

Matter 11 – ST IPPOLYTS, REED, SANDON, THERFIELD, WESTON, WHITWELL, OAKLANDS, OFFLEY, PIRTON AND PRESTON		
Action	Date on which Action Completed	Examination Doc Reference No.
NHDC to amend Policies Map to make it clear that the eastern edge of site SI1 abuts London Road	MM 396	
NHDC to propose amendment to Policy SI1 to require that the partial hedgerow that forms the southwest boundary of the site is completed	MM 352	
<p>NHDC to propose amendments to Policy TH1 to:</p> <ul style="list-style-type: none"> <li>(a) Remove bullet point 1</li> <li>(b) Remove requirement of consent from the Environment Agency. Suggested replacement wording: <i>“Any infiltration drainage SuDS (or other features) must have regard to Environment Agency groundwater bore holes”</i></li> <li>(c) Include criterion regarding nearby listed buildings and their setting</li> <li>(d) Require open space to southeast portion of site TH1, in order to prevent coalescence between Therfield and Hay Green</li> <li>(e) Require the retention of the recreation ground, either through its exclusion from the settlement boundary or by wording in the policy</li> <li>(f) Amend the boundary around the southeast of the settlement (Hay Green) on the Proposals Map to more tightly follow the limit of existing development to the north of Meadow Way</li> </ul>	MM 359	
NHDC to make English Heritage's response to Policy TH1 at Preferred Options an examination document	February 2018; Extract enclosed as Appendix M11(Stl)-1	<a href="#">ED116</a>
NHDC to propose amendment to Policy WE1 to require that the western hedgerow is maintained and/or strengthened	MM 363	
NHDC to work with site promoter to ensure safe and suitable access to site WE1, with particular attention to the lack of	Note enclosed as Appendix	ED148C

<b>Matter 11 – ST IPPOLYTS, REED, SANDON, THERFIELD, WESTON, WHITWELL, OAKLANDS, OFFLEY, PIRTON AND PRESTON</b>		
<b>Action</b>	<b>Date on which Action Completed</b>	<b>Examination Doc Reference No.</b>
<b>footpath along Hitchin Road between Friars Road and Weston Post Office. Either a statement of common ground or note to be submitted to the Inspector on this matter</b>	M11(StI)-2	
<b>NHDC to propose an amendment to Policy SP2 to:</b>  <b>(a) Ensure that southern and western parts of the site (noted in Appeal -APP/X1925/W/16/3164043) retain a significant amount of open space. In addition, to amend explanatory text to refer to the inspector's decision</b>  <b>(b) Amend bullet point 3 to reflect what is meant by "integration" between SP2 and the byway</b>	MM 356	
<b>NHDC to amend the settlement boundary on the Proposals Map in relation to Policy SP2 (Whitwell) to exclude the recreation ground to the south of the settlement</b>	MM 395	
<b>NHDC to amend the southeast settlement boundary on the Proposals Map next to Harris Lane (Offley), to include site that has planning permission for three dwellings (the Rookery) and land to the east up to the existing natural boundary features. (See boundary proposed by Mr Andrews/Jarvis Homes' representations)</b>	MM 393	
<b>NHDC to reconsider the settlement boundary to the west of Pirton to exclude the Scheduled Ancient Monument and consider allocating a site to the north of Priors Hill</b>	Note enclosed as Appendix M11(StI)-3	ED148C
<b>NHDC to review all housing allocations in the Local Plan to ensure that any hedgerows that would form Green Belt boundaries are expressly protected in the relevant policy wording</b>	MM061, MM202, MM225, MM249, MM250, MM251, MM268, MM269, MM320 & MM363	

**Appendix M11(StI) – 1**

**ED116 (extract): English Heritage's Preferred Options response to Policy TH1**

listed buildings. Again, care would need to be taken to avoid development within the strategic site detracting from the significance and setting of these heritage assets, bearing in mind that views of St Mary's can be seen from the road between Chesfield Park and Graveley.

The impact on Chesfield Park to the east, an undesignated but historic parkland with the scheduled and Grade II\* listed remains of Chesfield Church to the north-east, will need to be considered. There may be opportunities for the historic parkland with the development of the proposed country park, such as improved access, interpretation and conservation of this heritage asset.

It is not clear whether there has been adequate assessment of heritage impacts, and we therefore recommend that such assessment occurs. Allocation of the site needs to be justified in terms of historic environment impact. As before, we recommend that further work is undertaken to identify and where possible, overcome potential historic environment issues, which includes a proper assessment of, and potential impacts on, the significance of heritage assets.

We note that a masterplan is required for this site and adjoining land to the south, and it is helpful that paragraph 12.221 refers to some of the above heritage assets. The paragraph should go further though and clarify that the significance of heritage assets needs to be conserved, including views to and from these assets.

### **Therfield**

As advised previously, **Sites TH1 (Land at Police Row)** and **TH2 (Land south of Kelshall Road)** are similarly in close proximity to the scheduled motte and bailey castle and lie close to the historic settlement core. They should be regarded as having archaeological potential for medieval settlement remains whose character and significance would need to be established.

Both sites also adjoin Therfield Conservation Area and would affect its setting. In the case of Site TH1, there is an opportunity to enhance the existing site in a sensitive way to act as the entrance to the conservation area, and there should be site specific criteria at the next consultation stage to guide development.

Site TH2 has been considerably reduced in size since the 2013 consultation, but still has the potential to harm the significance and setting of the conservation area and the surrounding countryside, as well as the Grade II\* listed The Old Rectory to the west. It is worth noting that the conservation area covers virtually the entire settlement of Therfield, suggesting a cohesive historic character. As before, the impact of development on the historic environment should be assessed before this site is taken forward. We remain concerned regarding the potential impacts and suitability of this allocation until further information has been produced. Allocation of the site needs to be justified in terms of historic environment impact. If the site is taken forward to the next consultation stage, there would need to be site specific criteria to guide development.

### **Wymondley**

In our response to the two housing options consultations in February and July 2013, we expressed considerable concerns about the potential scale of development at

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**Appendix M11 (Stl) – 2**

**ED148C : Note on pedestrian access to site WE1**

## North Hertfordshire Local Plan Examination Note to Inspector

### Footpath access to Site WE1

#### Introduction

1. The Hearing on Matter 11 – Weston, took place on February 28 2018. At that meeting, an issue was raised to which the Council agreed to prepare a note. This note presents the council's response to the issues raised.
2. It is the Council's view that this note ensures the soundness of the policies of the North Hertfordshire Local Plan.

#### The Council's response to the issues raised

**Action: NHDC to work with site promoter to ensure safe and suitable access to site WE1, with particular attention to the lack of footpath along Hitchin Road between Friars Road and Weston Post Office. Either a statement of common ground or note to be submitted to the Inspector on this matter**

3. The Council is satisfied that there are adequate public footpaths connecting allocation WE1 to Post Office Row, where the village store / Post Office is located and to Maiden Street where the school is located.
4. The map extract and photos in Appendix 1 illustrates that allocation WE1 is very well connected to existing pedestrian footpaths in the Friars Road/ The Snipe developments. These connect through a small garage court to a footpath running to the north of Weston Barns and emerging on Hitchin Road.
5. From this point there are continuous pedestrian footpath links to Post Office Row, Fore Street and, via Maiden Street, the school.
6. In the alternate, a surfaced footpath runs from the WE1 west, south and then east around the rear of properties on The Snipe and Friars Road making the same connection. Both routes negate any need for new public footpaths along the narrow stretch of Hitchin Road between Friars Road and Post Office Row.
7. In terms of other Rights of Way, Appendix 2 further illustrates that Public Footpath 5 from the opposite side of Bendish Lane to WE1 links to Fore Street which is, in turn, connected by Public Footpath 8 to Maiden Street. This is a grass path, so likely to only be suitable during drier periods.

**Appendix 1 – Pedestrian footpaths in / around The Snipe & Friars Road**



Existing Pedestrian footpaths from WE1 to Hitchin Road

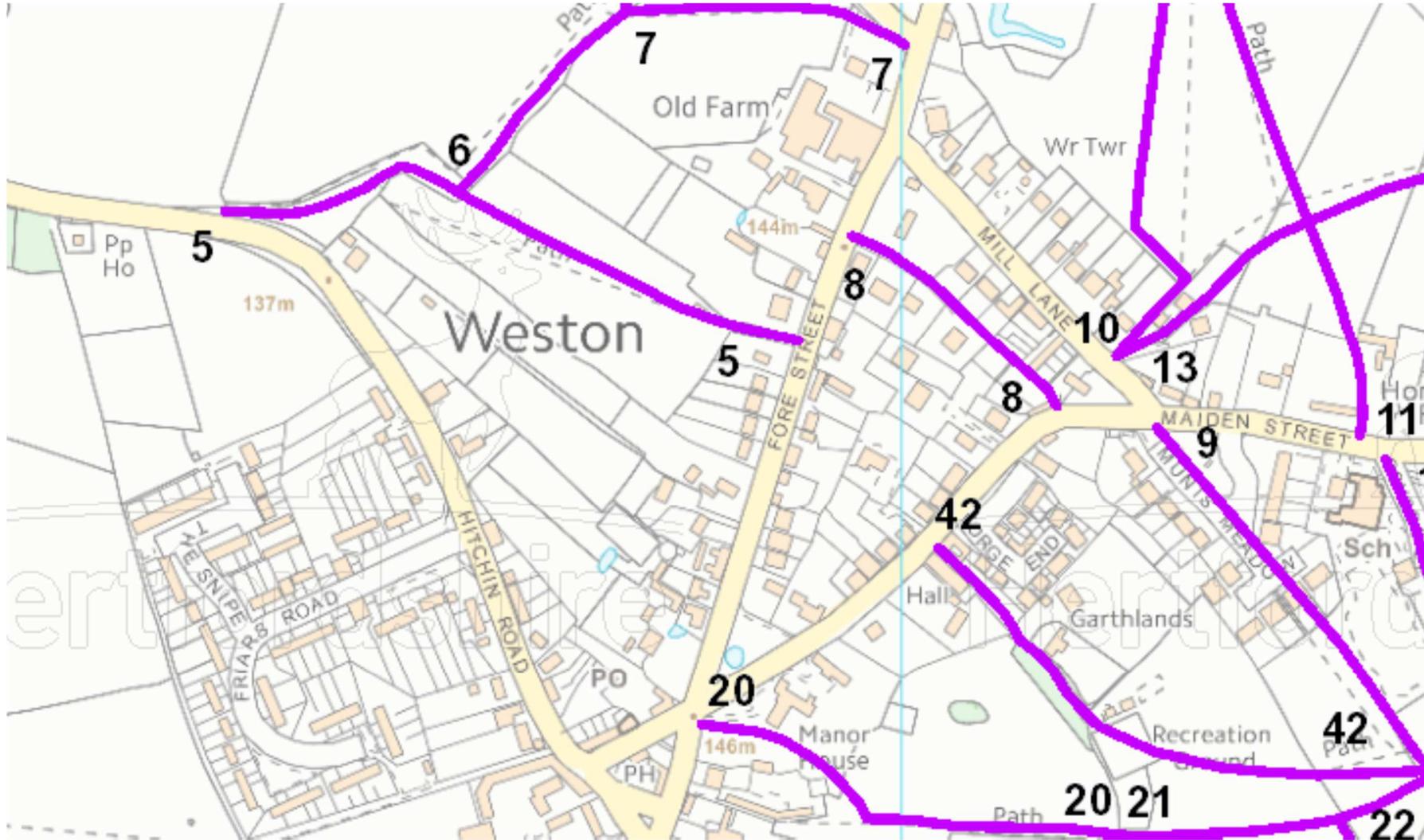


Top left: Surfaced footpath to rear of properties on The Snipe / Friars Road

Top right: Surfaced footpath exit from garage court towards Weston Barns / Hitchin Road

Bottom: Surfaced footpath Exit to Hitchin Road towards Post Office Row and school

**Appendix 2 – Public Footpaths 5 & 8 (linking to Fore Street / Maiden Street by Public Right of Way)**



Source: Hertfordshire Rights of Way Map, <http://webmaps.hertsdirect.org/row/row.htm>

NORTH HERTFORDSHIRE DISTRICT COUNCIL LOCAL PLAN EXAMINATION

ED148C - Matter 11



**Appendix M11 (Stl) – 3**

**ED148C : Note on land north of Priors Hill, Pirton**

## **North Hertfordshire Local Plan Examination Note to Inspector**

### **Pirton settlement boundary**

1. At the Hearing Session for Matter 11, the Inspector requested that North Hertfordshire District Council (NHDC) to reconsider the settlement boundary to the west of Pirton to exclude the Scheduled Ancient Monument and consider allocating a site to the north of Danefield Road.
2. The settlement boundary in the Proposed Submission version of the Local Plan was drawn to encompass the existing developed extent of Pirton, the site granted planning permission on the eastern edge of Pirton, and the field on the western edge of Pirton backing onto Danefield Road which includes the recent development of Baulk Gardens.
3. In its statement to the Examination, the Council stated that the boundary provides the opportunity for future development within the built core and is justified by consistency with Policy SP2, Settlement Hierarchy.
4. During the Examination, the Inspector asked why the settlement boundary in the west of Pirton had been drawn to include an area of land which did not include any site allocation.

### Context

5. At the Preferred Options stage of the Plan, the entirety of the land to the north of Danefield Road was identified as a potential housing allocation site, reference PT1 for a potential 88 dwellings (OLP5, p.119).
6. Subsequent to the proposed allocation at the Preferred Options consultation stage, this land (excluding the existing built development at Baulk Gardens at the south-east corner) was subject to an application to be scheduled as an ancient monument. This land was scheduled under the Ancient Monuments and Archaeological Areas Act 1979 on 16 May 2016. However, an appeal to the scheduling was lodged.
7. Prior to the outcome of the appeal, the Proposed Submission version of the Plan was approved. The Housing and Green Belt Background Paper records that, due to the scheduling, the site had been discounted from further consideration (HOU1, paragraph 3.15, p.7).
8. The schedule was subsequently amended on 21 November 2016 to exclude the southern part of this land (broadly along a continuation of a line across

the rear of the properties at Baulk Gardens westwards to Priors Hill). The details of the scheduling can be view on Historic England's website at <https://historicengland.org.uk/listing/the-list/list-entry/1434415>.

9. The land excluded from the scheduling is subject to an outline planning application which is currently being considered by the Council (planning application reference 17/04239/OP).
10. At the Examination Hearing Session, the Council agreed to re-consider the settlement boundary in this location to exclude the Scheduled Ancient Monument and to consider allocating a site to the north of Danefield Road.
11. The Council have considered four options in respect of this area of Pirton.

### **Option 1 – site allocation**

12. The Council has considered the option of allocating this land for development as per the Inspector's request. An allocation would need to satisfy the same tests of soundness as other proposed allocations in the Plan. This would require, among other matters, for the Council to be able to evidentially demonstrate that there are no fundamental 'showstoppers' to the delivery of the site.
13. At the current time, and without prejudice to the determination of the application, there remains some uncertainty as to whether the potential presence of further archaeological remains on the site may preclude its development as a matter of principle. Archaeological investigations are ongoing as part of the planning application process.
14. In order to support an allocation, the Council would need to assume responsibility for providing the necessary evidence and, if required, defend this through the examination process. There is presently insufficient information for the Council in its plan-making role to define the extent of a site that could be suitable for development or set out all the necessary criteria. It is not considered appropriate to allocate this site within the Local Plan.

### **Option 2 – amend settlement boundary to exclude Schedule Monument**

15. Under this option, the settlement boundary would be re-drawn to exclude the area to the east of Priors Hill which has been designated as a scheduled ancient monument but to include the area to the south of the SAM which would be left as white land within the settlement boundary and not allocated

for development but which could be developed in the future subject to compliance with relevant policies of the plan and other material considerations.

16. This option is not supported. The settlement boundary as presently proposed follows an existing hedgerow boundary along the northern edge of a field, which is a strong boundary feature. The road, Priors Hill forms a strong western boundary. There are no clear physical features on the ground between Baulk Gardens and Priors Hill by which to define a revised settlement boundary.

### **Option 3 – Remove entirety of undeveloped land to the east of Priors Hill from the settlement boundary**

17. Under this option, the settlement boundary for Pirton would be re-drawn to exclude the SAM and the land between it and the rear gardens of Danefield Road apart from the recent housing development in Baulk Gardens which would be included within the settlement boundary.

18. The land outside the settlement boundary would be designated as Rural Area Beyond the Green Belt.

19. This would secure the SAM and its immediate setting as land where there was a general presumption against residential development (subject to the exceptions in Policy CGB1). Including Baulk Gardens within the settlement would ensure consistency with defining settlement boundaries.

20. However, excluding the entirety of this land from the settlement boundary would be contrary to the Council's view expressed earlier in the plan-making process that, as a matter of general principle, development in this area was considered a sustainable and logical extension to a proposed Category A village in order to meet identified development needs.

21. Should the ongoing planning application prove that archaeological constraints were not a fundamental bar to development, it might be considered appropriate to support some development in this location.

### **Option 4 – retain existing position**

22. The final option is to retain the existing position. This would include the SAM and the land to the south within the settlement boundary shown as white land on the Policies Map. As set out above, no boundary is present between the

SAM and the land to south whilst the boundaries as currently proposed follow clearly defined features on the ground.

23. The SAM would benefit from its protection as a heritage asset whilst the land beyond the scheduling to the south would, subject to meeting the requirements of relevant policies (including those on heritage), be capable of supporting some windfall development.

### **Conclusion**

24. Following consideration of the four options the Council is of the opinion that the best approach is Option 4 which is to keep the settlement boundary as shown on the Policies Map. This approach provides the best balance between recognising the presence of the SAM, ensuring that the settlement boundary follows clearly defined physical features, reflecting the extent to which the existing Local Plan evidence base might reasonably be able to support a proposed allocation and not precluding the potential for some future windfall development.