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## **Reed Parish Council Submission to The Planning Inspectorate**

### **Re. Nicholl's Yard, Reed - Appeal: APP/X1925/W/23/3335318**

**Reed Parish Council reiterates the objections set out in its detailed response to application 22/02225/FP in 2022 and requests your attention to these. We take the opportunity here to emphasise how and why we fully endorse the terms of the Decision Notice issued by the Planning Authority and the detail in the preceding officer report which recommended that decision to Members.**

**In 1 and 2 below we present reasons for our agreement with the Planning Authority's decision and our view that the decision should be upheld.**

**In 3 below we challenge specifics of the appellant's grounds for appeal.**

#### **1. Harm to the Reed Conservation Area**

We welcome in the Officer Report acknowledgement that policy SP2 of the Local Plan should be applied with sensitivity in Category A villages like Reed, taking account of local circumstances and needs. We believe it is a cardinal failure in the appellant's grounds of appeal that there is no attempt to acknowledge a key feature of the Reed Conservation Area as described in the NHDC Local Plan and which the proposed development would harm (see 3ii & iii below). We commend the attention the Planning Authority has given in its Local Plan and in this Decision to the features that make up the distinctive rural character of Reed and the Reed Conservation Area, including, crucially, the need to conserve the distinctive and significant open outlooks between interspersed building around the village. We therefore endorse the judgement (reflected in the refusal decision) that the development proposed would harm this distinctive and important feature of the village. This key point is aptly expressed in the decision notice and should, we argue, carry great weight in determination of this appeal:

**“By reason of the number size and location of the proposed dwellings , the degree of openness on the eastern edge of the RCA would be significantly curtailed and impaired”**

The magnitude of this harmful impact on the RCA is emphasised in the officer report:

**“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.”**  
**(4.22 Officer’s report).**

The suburbanising effect of the proposed development, albeit within the settlement boundary, is at odds with protection of a key, defining characteristic of the RCA. This puts the application in conflict with the NPPF, section 12 and with SP1, SP2, SP9 and D1 of the North Hertfordshire Local Plan. To avoid repetition, we respectfully refer you to Reed PC’s submission to **22/02225/FP**. There, in section 3, we specify in detail the adverse effect on the RCA and the village. We stress here that we believe the Planning Authority’s decision to refuse is clearly based on sound knowledge and disinterested, objective assessment of the location concerned and its context in the village as a whole. We welcome, therefore, and fully support the judgement of the Planning Officer and the Council’s Conservation Officer in respect of this application. Their conclusion aligns with the view of villagers and Reed Parish Council that, both in design and location, the proposed development is harmful to the Reed Conservation Area. As the officer report says:

**“The proposed development would detract from the open rural character of the site and this, together with its inappropriate scale and urbanising effect, would have an adverse effect upon the character and appearance of the surrounding area.” (6.1.2)**

The detail in which the decision notice sets out the detrimental effect of the proposed development on the Reed conservation area and adjacent heritage assets provides, we believe, compelling justification for the Planning Authority’s decision to refuse the application. Therefore that decision should be upheld.

## **2. Allocated Sites In Reed In the Local Plan**

We welcome the weight in the officer's report gives to the existence of a still to be built-out allocated site in Reed (RD1) in the adopted North Hertfordshire Local Plan. RD1 is expected to provide for continuation of planned housing growth in Reed in the period to 2031, including affordable housing - something not offered by the present application. Indeed, the developer of RD1 (the charitable Turney Trust) is currently in pre-application consultation with the Planning Authority with the intent to submit of a full planning application later in 2024. This - subject to consultation - would be for up to 22 dwellings, including 8 affordable. RD1 confirms that the development proposed in this application is not needed in Reed and would not be sustainable. Note also that since 2011 this small village has already experienced a 10.5% increase in housing numbers.

## **3. The Appellant's Case**

The appellant's case amounts to three assertions concerning the Planning Authority's decision to refuse:

- i) That the P.A. at times in recent years has not had a 5 year housing land supply.
- ii) That Reed is a category A village and because the site concerned falls within the perimeter of the village settlement boundary it should be built on.
- iii) That harm to the heritage buildings in the immediate vicinity is insubstantial.

Taking each of these assertions in turn:

- i) This objection has no merit in the present case. North Hertfordshire has an adopted Local Plan and now has an accepted 5 year housing land supply. This site is not an allocated site in the Local Plan. Moreover, the absence of a 5 year supply would not in this case be a justification for a presumption in favour of development because other policies apply which protect areas of importance, like the RCA. Furthermore, as demonstrated in analysis by the planning Authority and the response from Reed PC, alleged benefits of granting approval are outweighed by harm. Again, we respectfully refer you to Reed's original submission, sections 1 and 5, where we address the matter of housing and Reed's past, present and future contribution to meeting District housing need. We argue that upholding this appeal would be at odds with the principle of plan-led development, given RD1 is a consulted-on and

agreed allocated site in Reed where development is pending.

ii) This argument has little merit. The appellant effectively asserts that because the site is within the Sp2 settlement boundary it should be built on. This would be a gross misapplication of policy SP2. It is not what Category A designation means in the Local Plan. The settlement boundary defines an area in which some appropriate and proportionate development may be permitted. The policy reserves right to determine all applications within the settlement boundary (and indeed on allocated sites) in the light of the local context and the full range of planning considerations, including heritage matters, sustainability and community need. It does not mean that all spaces within a village settlement boundary can be filled with housing. Policy SP2 has been appropriately applied in Reed whilst the adopted Local Plan has been in its emergent phase. One allocated site has been built out with 12 dwellings. As referred to above, a second allocated site for up to 22 dwellings in Reed (RD1) is pending. Over the last 6 years applications for individual infills have been selectively approved or refused on their merits. Overall, there has been a 10.5% growth in housing in the village since 2011. As pointed out in Section 2i & ii of Reed PC's original response to this Nicholl's Yard application, the 7 houses proposed should not be considered as a limited infill within the settlement boundary. Rather, they constitute, in the context of Reed, a major development. However, the site is not an allocated site for Reed in the Local Plan. The application also fails in sustainability terms and offers no off-setting mitigation like the affordable housing element on the RD1 allocated site. Finally, as pointed out above, the development would cause harm to the RCA, which in the view of Reed residents would be serious harm.

iii) The appellant's argument that harm to adjacent heritage buildings is insubstantial, is based on interpretation. We disagree with the appellant's interpretation and concur with judgement of the Planning Authority's conservation officer that the harm caused is a factor, considered with others, justifying refusal of the application. We note that the appellant in his statement treats the buildings concerned (North Farm, Crabtree Cottage, The Barn, Wisbridge Farmhouse and Cozykot) in isolation from the wider setting and the RCA in this part of Reed. By contrast, the officer report takes account of the relationship of these buildings and their grouping with the total setting in this corner of the village and in particular the existing, rural openness across to the east. The proposed development would, we argue, crowd out the influence and impact of the heritage buildings and very significantly close off here the valued open aspect across agricultural land which is an identified key feature of the RCA. We note (as in 1. above of this document) that whilst in his statement of case the appellant considers the heritage buildings, he conspicuously omits to address the other key aspect of impact on the RCA, which is, of course, important in the Planning Authority's decision to refuse. We believe this omission undermines the appellant's case against the refusal.

## **Conclusion**

**In the light of the points above, alongside other reasons set out in its earlier submission, Reed Parish Council urges that the Inspectorate declines this appeal and upholds the decision of the Planning Authority to refuse the application.**

Reed Parish Council

3<sup>rd</sup> April 2024