

North Hertfordshire District Council

Building Conservation comments

File Ref: 24/02404/FP

Date: 30/01/2025

Planning Officer: HT

Address: Land adjoining Cantlebury, Chapel Street and 1 Christys Yard, Hinxworth Hertfordshire SG7 5EH

Subject: Erection of one detached 2-bed bungalow with associated access, car parking, private garden and landscaping.

1.0 Recommendation

- 1.1 Paragraph 135 c) of the NPPF advises that planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change. Furthermore, in determining applications, local planning authorities should take account of the desirability of new development making a positive contribution to local character and distinctiveness (para 210, NPPF) and that great weight should be given to the asset's conservation (para 212, NPPF).
- 1.2 There is a case to suggest that maintaining an open area beyond the Willow tree and behind the pond would preserve the setting of two grade II listed buildings and maintain the character and appearance of the Hinxworth Conservation Area. However, there is clear evidence of built form occupying this site pre-designation of the conservation area albeit that is over 50 years ago. Key to this decision is what would be the impact of the proposal upon any significance that the site possesses?
- 1.3 It would be problematic to sustain an outright objection to any built form on this site, but I maintain my view that any building should be very much subservient to the listed buildings on either side and that due to the high-quality environment with contributions made by the pond and tree, it is important that any building melds with the adjacent buildings and features.
- 1.4 It is considered that the proposal would neither harm the setting of nearby listed building's or harm the special character of the Hinxworth Conservation Area, therefore satisfying the provisions of Sections 66(1) and 72(1) of the Planning (LB & CA) Act 1990 and will accord with Section 16 of the Framework and Policy HE1 of the North Hertfordshire Local Plan 2011 – 2031. The proposal is therefore **UNOBJECTIONABLE** in heritage terms.

2.0 The Local Plan and NPPF

- 2.1 Policy HE1 of the North Hertfordshire Local Plan 2011 - 2031 is relevant. Since commenting on a previous scheme, the NPPF has been amended and the following paragraphs are now relevant:
 - **135 c)** (*sympathetic to local character and history, including the surrounding built environment*),
 - **207** (*local planning authorities should require an applicant to describe the*

significance of any heritage assets affected, including any contribution made by their setting)

- **210** (desirability of new development making a positive contribution to local character and distinctiveness),
- **212** (great weight should be given to the asset's conservation),
- **213** (clear and convincing justification), and
- **215** (harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use).

3.0 Context

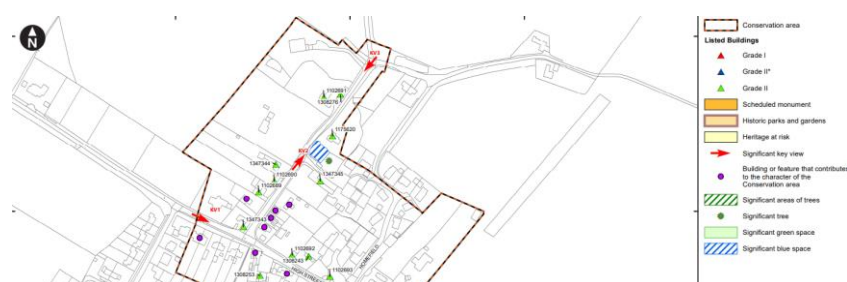
- 3.1 The application site is located within the Hinxworth Conservation Area and lies between two grade II listed buildings – Middle Farmhouse and Cantlebury which were both added to the Statutory List of Buildings of Special Architectural or Historic Interest on 19 November 1984 (see respective list entries below):

Farmhouse. Later C16, built on L plan. Altered mid C19. Timber frame. Roughcast walls. 2 storeys. 3 flush-sash windows. Central fielded panel door with plain fan. Rear wing is lower. Large c.1700 red brick chimney stack near join with front range, the upper part of stack with rectangular panels. Probably 3 bays of this range are C16, the furthest bay being a C19 painted brick addition. On the SW side are 2 1st floor sashes above tiled and canted sash bays. On NE side are 2 flush panel doors. Mid C19 dairy added to back of front range on this side. Inside the main house are crown posts at each end of roof. This range appears to have incorporated a timber stack or smoke bay. (RCHM Typescript).

House. Apparently a C15-16 hall house incorporating cross wings. Larger rear extension is probably C17, altered in C20. Timber frame. Plastered walls. Plain tile roofs, half hipped at front. 2 storeys. 3 C20 leaded casements. White brick ridge stack towards right, probably a rebuilt inserted stack. Towards left is a C17-18 gabled dormer with 2-light leaded casement. C20 front porch. Rear wing is 1½ storeys and has lean-to on NW side.

Hinxworth Conservation Area

- 3.2 Hinxworth Conservation Area was designated by North Hertfordshire District Council in 1970 and its boundary has not been amended since. A Character Statement was prepared by Wood on behalf of NHDC and published on 27/01/2020.
- 3.3 As noted on the map extract there are numerous listed buildings (green triangles) and positive unlisted buildings (purple circles) within this particular streetscene together with a 'significant blue space' (a pond) and the nearby Weeping Willow tree (although not perhaps accurately plotted) is a 'significant tree'.



3.4 Of relevance are the paragraphs below and map extract:

- 215 Along the north end of Chapel Street, the buildings are set back from the roadside within relatively spacious plots (KV2). Those on the west side are well defined with well-maintained hedgerows and tall trees limiting views of these properties. Whilst on the east side, the lack of border or the use of very low fencing and walls around of the gardens of Cantlebury (1175620) and Middle Farmhouse (1347345), together with the presence of a large pond in front of Cantlebury, provide a more open setting and wider views across the street. This is the only body of water visible within the Conservation Area, though remains of the moat are located at the east end of the village. The function of the pond was presumably agricultural, possibly providing drainage. Moving south along Chapel Street the properties become located closer to the roadside, some having small green front gardens leading directly to the road and others fronting directly onto the road (Figure 2.2). There is also a uniformity of scale to the properties along the south end of Chapel Street and adjacent High Street.
- 216 Chapel Street itself has only short sections of footpath at the southern end. These and the road are edged with stone cobble gullies. The straight form of the road allows long views framed by trees along the northern bend leading to Arnolds Lane or housing along High Street to the south. These views are dominated by the high volume of planting in borders along the road.

3.5 There are two key views identified along Chapel Street and although these provide context, neither is a view looking directly towards the site i.e. an easterly view, but that does not mean to say this is not an important view.



3.6 This is a particularly well composed view within the HCA and one which has more latterly, been eroded by the unfortunate erection of fence panels against the site's western boundary.



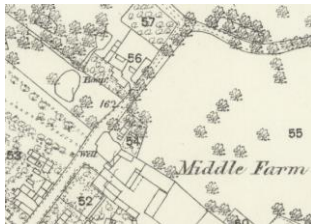
Historic Context

3.7 Historic OS map evidence indicates that buildings occupied the application site during the late C19 and well into the C20 indicating a different

relationship of built forms to that experienced now. At the bottom of page 15 of the submitted Heritage Statement (Heritage Network Oct 2021) it says the following:

Historic mapping notes that the present site formed the western of two post-medieval farmyards at Middle Farm, with farm buildings following the north-west and north-east boundaries. The proposed new building would be located in the yard area, where disturbance arising from the constant traffic of farm vehicles and stock might be expected. Previous archaeological investigation immediately to the east of the site, recorded no archaeological remains predating the demolished farm buildings.

Surveyed: 1877 to 1881
Published: 1882



Surveyed: 1921
Published: 1924

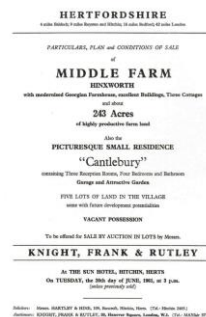
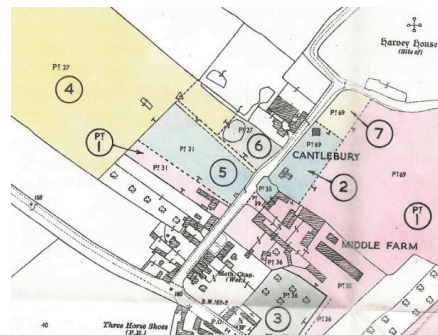


Revised: 1947 to 1948
Published: 1950



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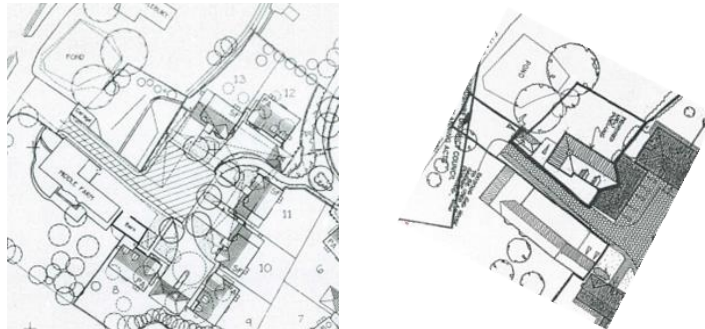
- 3.8 For instance, in sales particulars (June 1961) provided as part of a representation received (see extract from colour tinted sales plan below), an L-shape range sat directly to the south-east of the pond with a further range in the southern corner of the site. It is accepted that the small outbuilding that remains (garage or former 'gig' house) to the north of Middle Farmhouse is curtilage-listed.



Planning History

- 3.9 Outline planning permission was granted to convert farm buildings to 4 dwellings and erection of 8 houses under appn ref: 1/01329/87. This was then superseded by outline planning permission to convert existing buildings to 4 dwellings and erection of 9 houses under ref: 1/2001/88. Finally, planning permission was granted under ref: 94/0164/1 for the erection of 13no. detached 4 & 5 bed dwellings & garages. Whereas in the 87 & 88 applications a garage building would have sat against the south-east boundary of the current application site, the 4-bay garage was omitted from the 1994 scheme (see below left). One benefit of the garage building when compared with the current weatherboarded proposal is that it would not have had any north-west facing fenestration and would have maintained a more agrarian quality when compared with the current scheme. None of the aforementioned applications indicate development on the current application site.

- 3.10 Application ref: 89/01557/1 is, however, more interesting in that this sought another dwelling on the application site (below right) and the plan extract also shows the 4-bay garage which was not implemented.



- 3.11 The Case Officer in his delegated file note for appn ref: 89/01557/1 wrote the following:

4.2 The site of the new housing has been acquired by Hunting Gate Homes, who now wish to purchase even more of the curtilage of Middle Farm, with the objective of erecting another dwelling upon it. This application has been submitted accordingly.

4.3 The extra land concerned is immediately behind the pond when viewed from Chapel Street, and opposite the side entrance into Middle Farmhouse. It was formerly a well kept and attractive garden associated with the occupation of Middle Farm, but its appearance has suffered recently from neglect.

4.4 It is proposed to erect a large dwelling upon the site, linked to an existing building which is to be converted into garages as part of the earlier housing scheme. The new house would run parallel to the rear wing of Middle Farmhouse. The existing "gig" house which fronts Chapel Street would be used as the garage for the new dwelling.

4.5 Minxworth is not a selected settlement in the District Local Plan, wherein limited development may be permitted in accordance with the provisions of the first part of Policy 52 of the approved Structure Plan. Thus, development will be allowed only where strictly necessary for an agricultural or forestry purpose or for any proven need for local community services that cannot be met within a settlement. No special circumstances have been put forward to suggest that the policy presumption against this development should be set aside.

4.6 In addition to the wider policy issue, and despite the recent changes at Middle Farm, Chapel Street remains one of the most attractive village streets in the District. Its beauty is to a large extent derived from the character of the area around the pond and the style and relationship of the buildings to the open spaces at its northern end in particular. It is certainly an attractive part of the Minxworth Conservation Area which deserves protection from insensitive proposals.

4.7 The erection of another dwelling on this site, eroding the open space between Middle Farmhouse and Cantlebury and behind the pond, would neither preserve nor enhance the character of this part of the Conservation Area, in my view. The application has no merit whatsoever and this attempt to "enlarge" the housing development of the former farmyard by extending towards Chapel Street to the detriment of the attractiveness of this area should, I feel, be firmly resisted for both policy and environmental reasons:-

- 3.12 The former Conservation Officer stated the following:

DESIGN & CONSERVATION COMMENTS:

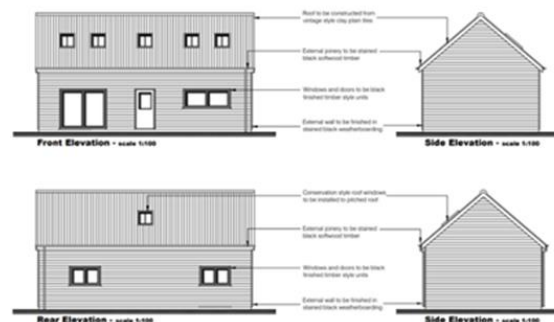
When the nature & character of an existing farm building complex has changed because of new development, it becomes even more important to preserve at least the original public view. Bearing in mind the requirement to "positively" enhance the conservation area when new development is proposed, it would, in my opinion, be impossible to improve upon the present attractiveness of this part of the side and the current proposal resented at all costs.

Signed *Bre*.....
Dated *B.11*.....

3.13 The application was refused for two reasons, the second being as follows:

2. Notwithstanding reason 1 above, the erection of a dwelling upon the application site would be likely to erode its open character and the contribution which it makes to the pleasant visual qualities of this part of Chapel Street, centred around Middle Farmhouse and the pond within the Hinxworth Conservation Area. As a consequence, the development would neither preserve nor enhance the character of the Conservation Area in this location.

3.14 On 13 January 2022 under ref: 21/03121/FP I provide comment on a similar proposal to erect one detached 2-bed dwelling with associated access, car parking, private garden, and landscaping.



3.15 At the time I considered that the proposal would “fetter the clear visual relationship between two heritage assets located either side of the pond causing demonstrable harm to their setting, hence, harming their significance. This is a speculative proposal not assisted by a convincing justification. Even the submitted Tree Protection Plan suggests that this proposal is somewhat ‘forced’ towards the eastern side of the site and close to no.1 Christy’s Yard Having said that, and subject to a convincing justification, a modest, single-storage, storage-type building with limited fenestration would not, in my opinion, necessarily harm the setting of nearby listed buildings or harm the character or appearance of the conservation area but that is not what is proposed”.

3.16 I concluded by raising an IN-PRINCIPLE OBJECTION to the residential development of this site. In addition, by reason of its siting, size and fenestration I consider that this second attempt to achieve development on this site would harm the setting of both Middle Farmhouse and Cantlebury, thereby, harming their significance and would also fail to preserve or enhance the character or appearance of the Hinxworth Conservation Area. I said that the degree of harm would be towards the upper end of the less than substantial harm continuum and which would not, in my opinion, be outweighed by the benefits suggested.

3.17 Then, on 20 May 2024 under ref: 24/00569/FP, I commented on a third proposal to develop this site. This time with a flat roof contemporary form and for which I also raised an OBJECTION.



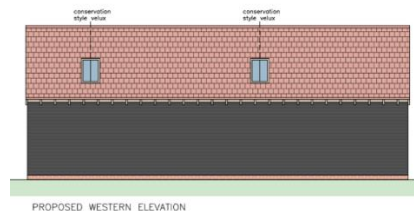
However, I wrote the following:

Contextually, a pitched, handmade clay tile roof structure would be more complementary to the context of the listed buildings on either side and if the building had no fenestration toward the pond and the east elevation was the principal elevation then the perception from Chapel Street would be minimised

The type of building I have previously envisaged would be relatively narrow. It is important, however, that the building does not extend the full depth of the site (north-east to south-west) but would nestle in behind the Willow reading as an outbuilding to Middle Farmhouse. This would not be achieved with the current proposal.

The Proposal

- 3.18 Unlike the 2021 scheme, the current proposal is lower with only two roof lights facing towards the pond and unlike the scheme last year, is traditional in form and would read relatively well alongside the existing outbuilding close to Middle Farm.



- 3.19 I acknowledge that since appn ref: 89/01557/1, there has for the last 35yrs been planning resistance to the development of this plot of land and as the former Principal Conservation Officer says that it would be *'impossible to improve upon the present attractiveness of this part of the site and the current proposal resisted at all cost'*.
- 3.20 I have thought about this proposal very carefully and whilst the sensitivity of the site is undisputed, my view has changed from that of registering an in-principle objection to examining whether a very simple built form with agrarian accents could occupy this site without detracting from the setting of the listed buildings on either side or the positive contribution that the pond area makes to the character and appearance of the HCA. It should be noted that whilst the openness of the site provides a view through to the Christy's Yard development from Chapel Street this view is not historic (less than 4 decades).
- 3.21 In my view the proposed building's orientation on site, together with its height, length, roof form and lack of fenestration facing the pond (apart from roof lights) are such that the setting of the two listed buildings would not be eroded or the character and appearance of the HCA harmed. I appreciate that it would screen the Christy's Yard development when viewed from Chapel Street and vice versa.



- 3.22 The loss of the Category C Maple tree and the protection of the Willow tree during development are matters for the case officer to consider.

4.0 Suggested conditions

- 4.1 I assume that if planning permission is granted, that PD rights would be removed. It is important also that we are also able to control boundary treatment and that the existing close-board fencing on the west boundary facing the pond is removed and the planting scheme implemented as shown on the site plan.

1. Prior to the commencement of the development, details or actual samples of the following:

- i. Clay handmade roof tiles;
- ii. Weatherboarding (including its external finish);
- iii. Conservation roof lights; and
- iv. Rainwater goods

shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: To ensure that special regard is paid to the setting of nearby listed buildings and the special character of the Hinxworth Conservation Area under Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy HE1 of the Local Plan.

2. The building's roof shall be constructed with open eaves (exposed rafter feet) unless otherwise agreed and approved in writing by the Local Planning Authority.

Reason: To ensure that special regard is paid to the setting of nearby listed buildings and the special character of the Hinxworth Conservation Area under Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy HE1 of the Local Plan.

Mark Simmons
Senior Conservation Officer