

CONSERVATION TEAM CONSULTATION APPLICATION RESPONSE

APPLICATION REF:	25/02627/FP
CASE OFFICER:	AHD
APPLICATION SITE:	Land Adjacent to 1 Caldecote Road, Newnham, Hertfordshire SG7 5JZ
DESCRIPTION OF WORKS:	Erection of one dwelling and associated external works.

RECOMMENDATION:

I raise an **OBJECTION** to the scheme and provide the following suggested Reason for Refusal:

No.1 Caldecote Road has a relatively large and elongated side garden which is an important, positive contributor to the character and appearance of the Conservation Area. A dwelling on this site would consolidate development on the east side of Caldecote Road eroding the settlement's loose-knit, verdant character. A dwelling would not enhance or better reveal the significance of the CA. The principle of a dwelling on this site would fail to preserve or enhance the character or appearance of the Newnham Conservation Area. The proposed dwelling would fail to satisfy the provisions of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and as supported by the aims of Section 16 of the NPPF and Policy HE1 of the North Hertfordshire Local Plan 2011-2031. The proposal will lead to less than substantial harm to the significance of the designated heritage asset (Newnham Conservation Area) and this harm is not outweighed by public benefits of the development.

SHORT SUMMARY:

Impact on the character and appearance of the Newnham Conservation Area

The proposal will impact upon the character and appearance of the NCA occasioning less than substantial harm of a moderate level.

SITE CONTEXT:

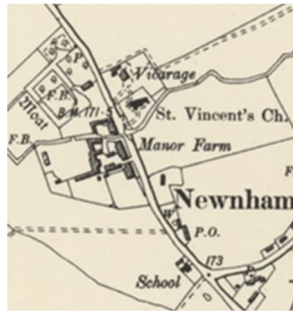
The application site lies directly to the south of nos. 1 & 2 Caldecote Road within the Newnham Conservation Area (the NCA being a Designated Heritage Asset). The setting of the nearest listed buildings would not be significantly affected by the proposed dwelling, therefore, I turn my attention to the character and appearance of the conservation area as the objective of preserving or enhancing the character or appearance of the area are paramount. Although a Character Statement exists for NCA, it does not address the application site in the level of detail required to assess this application.

DETAILED ANALYSIS AND CONSIDERATIONS:

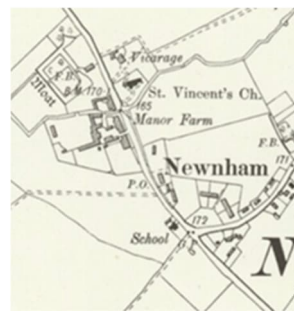
It has previously been established that between 1877 and 1924, a Post Office is marked in a short row of buildings on the site just to the south of nos. 1 & 2 Caldecote Road which is a pair of symmetrical properties laid out in a horseshoe shape with the front door to each property on the inner return of the west facing main elevation. My understanding is that

nos.1 & 2 Caldecote Road were built as workers cottages and being close to Newnham Manor reinforces the farming link.

Revised: 1897



Revised: 1921



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By the 1960's the group of buildings to the south and including the Post Office had been demolished and what is now a prominent vegetable garden to the side of no.1 contributes to this sense of rural idyll.



However, this part of the NCA has been affected, albeit positively, by the new development implemented under ref: 20/00970/FP.



The Google Maps aerial image below right indicates the new terrace completing the development around The Green.



The importance of The Green as an open space is evident in the NCA Character Statement, however, this space should also be considered alongside the character of

Caldecote Road which is a narrow and relatively quiet road that has the feeling of a rural lane. In parts, it is bounded by banks, ditches and hedges and other vegetation.

The Green serves to orientate the observer in a northerly or easterly direction with the terraced and semi-detached cottage groups around The Green contributing to a sense of place and local distinctiveness. At the southern end of Caldecote Road, on the cusp of the corner which is formed around The Green, there are two entrances: one is the access route for the houses on The Green (Newnham Way) which forms an attractive tree-lined lane to the properties at the north and east side of The Green whilst the second gap in the roadside is the entrance to School House. From the former track on The Green it is possible to see the southern elevation of no. 1 and from the latter gap on the other side of the road, it is possible to see the frontage of nos. 1-2 in an angled perspective.

It is acknowledged that over 50 years ago, the land to the south of no.1 Caldecote Road was, in part, occupied by buildings, however, this, I suggest is not a convincing reason to accept development now. Whilst the consent for 4 new houses on The Green amplifies the physical connection that can now be made along the eastern side of Caldecote Road, the retention of the tract of garden land at no.1 Caldecote Road will ensure that the character remains more rural than 'built up' and where this part of Caldecote Road is defined by the scarcity of buildings. As stated by others, the underused character of the space at the side of nos. 1-2 contrasts with the buildings in the vicinity and this spatial quality has a positive effect on the character of NCA.

On 11 May 2022 I commented on a proposal for '*Erection of one 2-bed detached dwelling including widening of existing vehicular access (as a resubmission of planning application 21/02890/FP refused on 10.12.2021)*' on the same site under ref: 22/00606/FP. The scheme submitted in 2022 is provided below.



I recommended refusal and the reason given on the decision notice was as follows:

No.1 Caldecote Road has a relatively large and elongated side garden which is an important, positive contributor to the character and appearance of the Conservation Area. A dwelling on this site would consolidate development on the east side of Caldecote Road eroding the settlement's loose-knit, verdant character. A dwelling would not enhance or better reveal the significance of the CA or nearby listed buildings, as it would not make a positive contribution to local character and distinctiveness. Furthermore, the principle of a dwelling

on this site would fail to preserve or enhance the character or appearance of the Newnham Conservation Area. Lastly, by virtue of the dwellings utilitarian design and form, the proposal would not blend in or be sympathetic to the character and appearance of the Conservation Area, nor the immediate neighbouring dwellings which exhibit traditional design features. As such, the proposed dwelling would fail to satisfy the provisions of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and as supported by the aims of Section 16 of the NPPF and Policy HE1 of the Emerging North Hertfordshire Local Plan 2011-2031 Incorporating the Proposed Main Modifications (November 2018) and further Proposed Modifications (May 2021). The proposal will lead to less than substantial harm to the significance of the designated heritage asset (Newnham Conservation Area) and this harm is not, in my opinion, outweighed by public benefits of the development.

The decision was appealed and on **17 August 2023** the Inspector's Decision was issued dismissing the appeal. Several pertinent extracts are provided below.

Reasons

7. *The proposed dwelling would be positioned to the southern part of the elongated garden to No1 Caldecote Road, which runs parallel with the highway. The dwelling would be two-storey in height, constructed of brick under a slate roof with white timber windows and doors. Whilst properties in the locality vary in their architectural style, **the proposed dwelling would not incorporate characteristics which are prevalent in the CA.** Amongst others, this includes forward facing gables, chimneys and dormer windows. **The roof design and orientation of the proposed dwelling would be discordant with the character and appearance of nearby dwellings.***

8. *The CA derives its significance from the rich collection of historic buildings and from its loose-knit and verdant character. Properties along Caldecote Road, in the vicinity of the site, are characterised by substantial properties in spacious plots, set back from the highway, which influences the character of the CA. The recent development adjacent to the appeal site at The Green, including the boundary fence, may have reduced the rural quality of the appeal site, **however, as the appeal site is orientated to Caldecote Road it is viewed in a different context which is more loose-knit in appearance than The Green.***

9. *Whilst the appeal site does not lie within one of the important views highlighted in the Newnham Conservation Area appraisal dated 24 April 2008, nevertheless, the duty for the preservation and enhancement of the CA relates to the whole designation. No1 Caldecote Road contributes positively to the variety in architectural form and appearance found within the locality and the historic environment **and its spacious side plot makes a positive contribution to the verdant character of the road.***

10. ***The proposed development would occupy much of the appeal site, and due to its shallow depth and its prominent location, the introduction of built development would erode the sense of spaciousness of this part of Caldecote Road. This would result in a cramped form of development which would not sit comfortably between the adjacent buildings.*** Consequently, the proposed development would be out of character with the prevailing pattern of development in the locality and the CA.

18. *The Council confirms that it has a 5-year deliverable housing land supply, which is not contested by the appellant. **Even if the Council were not able to demonstrate a 5-year supply, and that it still represented an acute shortfall of 2.2 years, the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed.***

At 3.9 of the currently submitted Design and Access Statement it states:

Furthermore, it is noted that within Building Conservation's comments on application 22/00606/FP, it is concluded that the application proposals will lead to "less than substantial harm" which is the lowest level of harm. In these circumstances, NPPF sets an exceedingly high bar of "substantial harm" before concern is triggered. Thus at this level of harm, whether agreed or not, we do not

come even close to having a reason to reject this application in terms of harm to the Conservation Area.

With this I completely disagree. Where potential harm to a designated heritage asset is identified (in this case to the NCA) , it needs to be categorised as either less than substantial harm or substantial harm (which includes total loss) in order to identify which policies in the National Planning Policy Framework apply. Within each category of harm (which category applies should be explicitly identified), the extent of the harm may vary and should be clearly articulated. Whilst it is agreed that the proposal would not cause substantial harm, I have identified less than substantial harm and I would normally seek to identify whether this is low, moderate or high within that range or a low/moderate or moderate/high if it is not clear in my view.

With reference to the DAS, this is a misrepresentation of the application/assessment of harm. A low or indeed negligible level of harm would be the lowest level of less than substantial harm but that it is not what I have concluded. To suggest that the proposal does not come even close to having a reason to object would indicate that my previous assessment of the site and as also commented on by the Inspector is flawed and that not only is the building acceptable but the principle of developing the site is according to the applicant acceptable also.

THE PROPOSAL

In comparison to the previous refusal, the proposed dwelling forming the current proposal is significantly better in design terms including no overlooking into the rear garden of no.9 The Green but the front elevation would face towards what would be the reduced side garden to no.1 Caldecote Road. The fact that no.1 Caldecote Road has a relatively large and elongated side garden does not necessarily mean that it is appropriate to be developed upon. In short, the improved built form does not necessarily mean that it is acceptable in heritage terms.



As noted by the Inspector *"the appeal site is orientated to Caldecote Road it is viewed in a different context which is more loose-knit in appearance than The Green"* and this *"spacious side plot makes a positive contribution to the verdant character of the road"*. It is considered that development on this site due to its prominent location, would still *"erode the sense of spaciousness of this part of Caldecote Road"* and *"would result in a cramped form of development which would not sit comfortably between the adjacent buildings"*.



The orientation of the building is such that when approaching the site from the north the front elevation of the proposal would be seen behind the pair of cottages whilst when approaching from the south the view would be of the proposed dwelling's rear elevation in the foreground. I remain unconvinced that a dwelling on this land would preserve or enhance the character or appearance of the NCA.



The harm arising from the loss of openness and rural character would be experienced primarily in the immediate vicinity of the site and would erode characteristics that contribute to the significance of the NCA. When weighed against that significance as a whole it would consequently amount to less than substantial harm.

HERITAGE POLICY ASSESSMENT:

Planning (Listed Building and Conservation Areas) Act 1990:
Section 72(1)

North Hertfordshire Local Plan 2011-2031:
Policy HE1

NPPF (December 2024):

The following paragraphs are 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*).

CONCLUSION:

The proposal would occasion a moderate level of less than substantial harm to the character and appearance of the Newnham Conservation Area.

OFFICER: Mark Simmons

DATE: 09/01/2026