



Clerk: Mrs Catharine Toms, 1 High Street, Barkway, Royston, Hertfordshire SG8 8EA
Tel: 07763 167116 Email: clerk@reedparishcouncil.co.uk

16th September 2022

FAO: Tom Rea – North Hertfordshire Council

Dear Tom,

Re: Application: 7 Houses on Land Off Crow Lane Reed - Case Ref No: 22/02225/FP

Reed Parish Council objects to the above application and requests it be refused. The Parish Council's objections and comments are listed first in summary form. They are then presented in more detail.

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. Note on Limited Weight to North Herts' Deficiency in 5 Year Housing Supply
6. Note on Section 106/CIL Contribution

Development & Detail

7. The Emergent Local Plan

i. The site proposed is not one of the allocated and consulted-upon sites for Reed in the Emergent Local Plan (ELP). The purpose of allocated sites in the ELP is to allow for plan-led growth in appropriate, consulted-on locations, so that growth is proportionate and adapted to the needs of communities and to the preservation of the environment and heritage. Thus, the ELP continues and adapts the protections in Policy 6 of the Saved Local Plan, which retains relevance. The ELP accrues additional weight in this determination with the publication of the Inspector's Report and Main Modifications on 8/9/22. Reed has seen one consulted-on allocated site (the Rand Bros. Kilns development) built out since 2014 with 12 houses. In addition, there have been permissions granted for infill applications around the village. It is also material that the owners of the remaining allocated site in Reed, RD1 (for up to 22 houses), are now in "advanced negotiations" with developers to build out that site. They have had preliminary consultation with the Parish Council and shared proposals which include the assignment of 8 units of affordable housing on RD1 (affordable rental and shared ownership provision). Such provision is a social benefit which would be a balance to set against the self-evident sustainability problems of further housing in Reed. Leaving this RD1 allocated site aside, houses built and permissions granted, mean Reed has already had an **10.5%** increase in housing numbers since 2011. When a potential 22 units for RD1 are built out this means Reed will see a **27%** increase in housing up to 2031, in the timespan of the ELP - and this not allowing for any other further individual infill permissions before 2031. The 7 extra houses in this application are an excessive addition. Granting them is at odds with the principle of planned development which is the rationale of the District's 20 year Emergent Local Plan. Reed is not designated a "growth village" in the ELP. However, this application's 7 houses would effect a housing growth of, at least, **31%** between 2011 and 2031. This is a figure appropriate to a "growth" village not a category A village in the ELP. This means granting this application would be a misapplication of Policy SP2. Given Reed's Category A status, North Herts. Planners and Members should recognise that 27% housing growth is already high and at the maximum end of what should be expected and allowed in a small village like Reed (134 dwellings in 2011). This is material, whether what is being determined are numbers on an allocated site, or applications like this on a so called "windfall" site. Planning determinations also need to include reasoned distinction between the villages designated category A in the ELP. Reed has a school, a church and a village Hall. Ashwell, as another category A village, has all of these plus a shop, a pharmacy, an estate agents and three pubs, along with other facilities and a much larger population. So consideration of sustainability for further new housing beyond the 10.5% increase already happening in Reed, is essential and does not favour the current application.

ii. The proposed dwellings in the application are all market value housing, which

is also the case for all units in Reed built or granted permission since 2011. Therefore, Reed does not need the market value housing proposed in this application. RD1 already provides the prospect of a variety of housing types - market value and affordable, as well as some subsidised provision for people in "need" under the charitable terms of the Turney Trust. By contrast, all the present application would contribute is intensified sustainability problems in Reed: it does not expand limited village amenities; it would further strain existing village infrastructure; and it would increase car use. And all of this with minimal countervailing benefit. Meanwhile the available allocated site in Reed (RD1, where future development is pending) would at least provide the social benefit of some affordable housing to set against obvious sustainability pressures. This makes it more acceptable both in community and planning terms. By contrast, the sustainability negatives for the present application (see 4 below) are unmitigated. In it, no evidence is provided of a proven local need or that any need which is referenced could not be met in another way, considering the availability of allocated land for housing in Reed within the ELP. This was a key point made in the Officer's report refusing a hostile application on a green field site in Reed in 2020 (**20/01605/PIP**). It is point, we believe, justifies refusal of this application. The application conflicts with policy 6 of the Saved Local Plan in its application to Rural Area Beyond the Green Belt, as well as with provisions in the NPPF for protection of the intrinsic value of the countryside. Crucially it is also at odds with the plan-led principle for development embodied in the ELP and treating it as a "windfall" site under SP2 would be misapplication of that policy by imposing on a category A village a growth rate more suitable to "Growth" villages in the ELP.

8. The Settlement Boundary SP2 In The ELP

i. It is acknowledged that the proposed site falls within the settlement boundary for Reed in the Emergent Local Plan (EPL). Policy SP2 says that The Settlement Boundary in category A villages like Reed is one in which limited sustainable development can be permitted. Reed has seen such development since 2011 (indeed since 2016) on infill sites within the boundary. Indeed, such a permission was granted by the Authority as recently as August 2022 at Gladstone Villas (**2/00799/FP**), ensuring a 10.5% increase in housing since 2011. Such development evidently conforms to "*the parameters identified in Policy SP2*" for some housing on "*potential windfall sites*" in the settlement boundary of selected villages. However, the policy is not intended be applied indiscriminately to fill with housing **all** spaces within a village settlement boundary. This was evident in Reed in the refusal of the infill application for land next to 3 Hobbs Hayes in 2020 (**20/02012/FP**), in contrast to the granting of a nearby application earlier (**20/01069/FP**). It is clear that SP2 requires all applications within the settlement boundary (and indeed on allocated sites) to be judged in relation to the local context and the full range of planning considerations, including heritage matters, sustainability and community need. This is all the more necessary with the present application. It is not an infill but, in the context of Reed, a substantial development. Even if the location were to be judged as eligible for windfall development under SP2, then 7 houses is an excessive and disproportionate number (especially given housing growth to date and the already allocated site in Reed referred to in 1 above). However, there are strong reasons, set out in 1 above and 3 & 4 below, for refusing any housing on the proposed site in the

period of the ELP. Green fields should not be sacrificed to development which is not needed (see 1 above) and granting this application sets a precedent for filling up with housing any green space in Reed which is within, or partly within, the settlement boundary. Allowing this would be in conflict with other protections in the ELP and in the NPPF, particularly with regard to the countryside and the Reed Conservation Area (see 3 below).

ii. Further, we refer to the following in the ELP in the recently published ***Inspector's Report and Main Modifications***: "*Based on the policies and allocations of this plan it is anticipated that approximately four in every five of new homes delivered in the period of the plan will be within the adjusted settlement boundaries of the towns.*" .]

Housing growth already in Reed since 2011 and the pending development of the RD1 allocated site mean this village is contributing, for its size, well in excess of the 1 in 5 proportion assigned in the ELP to *all* areas beyond the District's towns. At least 27% housing growth before 2031 (see 1 above). The substantial development proposed here, which is not limited infill, would be inappropriate and harmful and would amount to a misapplication of Policy SP2 of the ELP.

9. Harm To The Reed Conservation Area

i. The proposed development falls partly within the Reed Conservation area and the effect of building in this location will be harm to the conservation area (CA). The harm would not be restricted to buildings proposed within the exact perimeter of the CA here. In fact, more harm to the CA would be inflicted by the larger number of dwellings proposed (Units 4 to 7) just outside the CA perimeter to the east of the access lane into Nicholls Yard. These 4 dwellings would close off entirely the open view onto agricultural land from Crow Lane at the entrance to Nicholls Yard, off Crow Lane and also at the entrance to the heavily used Public Footpath a few metres further up Crow Lane. The effect would be to eradicate, or at best degrade, a key feature of the Reed CA, along with its contribution to the distinctive character of Reed, in this quarter of the village. It is self-evident that the existing perimeter of the CA was drawn at this location with the same intent as elsewhere in the village: to safeguard and preserve the gaps in the distribution of built structures and to preserve the concomitant open views to the countryside. This is a key feature of the CA and the source, as acknowledged in the ELP, of the distinctive "character" of Reed as a village, a heritage asset to be preserved. The proposed development would harm the CA by eliminating that feature in this location. A CA's rural ambience and effect of openness was only minimally encroached upon by the earlier residential development in Nicholls Yard by the same applicant (circa 2005). This is because the great bulk of that development followed the footprint of agricultural buildings which were converted and repurposed and which existed when the perimeter of the CA was defined in this location. This fact should privilege, and be reason to conserve, the heritage feature which remains. This feature is the retained open space in the location which the present application would destroy. With regard to the CA boundary, it would be perverse to sanction obtrusive building a few metres beyond the line of the CA when its effect would be to negate precisely the heritage feature which the existence of the CA is intended to preserve. It follows that the development both on the field inside the line of the CA and on the one adjacent to it would result in harm to the Reed CA. If anything, the harm would be greater in the adjacent field. The words of the

Inspector adjudicating and declining an appeal relating to another green field site in Reed in 2020 bear quotation:

“The National Planning Policy Framework (the Framework) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. However, the scale of benefits arising from a development of seven houses, even allowing for the clear need for additional housing in the District and the additional weight this attracts, would only be moderate. In this instance, the moderate benefits of the development would not outweigh the harm to the significance of the heritage asset.”

(APP/X1925/W/20/3260353)

ii. We contend that the same judgment should apply to this application for 7 houses in a greenfield location in Reed. The application would harm the CA, contrary to the NPPF section 16 protections. The effect of building on the CA and immediately adjacent to the CA in this location would clearly not “conserve” the defining key features of the CA and therefore will not “enhance” the CA in this quarter of the village. At the same time the weight to be given to an important heritage asset invokes the exemptions to the presumption in favour of development set out in footnote 7 to NPPF 11(d)(i).

10. Sustainability Problems

i. Though Reed is a Category A village in the ELP it has a dearth of amenities:- no shop and currently no public house. It has an infrequent bus service which does not operate on Sundays. The 7 dwellings proposed will increase car use with a likely minimum addition of 14 cars to the village, used for leisure and commuting. This would add to the increase in car use accruing from the 10.5% housing growth since 2016 (28 private vehicles from the Kilns development alone). Vehicular access to the proposed site will be problematic - poor site lines and a narrow lane shared with existing residents of Nicholls Yard. Car users exiting the village via Crow Lane, north to the Joint will be on a stretch of single track road with no passing places. Most will egress via Jackson’s Lane, adding to traffic past the school, with the traffic increase being detrimental to safety.

ii. Since completion of the Kilns the village has experienced renewed difficulties with fresh water and foul water infrastructure which the addition of these proposed 7 houses can only increase. Broadband too is variable and can be erratic.

iii. The plans proposed in the application detail no sustainability and insulation provisions beyond what is required by standard building regulations. No solar tiles or panels are proposed. Nor is there any proposal for ground or air sourced heat pumps. In other words, the development volunteers no renewable technology as technical mitigation of the environmental cost of new housing in a period of climate change. This means that, whilst increasing car use, the application omits other environmental mitigation to balance the harm associated with a development which is not essential to the Reed community, given the availability of an ELP allocated site (RD1) elsewhere in the village.

11. Note: Limited Weight To North Herts.’ Failure to Have a 5 Year Building Supply

i. Regarding the housing supply issue (cited by the applicant as a reason for approval) see 1 above. Notably the % figures for housing increases to date and up to 2031, showing that Reed is making and will make, for its size, a disproportionately high contribution to housing supply (including affordable housing supply) in North Herts. during the period of the ELP. And at least **27%** increase in village housing by 2031, excluding this application. So, relevant here is the Inspector's comment in 2021. Rejecting the appeal against refusal of 7 houses on another green field location in Reed, he noted that the deficiency of the District's 5 year housing supply should not override other material factors like harm to the CA and the natural environment and problems of sustainability. He also took into account that whilst allowing 7 houses in an inappropriate location in Reed would inflict harm on a small community, it would provide "negligible" amelioration of the District's 5 year housing supply shortage. (**APP/X1925/W/20/3260353**),

ii. Also relevant is that the housing in Reed since 2011 is market value housing, much of it, high end. Pending RD1 alone offers some affordable housing which would contribute substantially to advancing the ambition stated in the ELP to achieve 33% to 40% affordable in the District's housing growth during the period of the Plan (SP8: f) i page 51). The local planning context is relevant here. Granting this application for 7 more houses on an unallocated site can only generate community opposition for subsequent building in the village and lead to potential loss or curtailment of RD1 and with it, loss of some or all affordable provision. The number of houses ultimately agreed on RD1 will obviously be an issue determined when a planning application is submitted. However, the inclusion of affordable housing on this allocated and available site is a mitigation of the considerable sustainability concerns associated with *any* further building in Reed. No comparable mitigation is offered by the present application and allowing it creates unsustainable growth.

For all the above reasons Reed Parish Council requests this application 22/02225/FP be refused .

12. Note On Section 106/CIL and 22/02225/FP

i. Should - despite the reasons set out above - Officers and Members decide to approve this application, Reed Parish Council takes this opportunity to flag up a practical and moral obligation on the applicant to volunteer a financial contribution to offset the additional burdens on the village such a development would impose.

ii. Though the application does not hit the threshold of 10 which would trigger a 106 or CIL obligation, in the context of Reed the 7 houses proposed is a magnitude of increased housing which will have substantial impact in intensifying the sustainability problems identified at 4 above. Therefore, villagers and the Parish Council expect that a developer, especially a responsible local developer, building out on this scale would wish to volunteer a mitigating financial contribution. For example, the Parish Council is currently consulting on how, over the next five to ten years, to achieve renovation and enhancement of

playground equipment in Reed which is wearing out. The council estimates this will involve expenditure of at least £30,000.

Yours sincerely,

Cllr. Ken Langley
Chair – Reed Parish Council