

Location: Slip End Farm
Royston Road
Slip End
Baldock
Hertfordshire
SG7 6SG

Applicant: Mr J Northern

Proposal: Erection of two 3-bed, three 4-bed and two 5-bed dwellings with associated hard and soft landscaping, parking, garaging and private gardens following the demolition of existing agricultural barns (as supported by information submitted 8th October 2024).

Ref. No: 24/00754/FP

Officer: Alex Howard

Date of expiry of statutory period:

Extension of statutory period:

Reason for Delay: In order to present the application to an available committee meeting.

Reason for Referral to Committee: The site area is larger than 0.5 hectares and therefore the application needs to be presented to Planning Committee for determination, in accordance with the Council's constitution.

1.0 **Site History**

1.1 Extensive planning history, relevant applications are as follows:

1.2 **22/02888/PNQ** - Class Q: change of use of one agricultural building to four dwellinghouses (2 x 2-bedroom dwellings, 1 x 3-bedroom dwelling & 1 x 4-bedroom) together with associated building operations and the formation of private gardens and car parking associated with the proposed dwellinghouses (as amended by plans received 19th December 2022).

Prior Approval Given

1.3 **22/02889/PNQ** - Class Q: change of use of one agricultural building to one two-bedroom dwellinghouse together with associated building operations and private garden and car parking associated with the proposed dwellinghouse (as amended by plans received 19th December 2022).

Prior Approval Given

1.4 **22/01541/FP** - Replace existing entrance gates with acoustic gates, decommission existing vehicular access and install protective landscape bund to boundary.

Conditional Permission

1.5 **21/01358/FP** - Formation of new vehicular access onto Ashwell Road.

Conditional Permission

2.0 **Policies**

2.1 **North Hertfordshire District Local Plan (The Local Plan) 2011 – 2031**

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 SP10: Healthy Communities

Policy SP11: Natural Resources and Sustainability

Policy SP12: Green Infrastructure, Landscape and Biodiversity

Policy HS3: Housing mix

Policy T1: Assessment of Transport Matters

Policy T2: Parking

Policy CGB1: Rural Area beyond the Green Belt

Policy CGB4: Existing buildings in the Rural Area Beyond the Green Belt

Policy D1: Sustainable Design

Policy D3: Protecting Living Conditions

Policy HE1: Designated heritage assets

Policy HE4: Archaeology

Policy NE1: Landscape

Policy NE2: Green Infrastructure

Policy NE4: Biodiversity and geological sites

Policy NE12: Renewable and Low Carbon Energy Development

2.2 **National Planning Policy Framework (NPPF) (December 2024)**

Section 2: Achieving sustainable development

Section 4: Decision making

Section 5: Delivering a sufficient supply of homes

Section 8: Promoting healthy and safe communities

Section 9: Promoting sustainable transport

Section 11: Making effective use of land

Section 12: Achieving well-designed places and beautiful places

Section 14: Meeting the challenge of climate change, flooding, and coastal change

Section 15: Conserving and enhancing the natural environment

2.3 **Ashwell Neighbourhood Plan December 2021**

Policy ASH1 Location of Development

Policy ASH2 Housing Mix

Policy ASH3 Character of Development

Policy ASH4 Design of Development

Policy ASH6 Environmentally Sustainable Design

Policy ASH7 Protecting Historic Assets

2.4 **Vehicle Parking at New Development SPD**

3.0 **Representations**

3.1 **Site Notice and Neighbour Consultation** – Three responses received from the Council for British Archaeology, Hillside and 12 Gilders commenting on the following matters (summary):

- The application sits in an area of significant archaeological interest and the northeastern part of the site is within a Scheduled Ancient Monument (SAM) which is believed to hold prehistoric, Roman and early medieval remains. The proposal would cause harm to the Scheduled Ancient Monument through excavation and removal of in-situ/high quality remains, in line with the views of Historic England.
- The application should be withdrawn until the boundary alteration application with Historic England has been decided. Even if the boundary to amend the Scheduled Monument is approved, the proposal will still have a significant impact on the setting of the monument as a result of the change of use of the land from an agricultural site to a dense residential development.
- The proposal does not meet the requirements of paragraphs 205 and 206 of the NPPF. The harm to the Scheduled Monument is not justified.

3.2 **Hertfordshire Highways** – No objection to the principle of development in this location but set out areas where further information is required in relation to cycle storage, access of Ashwell Road, a Construction Management Statement, and emergency/refuse vehicle access.

3.3 **Ashwell Parish Council** – Object to the development on a number of grounds (summary):

- Whilst the site does benefit from 2 Class Q Prior Approvals to convert existing buildings, this proposal does not look to utilise existing buildings but spread development around the site more sparsely.
- As such, the development must be considered against the Local Plan and Ashwell Neighbourhood Plan policies.
- The development is outside of the defined Ashwell settlement boundary, does not conform with the preferred housing mix, and is not linked/accessible to paths in the village, contrary to Policies ASH1, ASH2 and ASH19 of the Neighbourhood Plan.
- The application to amend the boundary with the Scheduled Monument must be determined prior to any decision.
- Officer should not accept the fallback planning argument that the approval of two Class Q Prior Approvals establishes that residential development is acceptable in principle. T
- The proposal would have a greater impact on the openness of the Rural Area beyond the Green Belt than the original buildings, because the Class Q approvals respect the agricultural origin and use of the original development in a way that the domestic arrangement of the proposed application does not.
- The application should be referred to the Planning Control Committee.

- 3.4 **Environmental Health (Air Quality/Land Contamination/Noise)** – No objection subject to conditions covering the delivery of noise mitigation measures, a phase 2 contaminated land assessment/validated report, and EV charging points.
- 3.5 **North Herts Waste and Recycling** – None received.
- 3.6 **North Herts Ecologist** – No objections subject to conditions covering a Ecological Enhancement Strategy. Application was submitted prior to mandatory BNG but is still proposing 28.29% BNG.
- 3.7 **County Council Archaeology** – Two formal responses received in October and November 2024. The first response identified the high sensitivity of the site given that it is within an Area of Archaeological Significance, and it lies adjacent to, and partly within, a Scheduled Monument. Advised that further archaeological information/evaluation would be required to ensure that remains would not be destroyed, in the form of trial trenching. In the second response following the formal boundary alteration being agreed with Historic England, they reaffirmed their advice to carry out trial trenching on site prior to any determination.
- 3.8 **Historic England** - Two formal responses were received in April and November 2024. The first response cited several concerns with the proposal generally considering its impact on the Scheduled Monument, whilst also recommending that no decision is made until the boundary amendment application has been determined. Following a decision on the amendment to the scheduled monument boundary in October, which was approved, the second response acknowledged this but remained concerned that the proposal may create harm to the significant archaeological remains and in the absence of a field evaluation, would not support the application as submitted.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The application site is part of Slip End Farm which is located to the north-west of the A505 approximately half-way between Baldock and Royston, within relative proximity to Ashwell and Odsey. The main farmyard contains several agricultural buildings of varying sizes and use, some of which are currently in active use and others are dilapidated. A two-storey farmhouse is located to the west of the main farmyard and a bungalow exists to the east of the main farmyard adjacent to the main vehicular access onto the A505. There is a newly created vehicular access into the site from Ashwell Road.

4.1.2 The site is located outside of any defined settlement boundary and is designated as within the Rural Area beyond the Green Belt in the Local Plan. Moreover, the site is immediately adjacent to a Scheduled Monument (ring ditches and enclosure at Slip End, ref. 1003549) and is within an Area of Archaeological Significance.

4.2 **Proposal**

4.2.1 Full planning permission is sought for the erection of 7 dwellings (two 3-bed, three 4-bed and two 5-bed) with associated hard and soft landscaping, parking, garaging and private gardens following the demolition of existing agricultural barns (as supported by information submitted 8th October 2024).

4.2.2 The development would be facilitated by the demolition of four existing agricultural buildings, including a large grain store and three smaller, dilapidated buildings. The

development would utilise the recently constructed access from Ashwell Road leading into the site, where the scheme has been laid out around a central ring road. The dwellings would be two-storey in scale and would benefit from single-storey garages/carports. All dwellings would benefit from two/three private parking spaces depending on the number of bedrooms, with four visitor spaces provided.

4.2.3 The application is supported by the following documents:

- Planning Design and Access Statement
- Phase 1 Contaminated Land Survey
- Ecological Impact Assessment
- Biodiversity Net Gain Assessment
- Bat Emergence Report
- Flood Risk Assessment and Drainage Strategy
- Noise Assessment Report
- Desk Based Archaeological Assessment
- Full Existing and Proposed Plans and Elevations
- Historic England Report/Map for Scheduled Monument Boundary Amendment.

4.3 **Key Issues**

4.3.1 The key issues for consideration are the

- The Principle of Development
- Heritage
- Design, Layout and Appearance
- Living Conditions of Neighbours/Future Occupiers
- Highways, Access, and Parking
- Biodiversity and Ecology
- Waste and Recycling
- Flood Risk
- Climate Change/Sustainability
- Planning Balance

Principle of Development

4.3.2 The North Hertfordshire Local Plan was adopted in November 2022 and is now part of the development plan, where full weight shall be given to relevant policies. The Ashwell Neighbour Plan (ANP) was made in January 2021 and also forms part of the development plan and therefore full weight is given to policies of the ANP. The National Planning Policy Framework December 2023 (NPPF) is a material consideration attracting significant weight.

4.3.3 Policy SP1 of the Local Plan supports the principles of sustainable development and seeks to maintain the role of key settlements as the main focus for housing and to ensure the long-term vitality of the villages by supporting growth which provides opportunities for existing and new residents and sustains key facilities. The policy elaborates on this stating that planning permission will be granted for proposals that deliver an appropriate mix of homes, create high quality development that respects and improves their surroundings and provides for healthy lifestyles, provides for necessary infrastructure to support an increasing populations, protects key elements of the District's environment including biodiversity, important landscape, heritage assets and green infrastructure, the mitigates the impact on climate change.

4.3.4 Policy SP2 of the Local Plan sets out the settlement hierarchy and states that the vast majority of new housing development in the district will be located within the settlement boundaries of the districts main towns and larger villages (Category A and above). The site is not within any defined settlement boundary, with the closest of those being Ashwell, and as a result, is designated as within the Rural Area beyond the Green Belt. This accepts that the site is in an isolated location away from the main settlements and associated services, which would see future occupiers be solely reliant on private vehicles for the majority of trips. That said, there are two existing dwellings on the site, being the main farmhouse and bungalow. In any case, the proposed development fails to comply with Policy SP2 of the Local Plan and Policy ASH1 of the Neighbourhood Plan.

4.3.5 Policy CGB1 of the Local Plan sets out instances where general development is acceptable in the Rural Area beyond the Green Belt. This states:

“In the Rural Areas beyond the Green Belt, as shown on the Policies Map, planning permission will be granted provided that the development:

- a) Is infilling development which does not extend the built core of a Category B village;*
- b) Meets a proven local need for community facilities, services or affordable housing in an appropriate location;*
- c) Is strictly necessary for the needs of agriculture or forestry;*
- d) Relates to an existing rural building;*
- e) Is a modest proposal for rural economic development or diversification; or*
- f) Would provide land or facilities for outdoor sport, outdoor recreation and cemeteries that respect the generally open nature of the rural area.”*

4.3.6 The proposed development would not accord with any of the above exceptions.

4.3.7 Policy CGB4 of the Local Plan considers existing buildings in the Rural Area Beyond the Green Belt, stating that:

“a) Planning permission for the re-use, replacement, or extension of buildings in the Rural Area beyond the Green Belt will be granted provided that:

- b) Any existing building to be converted for re-use does not require major extension or reconstruction;*
- c) The resultant building(s) do not have a materially greater impact on the openness, purposes or general policy aims of the Rural Area beyond the Green Belt than the original building(s); and*
- d) Any outbuilding(s) are sited as close as possible to the main building(s) and visually subordinate to them”.*

4.3.8 This application is submitted partly on the basis that the applicant considers that the proposed development, which would see the erection of 7 dwellings following demolition of four agricultural buildings associated with the existing farm business, would accord with the provisions set out in Policy CGB4 of the Local Plan and therefore be an appropriate development in principle in the Rural Area beyond the Green Belt. This will be considered in turn.

4.3.9 Part b) of Policy CGB4 is not relevant in this instance, as there are no existing buildings being converted.

- 4.3.10 In respect of part c) of Policy CGB4, the supporting Planning Statement sets out that the proposed development would involve the removal of four agricultural buildings of various shapes and sizes, including one large grain store situated towards the centre of the existing farmyard. It is further stated that together, these buildings occupy significant footprint and have a significant presence in the landscape, particularly the large, modern grain store. The Statement goes on to say that the proposed dwellings would have an overall footprint much less than the cumulative footprint of the existing buildings to be demolished and the height of the proposed dwellings would be significantly less than the grain store building which is nearly 8.5m in height and measures 19.5m x 39m. Accordingly, the Planning Statement concludes that for the reasons set out above, the proposal would be compliant with Policy CGB4, insofar that it would involve the replacement of existing buildings/development in the Rural Area beyond the Green Belt with development that would not have a greater impact on the openness, purposes or general policy aims of the Rural Area beyond the Green Belt.
- 4.3.11 Officers have considered this argument in respect of Policy CGB4 and whilst it is acknowledged that there would be a reduction in floorspace, and an existing grain store is far larger than any of the proposed dwellings, this does not mean that the development would not result in a materially greater impact on the openness, purposes or general policy aims of the Rural Area beyond the Green Belt. The existing buildings on the site, a large grain store and three dilapidated agricultural buildings, are sparsely sited in this farmyard and the larger grain store building is tucked away amongst the other larger agricultural buildings, which whilst sizable is appropriate in this context. This sparse siting of buildings allows for large areas where no built form exists currently, which is common for agricultural/farmyard areas. The proposed development would be domestic in its layout and would see built form spread out across the site in a residential estate-like arrangement, which would be visually out of context with the sparse nature and character of the existing agricultural farmyard. The proposed development would appear as a residential development of a suburban rather than farmstead character and would be visually incongruous within the current rural and agrarian context. As such, it is considered that this would result in a materially greater impact on openness, contrary to the aims of part c) of Policy CGB4 of the Local Plan.
- 4.3.12 Part d) of Policy CGB4 is not relevant in this instance, as there are no outbuildings proposed.
- 4.3.13 Furthermore, it is also important to consider the existing built form and operation of the business on site in the context of Brownfield land/Previously Developed Land.
- 4.3.14 The NPPF 2023 defines Brownfield Land/Previously Developed Land (PDL) as *“Previously developed land: Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape”*. Therefore, it is considered that this site cannot be considered Brownfield Land/Previously Developed Land (PDL), as this definition excludes land that is occupied by agricultural buildings.

- 4.3.15 Moreover, it is acknowledged that two of the buildings proposed to be demolished for this development, the large grain store building and the centrally located smaller building, benefit from Prior Approval under Class Q of the General Permitted Development Order 2015 (see planning refs: 22/02888/PNQ and 22/02889/PNQ). The Planning Statement sets out that these two applications, for a total of 5 residential dwellings, establish the principle of residential development in this location. It goes on to suggest that the schemes approved under the Class Q application were constrained in design/size terms and that a more comprehensive redevelopment of the site would be more appropriate in terms of the quality of the proposed residential accommodation, the interaction with the continuing agricultural operations, and the wider visual implications of the proposed development of the site.
- 4.3.16 Officers acknowledge the existence of the two Class Q Prior Approvals and present a fall-back position against which to assess the proposal. However, these were limited to the re-use/conversion of existing agricultural buildings, which would have therefore not resulted in a materially greater impact on openness of the Rural Area beyond the Green Belt. Moreover, the proposed development is significantly different to these Class Q approvals and no longer seeks to re-use/convert buildings, but instead demolish them and erect a domestic/estate-like development in its place. Therefore, whilst the existing Prior Approval decisions offer a fallback position and are a material consideration relating to the principle of residential redevelopment of the site. It is considered that this does not outweigh the identified conflict with Policies SP2 and CGB4 in this respect.
- 4.3.17 In conclusion, it is acknowledged that the proposed development for 7 dwellings and associated garages would have a lesser footprint, and be shorter/narrower, than the 4 existing agricultural buildings to be demolished. It is also accepted that two of the buildings to be demolished benefit from the grant of Prior Approval for conversion into a total of 5 dwellings and that there are existing residential units close to the site. These matters weigh in favour of the principle of development to a certain degree. However, the site is not within a defined settlement boundary and is therefore within the Rural Area beyond the Green Belt. For the reasons set out in this section, the proposal is considered to result in a materially greater impact on openness and purposes or general policy aims of the Rural Area beyond the Green Belt than the original buildings. The site would not constitute Brownfield land/Previously Developed Land. As such, the proposal is contrary to Policies SP2 and CGB4 of the Local Plan and Policy ASH1 of the Neighbourhood Plan and on balance, it is considered that the proposed development is unacceptable in principle by virtue of the clear policy conflict.

Heritage

- 4.3.18 Policy SP13 of the Local Plan states that *“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight will be given to the asset’s conservation and the management of its setting”*. This reflects paragraph 212 of the NPPF which stipulates that great weight should be given to the conservation of designated heritage assets. Policy HE1 of the Local Plan states that *“Planning permission for development proposals affecting Designated Heritage Assets or their setting will be granted where they: c) 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”*. Policy HE4 of the Local Plan sets out that *“Permission for development proposals affecting heritage assets with archaeological interest will be granted provided that: a) Developers submit an appropriate desk-based assessment and, where justified, an archaeological field evaluation. b) It is demonstrated how archaeological remains will be preserved and incorporated into the layout of that development, if in situ*

preservation of important archaeological remains is considered preferable; and c) Where the loss of the whole or a material part of important archaeological remains is justified, appropriate conditions are applied to ensure that the archaeological recording, reporting, publication and archiving of the results of such archaeological work is undertaken before it is damaged or lost”.

- 4.3.19 None of the buildings on the site are listed and neither is the site within a conservation area. However, the site is immediately adjacent to a scheduled monument (SAM). Scheduled monuments are designated heritage assets and NPPF paragraph 206 confirms that such assets are of the highest significance, along with assets such as Grade 1 and II* listed buildings. The monument in question is a concentration of cropmarks that extends into the surrounding fields named "Ring Ditches and enclosure at Slip End" National List for England no. 1003549. Cropmarks are the changes in crop growth and verdancy created by buried archaeology lying beneath. In the right conditions, buried walls, ditches, pits and structures can be perceived in the crop when a site is viewed from the air. At Slip End, the interpretation of the cropmarks' shapes is that they primarily represent prehistoric and Roman settlement and burial activity. Only a small portion of the monument, in its east, has been excavated. This work in the 1970s revealed graves of Roman date as well as early mediaeval evidence. The application site lies in a wider landscape of designated archaeology too, including a scheduled barrow 500m north, one 500m northeast at Deadman's Hill, one further north west at Highley Hill and two to the south at Parkwood.
- 4.3.20 Historic England have been consulted extensively throughout this application. In their first formal response, Historic England broadly agreed with the submitted Archaeological Assessment insofar as it relates to the major significance of the site and that the development would have a major impact on buried remains, but they also raised a number of significant concerns with the fact that works were shown within the boundary of the SAM, which would be unacceptable and unlikely to be given Scheduled Monument Consent. They also set out that the portion of the proposed development outside the designated scheduled monument may also create harm to undesignated archaeology of equivalent significance to a scheduled monument. In the absence of an archaeological field evaluation of the unscheduled portion of the site, Historic England advised that the Council apply NPPF 206 footnote 72 [now NPPF 213 footnote 75] in informing its decision.
- 4.3.21 The response also acknowledges that an application had recently been submitted directly to Historic England to vary the extent of the Scheduled Monument to potentially take the application site and its surrounds out of the designated monument. Historic England advised that the application be withdrawn until this listing boundary amendment was determined, but the Council considered this unreasonable and allowed the application to wait until this took place. In October 2024, Historic England formally approved this boundary amendment so that the SAM was now completely outside of the development's boundary. Following consultation with Historic England on this matter, they set out that same significant concerns as in their first response but formally advised as follows: *“Archaeological field evaluation of the site should inform any development plans, and I recommend that you seek advice from your planning archaeology adviser on the timings, nature and scope of this work”.*
- 4.3.22 The Hertfordshire County Councils Archaeological Team was also consulted on this application, responding with equal levels of concern as Historic England given the archaeological significance of the site and surrounding area. In both formal responses, Herts Archaeology set out as follows: *“We would therefore recommend that - in accordance with NPPF para. 200 [now para. 207], fn. 72 – the following investigation*

should be undertaken to describe the type, scale, and quality of heritage assets likely to be affected by the proposal:

- An archaeological trial trench evaluation.”

4.3.23 Therefore, the level of information currently submitted in the form of a desk-based assessment is not enough to fully consider the proposal’s archaeological impact, such that both Historic England and Herts County Council both consider that further field evaluations are required, in the form of trial trenching. At the time of receiving these two latest formal responses from the archaeological consultees, Officers were already of the view that the application was not going to be supported. Therefore, given the considerable expense associated with trial trenching it would be unreasonable to require trial trenching, when the recommendation is for refusal for other reasons. Moreover, as set out in the formal responses, the results of further archaeological evaluations would possibly inform any re-design of the development that might be required in order to properly conserve any heritage assets that may be present.

4.3.24 Paragraph 213 of the NPPF states 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. Substantial harm to or loss of:*

a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;

b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional (72).*

(72) Non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets”.

4.3.25 Therefore, in accordance with paragraph 213 of the NPPF, it is considered that insufficient information in the form of a field evaluation has been submitted with this application, such that any harm or loss of the significance of a designated heritage asset has not been clearly or convincingly justified, in accordance with the requirements of Policy SP13 and HE4 of the Local Plan, and Section 16 of the NPPF, particularly paragraph 206.

Design, Layout and Landscaping

4.3.26 Policy D1 of the Local Plan states that planning permission will be granted provided that development responds positively to the site’s local context in addition to other criteria. Policy SP9 of the Local Plan further considers that new development will be supported where it is well designed and located and responds positively to its local context. These considerations are echoed in Policy ASH4 of the Ashwell Neighbourhood Plan 2021 and Section 12 of the NPPF.

4.3.27 The site is currently an agricultural farmyard with buildings and siting associated with that use, which is appropriate in this context. The buildings do not necessarily hold any architectural merit, and indeed three of the buildings proposed for removal are dilapidated, but there is a clear agricultural context in this regard.

4.3.28 The proposed development is stated to have been designed to be set out in a courtyard arrangement, with 7 dwellings located around a central ring road. The proposed dwellings would be a mix of three, four and five-bedroom dwellings and all would have a generous internal area, with large private gardens. Each dwelling is proposed to be

two-storeys high and would have a largely traditional form. It is also proposed to have variations in the design, with the dwellings having a materials palette including horizontal and vertical boarding, red/orange brickwork and plain roof tiles. The dwellings would also benefit from detached garages/carports.

- 4.3.29 Officers are of the view that whilst the existing buildings on site are not exactly of high architectural quality, they are clearly functional agricultural buildings and appropriate in their context. The proposed development largely resembles a residential estate type of development which would not be appropriate in this location. The scheme would be domestic in its layout, form and appearance, which would be visually out of context with the sparse nature and character of the existing agricultural farmyard. The Class Q applications reflected the agricultural context of this site, utilising the existing buildings and their agricultural form and character, whereas the same cannot be said for the proposed development. As such, it is considered that the scheme is poorly designed and would not respond positively to the site's local context.
- 4.3.30 As such, the proposal would be contrary to Policies SP9 and D1 of the Local Plan, Policy ASH4 of the Ashwell Neighbourhood Plan 2021, and Section 12 of the NPPF in terms of the design and layout of the scheme.

Living Conditions of Neighbours/Future Occupiers

- 4.3.31 Policy D3 of the Local Plan states that planning permission will be granted for development proposals which do not cause unacceptable harm to living conditions. Policy D1 seeks to ensure that residential development will meet or exceed the nationally described space standards.
- 4.3.32 The site only has two existing properties that would be affected by the proposal, the main farmhouse and the bungalow on the eastern corner. The site layout has been reasonably considerate of these neighbours, such that it is unlikely that the proposal would result in any material harm to the amenity and reasonable living conditions of these neighbours, though overdominance, loss of privacy and loss of daylight/sunlight. This accords with the aims of Policy D3 of the Local Plan.
- 4.3.33 In terms of potential future occupiers, all dwellings would exceed the nationally prescribed minimum space standards for the number of bedrooms in the dwellings, they would benefit from a suitable size and type of private amenity space, and all habitable rooms would benefit from acceptable levels of natural light. Therefore, the proposal would not result in unacceptable harm to the reasonable living conditions of future occupiers.
- 4.3.34 The formal consultation response from Environmental Health recommends conditions for noise mitigation and a phase 2 contaminated land assessment, which would be reasonable given the sites location next to the A505 and its existing agricultural uses
- 4.3.35 However, Officers are concerned with the relationship between the proposed dwellings and the existing agricultural processes coexisting within such close proximity. Indeed, no mention of this relationship has been made in the supporting Planning Statement. The dwellings and agricultural buildings would share the same access recently constructed off Ashwell Road, and based on the proposed site plan the barns and associated hardstanding areas would be very close to the siting of the dwellings, which could occasion general disturbance and vehicle conflict. However, there are several more significant concerns set out in this report, such that Officers consider it unreasonable to use this as basis for a reason for refusal.

4.3.36 As such, subject to the above conditions concerning noise mitigation measures and contaminated land, the proposed development would not give rise to unacceptable harm to the amenities of neighbouring properties and future occupiers, in accordance with Policy D3 of the Local Plan.

Highways, Access, and Parking

4.3.37 The proposed development would utilise the existing access from Ashwell Road, which was recently constructed, and no alterations are required for its use in association with the proposed development. In terms of trip generation, The Planning Statement sets out that the removal of some of the existing agricultural buildings on the site would reduce the overall intensity of the agricultural use of the site and result in a reduction in the level of traffic associated with same. It also states that in terms of the location and sustainability of the site, it is noted that the site is situated outside of a defined settlement boundary and that the majority of occupiers would have to rely on private cars for access. However, the previously approved Class Q approvals provide a fallback for development involving five new dwellings on the site and it is considered that the additional two dwellings above and beyond this is unlikely to result in a harmful level of trip generation.

4.3.38 The Highway Authority (HA) have formally responded to this application, setting out no objection to the principle of development in this location utilising the approved and constructed access off Ashwell Road. However, the HA set out areas where further information is required in relation to cycle storage, access of Ashwell Road, a Construction Management Statement, and emergency/refuse vehicle access.

4.3.39 It is considered that the matters raised by the Highway Authority could be reasonably addressed by the Applicant, especially as they have stated there is no objection in principle. However, the Applicant has not been forthcoming with amended plans and information seeking to address the comments from Highways and these have not been required prior to determination of this application given the other significant objections that officers have to this proposal.

4.3.40 The Planning Statement also sets out that each of the proposed dwellings would have allocated parking for at least two cars, with the four- and five-bedroom units having parking for three cars. A small amount of visitors parking is proposed to the front of the site, approx. 2 spaces, with further capacity potentially able to be created if necessary. There are no objections to this proposal on parking grounds as the development would accord with Policy T2 of the Local Plan.

Biodiversity and Ecology

4.3.41 This application was submitted prior to the 2nd April 2024 where BNG became mandatory for non-major development.

4.3.42 In any case, Policy NE4 of the Local Plan requires all development to deliver measurable gains in biodiversity. The Councils Ecologist considered the application which included several Ecological Assessments and has stated no objections subject to conditions covering an Ecological Enhancement Strategy. Whilst the application was submitted prior to mandatory BNG, there is still a proposal of 28.29% which is a planning benefit in any case.

4.3.43 This is considered a reasonable approach to achieve this requirement, in accordance with Policy NE4 of the Local Plan.

Waste and Recycling

- 4.3.44 It is unclear from the supporting information whether consideration has been given to waste collection and refuse vehicles. This was indeed raised by the Highway Authority but one would assume that refuse is already collected for the main farmhouse and bungalow, such that there could reasonably be scope for the development to be suitably served by a refuse vehicle, but this would need to be addressed via a swept path analysis.

Flood Risk

- 4.3.45 The site is within Flood Zone 1 and given the number of dwellings proposed, it is under the threshold for comments from the LLFA. However, a Flood Risk Assessment and Drainage Strategy has been submitted with this proposal which states that the proposed works are in Flood Zone 1 and are therefore not considered to be at risk of flooding from fluvial sources. Due to the development of the site flood mitigation measures are required to reduce downstream flood risks. Flood mitigation measures are required to address the issues associated with overland surface water flows. It concludes that the flood mitigation measures in section 4.0 of this report will need to be incorporated to reduce flood risks to the proposed development and reduce flood risk downstream of the site to an acceptable level. In the absence of an expert opinion on this matter, Officers are inclined to support the recommendations made by the submitted FRA, in line with Policy NE7 of the Local Plan.

Climate Change/Sustainability

- 4.3.46 The overarching purpose of the planning system is to contribute to achieving sustainable development, as stated in Section 2 of the NPPF. This is considered against the three objectives of sustainable development, the economic, social, and environmental objectives.
- 4.3.47 In terms of the economic objective, the proposed development would deliver benefits through the creation of employment during the construction phase and the use of nearby services in Ashwell, as well as those further afield in Baldock, Royston and neighbouring villages, by future occupiers. These benefits would be moderate in context and would therefore attain moderate weight.
- 4.3.48 In terms of the social objective, the proposed development would deliver 7 dwellings towards the districts housing supply which could be delivered in a relative short period. Therefore, significant weight is attributed to the social benefits that would arise from a development of the scale proposed.
- 4.3.49 In terms of the environmental objective, the proposed development would deliver modest benefits, as the scheme would provide an EV charging point per dwelling. However, given the isolated location of this site in the Rural Area beyond the Green Belt with little to no pedestrian connectivity, it is anticipated that future occupiers would need to travel to Baldock, Royston and surrounding areas and be reliant on private vehicles. This is a negative aspect of the scheme that weighs moderately against it.

Planning Balance

- 4.3.50 The site is not within any defined settlement boundary and as a result, is designated as within the Rural Area beyond the Green Belt. The Council acknowledges that there is some merit in the floor space trade-off between the proposed dwellings and the existing buildings, including the fact that one of these existing buildings is a sizable

grain store that is far larger than any of the proposed dwellings. It is also acknowledged that the site benefits from two Prior Approvals under Class Q to convert two buildings into 5 dwellings, which holds some weight. However, the proposed layout, form and appearance would be incongruous within the agrarian and rural setting. and would result in a materially greater impact on openness, contrary to the aims of part c) of Policy CGB4 of the Local Plan. The proposed development would be significantly different to extant Class Q permitted development and have would have a greater impact for the fallback position. The site would not constitute Brownfield land/Previously Developed Land. As such, the proposal is contrary to Policies SP2 and CGB4 of the Local Plan and Policy ASH1 of the Neighbourhood Plan. On balance, it is considered that the proposed development is unacceptable in principle.

- 4.3.51 The site is immediately adjacent to a scheduled monument (SAM). The monument in question is a concentration of cropmarks that extends into the surrounding fields named "Ring Ditches and enclosure at Slip End" National List for England no. 1003549. Whilst a desk-based assessment has been submitted, Historic England and Herts County Council Archaeology both consider that further field evaluations are required, in the form of trial trenching, before a decision can be made. Therefore, in accordance with paragraph 213 of the NPPF, it is considered that insufficient information in the form of a field evaluation has been submitted with this application, such that any harm or loss of the significance of a designated heritage asset has not been clearly and convincingly justified. It would be inappropriate to reserve such an undertaking to a condition, as this would determine whether the proposed layout is acceptable. . As such, the proposal conflict with the requirements of Policy SP13 and HE4 of the Local Plan, and Section 16 of the NPPF, particularly paragraph 213.
- 4.3.52 The Council also acknowledge that the existing buildings on site are not of high architectural quality, but they are clearly appropriate in this agricultural context. It is considered that the scheme is poorly designed and would not respond positively to the site's local context, contrary to Policies D1 and SP9 of the Local Plan and Section 12 of the NPPF.
- 4.3.53 The proposal would not result in any harm to the reasonable living conditions of neighbours and on balance, would provide an acceptable standard of amenity for future occupiers. There are some concerns over the relationship between the proposed residential dwellings and the agricultural use. The highway, access and parking matters are considered reasonable in principle and if this application was to be supported, then the applicant could reasonable address the matters raised by the Highway Authority. In terms of ecology/biodiversity and flood risk, the proposal is considered acceptable and does have some benefits in this respect, especially the 28.89% BNG even though this is not mandatory.
- 4.3.54 However, there are clear concerns in relation to the principle of development in this location, the impact of development on the Scheduled Monument, and the design and layout of the proposal. These concerns and associated local and national policy conflicts, significantly outweigh the identified benefits that would arise from this proposal. Therefore, the application is recommended to the Planning Committee for refusal.

4.4 **Conclusion**

- 4.4.1 As above.

4.5 **Alternative Options**

4.5.1 N/A

4.6 **Pre-Commencement Conditions**

4.6.1 N/A.

4.7 **Climate Change Mitigation Measures**

4.7.1 N/A

5.0 **Recommendation**

5.1.1 That planning permission resolved to be **REFUSED** for the following reasons:

1 – The site is not within any defined settlement boundary, contrary to Policy SP2 of the Local Plan and as a result, is designated as within the Rural Area beyond the Green Belt. By reason of the urban form, layout and appearance, which would be visually out of context with the sparse nature and character of the existing agricultural farmyard, the scheme would result in a materially greater impact on openness, than the existing buildings on this site and conflict with the purposes or general policy aims of part c) of Policy CGB4 of the Local Plan. The site would not constitute Brownfield land/Previously Developed Land and overall, is unacceptable in principle contrary to Policies SP2 and CGB4 of the North Herts Local Plan 2011 – 2031 and Policy ASH1 of the Ashwell Neighbourhood Plan December 2021.

2 - The site is immediately adjacent to a scheduled monument (SAM). The monument in question is a concentration of cropmarks that extends into the surrounding fields named "Ring Ditches and enclosure at Slip End" National List for England no. 1003549. The application has not been supported with further field evaluations, in the form of trial trenching, such that any harm or loss of the significance of the designated heritage asset has not been clearly and convincingly justified. This is contrary to the requirements of Policy SP13 and HE4 of the North Herts Local Plan 2011-2031, and Section 16 of the NPPF, particularly paragraph 213.

3 - The proposed development, by virtue of its layout which largely resembles a residential estate development, would not be appropriate in this rural and agricultural context. The proposed form, appearance and layout would appear incongruous and harmful to the rural character and appearance of the area. As such, it is considered that the proposal is contrary to Policies SP9 and D1 of the North Herts Local Plan 2011-2031, Policy ASH4 of the Ashwell Neighbourhood Plan 2021, and Section 12 of the NPPF.

Pro-active 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.