



Appeal Decision

Site visit made on 2 July 2024

by Mr R Walker BA HONS DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 July 2024

Appeal Ref: APP/X1925/W/23/3335318

Nicholls Yard, Crow Lane, Reed, Royston, Hertfordshire SG8 8BJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by KD Duke & Partners against the decision of North Herts Council.
 - The application Ref is 22/02225/FP.
 - The development proposed is the erection of 7.no dwellings and associated parking.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Reed Conservation Area (CA) boundary dissects the appeal site. As part of the site is in a CA, I have had special regard to section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act). Moreover, as the Council's concerns relate to the setting of the Grade II listed buildings known as Crabtree Cottage, North Farm House, and Wisbridge Farm House, I have also had regard to the statutory duty under section 66(1) of the Act.

Main Issue

3. The main issue is the effects of the proposed development on the character and appearance of the local area, bearing in mind the special attention that should be paid to the desirability of preserving the setting of the nearby Grade II listed buildings known as Crabtree Cottage, North Farm House, and Wisbridge Farm House and whether it would preserve or enhance the character or appearance of the Reed CA.

Reasons

Special interest and significance

4. Reed CA covers much of the village of Reed, which is characterised by scattered low density housing. The medieval settlement has numerous open parcels of land which, combined with the dispersed and low density housing, farm houses and associated farm buildings emphasises the historical rural qualities of the CA.
5. The appeal site comprises of two open parcels of land separated by an access drive serving several residential properties. A public footpath passes through the eastern parcel of land connecting Crow Lane with the adjacent farmland. The soft open qualities of the appeal site on the edge of the settlement have a distinctly semi-rural character as the village peters out and connects with the surrounding farmland.

6. The character and appearance of the CA, in so far as it relates to this appeal, is largely derived from the low density of housing, gaps and open parcels of land, the special interest/significance of listed buildings, organically dispersed buildings, including farmsteads, and the historic relationship with the surrounding farmland. Moreover, the open parcels of land, trees, hedgerows, and surrounding farmland all make a positive contribution to the setting of the CA. In this regard, the appeal site's soft open qualities forming a gap between housing, near the open farmland, and also enabling attractive views towards the threshing barn, make a small but important contribution to the CA and its setting.
7. Crabtree cottage is a modest, timber framed, predominantly rendered cottage with a thatched roof. It is located with farmland opposite on the southern side of Crow Lane, near a corner when leaving or entering the village. From the evidence before me, the special interest and significance of the listed building, insofar as it relates to this appeal, is largely derived from its historic and architectural interests as an early seventeenth century cottage. The dwelling's age, plan form, traditional materials, and construction techniques, combined with its rustic appearance and its position and setting adjacent to open farmland make important contributions to the special interest and significance of the listed building. In these respects, the appeal site's open and semi-rural characteristics, makes a positive contribution to the significance of the listed building, albeit to a very small degree due to the distance.
8. The listing for North Farm House indicates that this also dates from the seventeenth century or earlier. It is a timber framed property built on a brick base, with weatherboarding and a thatched roof. From the evidence before me, the special interest and significance of this listed building, insofar as it relates to this appeal, is largely derived from its historic and architectural interests as a farm house within the historic settlement of Reed.
9. Despite alterations, its age and historic core and plan form, traditional materials, and construction techniques, combined with its rustic appearance and its position and setting near the edge of the settlement, with open parcels of land and close links to the farmland make important contributions to the special interest and significance of the listed building. The appeal site forms part of the setting of the listed building on the opposite side of Crow Lane. Its proximity, open and semi-rural characteristics contribute positively to the significance and special interest as a designated heritage asset.
10. Wisbridge Farm House dates from the late sixteenth to early seventeenth century. It is a timber framed building on a brick base with predominantly roughcast walls and a tiled roof. From the evidence before me, the special interest and significance of this listed building, insofar as it relates to this appeal is, like North Farm House, largely derived from its particular historic and architectural interests as a farm house within the historic settlement of Reed. Despite later additions, its age and historic plan form, traditional materials, and construction techniques, its setting with the building group around the threshing barn, open parcels of land and close links to the farmland make important contributions to the special interest and significance of the listed building.
11. Given the presence of the residential building group including the converted threshing barn between the appeal site and Wisbridge Farm House any

historical associations with the appeal site have been eroded. However, the appeal site does form part of how the group is experienced in its historically rural context. In these respects, the appeal site's open and semi-rural characteristics, makes a positive contribution to the significance of the listed building, albeit to a very small degree due to the distance and intervening buildings.

Appeal proposal and effects

12. The proposed development would infill the two open parcels of land with residential development. In combination with the existing housing set back to the south of the site the housing would create a large grouping of considerable depth from Crow Lane. Moreover, the continuous unbroken ridgeline, the formality of the design, and layout of units 1-3, along with the size and grouping arrangement of units 4-7, accessed off the formal turning circle would have a dense and urbanising appearance. Taken together, the proposed development would overtly clash with the prevailing organic pattern of housing as it gradually dissipates into the open farmland. Moreover, in doing so the housing would intrude into the attractive open views toward the threshing barn.
13. In this regard, the combination of the loss of the soft open qualities of the appeal site, the number, and the density of housing, along with its design would significantly erode the semi-rural qualities of this part of the CA and its setting. The design of the houses is bespoke and incorporates features found nearby and there are groups of modern housing elsewhere in the settlement. However, this would not be sufficient to effectively harmonise the scheme with this part of the CA and its setting. This would be evident to varying degrees from the public views along Crow Lane, in private views, and from the public footpath passing through the appeal site. Accordingly, the proposed development would harm the character and appearance of this part of the CA and its setting.
14. Both main parties accept that there would be harm to the setting of North Farm House, although the level of harm is disputed. The proposed dwellings would be set back from Crow Lane, but they would still be prominent in views along it, the footpath and from North Farm House itself. The loss of the appeal site's open and semi-rural characteristics, combined with the density and design of the scheme, in close proximity would harm the historic setting and context of the listed building to a moderate degree.
15. The housing scheme would also be a prominent feature in the wider setting of Crabtree Cottage eroding its semi-rural setting. However, the open views to the farmland from Crabtree Cottage would remain unaltered and the cottage is best appreciated in close views within its grounds and from Crow Lane which would be unchanged. As such, the extent of harm from the erosion of its wider setting would be very low.
16. The amount of housing, in combination with the existing grouping would result in a scheme of considerable depth, which would enclose the grouping around Wisbridge Farm House, including the threshing barn, from Crow Lane. In this regard, although there would be no harm to any views of the Farm House, the proposed development would still erode, and thus harm, its wider historical semi-rural setting, albeit to a very small degree.

17. To conclude on this section, the proposal would fail to preserve or enhance the character and appearance of the Reed CA and would harm its setting. Moreover, it would fail to preserve the setting and thus the contribution that the setting makes to the special interests of the Grade II listed buildings known as Crabtree Cottage, North Farm House and Wisbridge Farm House. As a result, the proposal would harm the significance of these designated heritage assets. In this regard, the proposed development would have a harmful effect on the character and appearance of the local area.

Public Benefits

18. Paragraph 205 of the National Planning Policy Framework (2023) (the Framework) advises that great weight be given to the conservation of designated heritage assets (and the more important the asset, the greater the weight should be). Paragraph 206 goes on to advise that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting and that this should have clear and convincing justification.
19. With reference to paragraphs 207 and 208 of the Framework, in finding harm to the significance of these designated heritage assets, the magnitude of that harm should be assessed. In this instance, as the harm would be confined to a small section of the CA and setting of the respective listed buildings, the harm to these heritage assets would be 'less than substantial' but, nevertheless, of great weight. Under such circumstances, paragraph 208 advises that this harm should be weighed against the public benefits of the proposal. In this regard, even in circumstances where a lower level of less than substantial harm exists, this should not be equated with a lesser planning objection and is still of considerable importance and weight.
20. The scheme would provide social benefits from seven additional dwellings. This would boost the supply of houses suitable for families with good living conditions, by making an effective use of a windfall site within the development limits of a category A village settlement. In this regard, it would garner support from the Council's Local Plan and the Framework. The proposal would also stimulate employment and the commissioning of services. Moreover, future occupiers would bolster the demand for local services and facilities and would bring economic benefits from spending in the local area.
21. It is put to me that the high standard of design should be afforded moderate weight. However, given I have found harm from the overall design this does not weigh in favour. The absence of harm in relation to other considerations such as highway safety carries neutral weight.
22. To conclude on the main issue, even though the public benefits weigh strongly in favour of the proposal, they would not outweigh the great weight that I attach to the harm I have found. Accordingly, the proposal would be contrary to the requirements of the Act, the Framework and Policy HE1 of the Council's Local Plan, when taken together and in so far as they relate to this main issue. These say, amongst other things, that planning permission for development proposals affecting Designated Heritage Assets or their setting will be granted where they will lead to less than substantial harm to the significance of the designated heritage asset, and this harm is outweighed by the public benefits of the development, including securing the asset's optimum viable use.

23. Moreover, it follows that the proposal would also be contrary to the requirements of Policies SP1, SP9 and D1 of the Council's Local Plan and section 12 of the Framework, when taken together and in so far as they relate to this main issue, which broadly seek high quality design.
24. The Council have referred to Policy SP2 in its reasons for refusal. However, this is concerned with the settlement hierarchy and spatial distribution of housing and the appeal site lies within the development limits of a category A village where general development is accepted. This policy has not subsequently been determinative in my assessment.

Other Matters

25. There is no substantive evidence before me that the Council is currently falling short in its housing supply or delivery figures, notwithstanding the reference to an appeal referred to by the appellant, which referenced the Housing Delivery Test results published in January 2022. In any case, after undertaking the heritage balance, the harm to designated heritage assets provides a clear reason for refusing the proposal. As such, any presumption under paragraph 11d of the Framework would not be engaged even if there was a shortfall.

Conclusion

26. The proposal would not accord with the development plan when read as a whole and I find there to be no material considerations, that would indicate that the decision should be taken other than in accordance with it.
27. For the reasons given above, the appeal is dismissed.

Mr R Walker

INSPECTOR