.48 The proposal would, therefore, conflict with Framework paragraphs 197 and 199 which require the desirability of sustaining and enhancing the significance of heritage assets to be taken into account and to give great weight to the conservation of the asset according to its importance. Paragraph 202 of the Framework requires less than substantial harm to be weighed against the public benefits of the proposal and this is examined in the planning balance below.
- 4.49 Living conditions
- 4.50 In terms of existing residents, whilst the proposed development would be visible it is not envisaged that there would be any direct impact on local residents. Matters of construction noise etc can be dealt with via a Construction management condition.
- 4.51 Each of the dwellings would appear to meet the minimum space standards required by the Government document 'Technical housing standards – nationally described space standard' (2015) and garden sizes for each of the dwellings would be proportionate to the size of each dwelling.
- 4.52 Access and parking
- 4.53 Vehicular and pedestrian access to the development site would be via the existing shared surface and private road serving the Nicholls Farm development. The Highway Authority have raised objection to the access arrangements in principle. The submitted Transport Assessment states that the likely trip generation would only amount to 6

vehicle movements in the AM and PM peak hours and as such traffic flows would not be expected to have a severe impact on the local road network.

- 4.54 A mixture of garages, covered car ports and surface parking is proposed for the occupiers of the development. No visitors parking spaces are proposed whereas at least two spaces are required by the Council's Car Parking Standards document (Appendix 4 of the Local Plan).
- 4.55 Environmental matters
- 4.56 The site is within Flood Zone 1 of the Environment Agency flood map within which areas there is a low probability of flooding. The main issue would be surface water management and it would be expected that this matter could be dealt with via a planning condition.
- 4.57 The application is supported by a Preliminary Ecological Appraisal and Reptile Survey. The ecology report has assessed both eastern and western parts of the site either side of the existing access road and an extended Phase 1 habitat survey was undertaken in 2021 in addition to a reptile survey. Whilst the ecology report established that the site was of limited ecological value, the reptile survey reported that reptiles are likely to be present. Comments are awaited from Hertfordshire Ecology however if planning permission were to be granted then it should be conditioned on further reptile surveys and the development being carried out in accordance with the recommendations and mitigation measures set out in the submitted Ecology report.
- 4.58 The application is not accompanied by a Biodiversity Net Gain metric however several enhancements are recommended in the Ecology report. However, deliverable net gains in biodiversity has not been demonstrated, as required by Local Plan Policy NE4, and this weighs moderately against the proposal.
- 4.59 Matters relating to noise, land contamination and air quality can all be dealt with by planning conditions and/or informatives should the planning application be approved.
- 4.60 The application is not supported by an Energy assessment which may assess what carbon reducing or zero carbon measures could be incorporated into the scheme which could future proof the development against the challenge of climate change. Electric vehicle re-charging points in each dwelling would assist in this regard however the lack of detail on energy efficient measures is disappointing and fails to adequately address the issue of climate change as required by Section 14 of the National Planning Policy Framework.
- 4.61 Archaeology
- 4.62 The application is supported by an archaeological desk-based assessment. This assessment has identified a low to medium potential for prehistoric, Roman and early medieval remains, a medium potential for post-medieval to modern remains and a medium to high potential for medieval remains to be present within the site. As the site lies within an Area of Archaeological Significance and a medium to high potential has been identified for remains of medieval date to be present within the site area, it is likely

that a phased program of archaeological works will be required. Archaeological conditions will be required if approval is granted.

#### 4.63 Planning Obligations

4.64 Planning obligations should only be sought for residential developments that are major development, which is defined in the National Planning Policy Framework as development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more and the number of dwellings is unknown. In this case the number of dwellings is specified as 7 units. The site also falls below the 11 unit threshold for requiring affordable housing as set out in Policy HS2 of the Local Plan. In these circumstances the Local Planning Authority will not seek a Legal Agreement in respect of affordable housing or Hertfordshire County Council services. No unilateral Undertaking has been offered by the applicants to cover the impact on Parish Council infrastructure for example.

#### 4.65 Planning Balance

4.66 Following the adoption of the North Herts Local Plan 2011 – 2031 the Council has demonstrated that it has a deliverable five-year supply of housing land. Section 5 of the Framework seeks to significantly boost the supply of housing and identify opportunities for villages to grow and thrive (paragraph 79). However, the proposal is for 7 dwellings which is a modest number in terms of the overall number being delivered through the Plan and the Council has already identified a site to meet Reed's growth needs at allocated site RD1. In view of these factors, in addition to the fact that no affordable housing is proposed, only limited weight is attached to the proposed housing in the planning balance.

4.67 The proposal would provide open space however no mechanism has been offered to secure this area for public use such as through a Unilateral Undertaking. Even so, the open space is fairly modest in area and the village has extensive areas of open space such as Reed Green and Fiddlers Green. The provision of open space would provide little overall benefit.

4.68 The proposal would provide a range of economic benefits including through construction and related services employment and additional spending in the local economy. However, given the modest number of dwellings proposed, and the fact that housing is allocated in Reed in the Local Plan only limited weight is given to this benefit in the planning balance.

4.69 The application site is located within a category A village however there are few local facilities or employment opportunities and a limited bus service. The site is not within a town centre and cannot be said to be highly accessible. As such, in terms of the sustainability of the location of the proposed housing, this does not weigh materially in favour of the proposal, therefore little weight is given to this matter in the planning balance.

4.70 The proposal would result in the loss of the open, rural character of the site which makes a substantial contribution to the setting of the Conservation Area. Furthermore, the scale and urbanising impact of the development would be inappropriate in the context of the application site. There would be significant adverse landscape and visual impacts. Overall, bearing in mind the great weight and importance to be attached to heritage assets in the Framework, it is considered that the public benefits of the proposal do not outweigh the harm caused to the settings of the Reed Conservation Area and nearby listed buildings.

#### 4.71 **Conclusion**

4.72 The proposed development is considered unacceptable for the reasons outlined above and that planning permission should accordingly be refused.

### 5.0 **Legal Implications**

5.1 In making decisions on applications submitted under the Town and Country Planning legislation, the Council is required to have regard to the provisions of the development plan and to any other material considerations. The decision must be in accordance with the plan unless the material considerations indicate otherwise. Where the decision is to refuse or restrictive conditions are attached, the applicant has a right of appeal against the decision.

### 6.0 **Recommendation**

6.1 That planning permission be **REFUSED** for the following reasons:

- 1) The current layout of Reed Conservation Area (RCA) continues to reflect the early pattern of medieval settlement, is highly rural with a strong countryside setting. The RCA can be characterised by extensive tracts of agricultural land with a low density of historic and modern buildings fronting the country lanes. The key character of RCA is its openness and there is no suburban quality to the area. The significance of the RCA derives from the character of the buildings therein, and the relationship with the surrounding open land. The substantial former threshing barn at Wisbridge Farm is the tallest structure in the area and is highly visible from Crow Lane. Introducing a number of large additional boarded buildings will detract from the significance of the Wisbridge Farm grouping. Furthermore, the wider setting to North Farm and Crabtree Cottage would be adversely affected particularly by Units 4, 5 and 6, harming their significance as C17 vernacular buildings set within an established edge of countryside setting. By reason of the number, size and location of the proposed dwellings, the degree of openness at the eastern edge of the RCA would be significantly curtailed and impaired by a group of dwellings that would not be sympathetic to local character and history, including the surrounding built environment (para 130c) or would make a positive contribution to local character and distinctiveness (para 197c). The proposal fails to satisfy the provisions of Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the aims of para



130 c) and Section 16 of the NPPF and the aims of Policy HE1 of the North Hertfordshire Local Plan 2011-2031. The degree of harm is considered less than substantial and any perceived public benefits are such that these are not considered to outweigh the harm.

- 2) The proposed development would detract from the open and rural character of the site and this, together its inappropriate scale and urbanising effect would have an adverse effect upon the character and appearance of the surrounding area. The development in this regard would conflict with SP1, SP2, SP9 and D1 of the Local Plan and Section 12 of the National Planning Policy Framework.
- 3) By reason of its close proximity to Crow Lane and the public footpath 005, the development will be very prominent and visually discordant resulting in a materially adverse impact on the users of the adjacent highway and footpath. The development in this regard would conflict with SP1, SP2, SP9 and D1 of the Local Plan and Section 12 of the National Planning Policy Framework.

**Proactive statement**

Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council has not acted proactively through positive engagement with the applicant as in the Council's view the proposal is unacceptable in principle and the fundamental objections cannot be overcome through dialogue. Since no solutions can be found the Council has complied with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

7.0 **Appendices**

- 7.1 Appendix A - Planning permission ref: 03/01483/1 – Approved Landscape Scheme