

Essential Reference Paper B

| Issue | Representations made | Officer comment |
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| <p>General policy background for information.</p> | <p><i>The Parish Council suspects that the inclusion of the land surrounding the village in the 1981 Conservation Plan was essentially to protect the village from any further development</i></p> | <p>The relevant legislation requires Councils to review their conservation areas (CA). There is a popular misconception that a CA designation prevents development. In this respect National Planning Policy Framework (NPPF) states councils should look for <i>opportunities for new development... to enhance or better reveal their significance</i>. The emerging District Plan (DP) Policy HA4 similarly advises new development can be appropriate in conservation areas and in adjacent areas affecting their setting subject to a number of environmental considerations.</p> <p>Aspenden is a Group 3 Village where future development is limited. Even small scale development is not acceptable if it detracts from the openness of the countryside or represents the loss of a gap (Policy Vill 3).</p> <p>The author searched records at Hertfordshire Archives and Local Studies</p> |

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| | <p><i>after the construction of the bypass, a crucial point which also appears to have been overlooked and conveniently forgotten in the current proposals submitted by East Herts. A similar view was expressed by others.</i></p> <p>Another respondent sought information concerning the bypass and its relationship with nearby land in Aspenden as discussed at the bypass inquiry.</p> | <p>(HALS) and other sources such as HCC but was unable to establish this assertion. Officers undertook a quick search of PC minutes held by HALS. A minute of PC meeting 18 Oct 1982 shows the PC were strongly opposed to the Buntingford Bypass and objected to it under 5 headings namely <i>Conservation Area (High Landscape Value); Visual appearance; Noise; Footpaths; Road junctions.</i></p> <p>Unable to source any useful information – author so advised respondent.</p> |
| <p>Proposed boundary changes - General.</p> | <p>The PC state that the <i>proposals to redraw the CA boundary do not follow guidelines issued by Historic England (CA Designation, Appraisal and Management: Historic England Advice Note 1, February 2016).... which clearly state:</i></p> <p><i>Identifying the boundary</i> <i>Para 66: An important aspect of the appraisal (and review) process will be considering where the boundaries should be drawn (and whether the boundaries of an existing CA area should be redrawn). An explanation of why the boundary is drawn where it is (or extensions are suggested, in the case of existing CA's), and what is included and what is excluded, is helpful. The position</i></p> | <p>Para 12 of the same Historic England Advice importantly advises that <i>CA designation is not generally an appropriate means of protecting the wider landscape (agricultural use of land falls outside the planning framework and is not affected by designation as a conservation area) but it can protect open areas particularly where the character and appearance concerns historic fabric, to which the principal protection offered by CA designation relates.</i></p> <p>Similar advice is reflected at para 4.12 of the Aspenden CA Appraisal which says <i>In</i></p> |

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| | <p><i>of the CA boundary will to a large degree be informed by the considerations identified in paragraphs 17-18 (Finalising and reviewing the boundary). As spaces contribute to enclosure, as well as framing views of assets and defining settings, a unified approach is desirable to their management as well as suggesting that in almost all situations the CA boundary runs around rather than through a space or plot. It will generally be defined by physical features and avoid for example running along the middle of a street, though including the boundary wall of a property which is otherwise not included can in itself cause problems when applying CA policies in development management decisions.</i></p> <p><i>Finalising and Reviewing the CA Boundary. Para 17: Before finalising the boundary it is worth considering whether the immediate setting also requires the additional controls that result from designation, or whether the setting is itself sufficiently protected by national policy or the policies in the Local Plan.</i></p> <p><i>Para 18: The special interest of areas designated many years ago may now be so eroded by piecemeal change or by single examples of poorly designed development that parts of the area may no longer have special interest. In such cases, boundary revisions will be needed to</i></p> | <p><i>suggesting any revisions to the CA boundaries, principal consideration is given as to whether or not the land or buildings in question form part of an area of special architectural or historic interest whose character or appearance should be conserved. The CA can include open land that has historical associations with the built form. This may particularly be the case if such open land is environmentally important and visually forms part of the CA's setting and is distinct from open farmland.</i></p> <p>The setting will be protected by the emerging DP (see above) and proposed text addition to it (see below). Also by additional references in the text of the Appraisal document (see below and new text in Essential Paper C).</p> |
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| | <p><i>exclude them or, in exceptional circumstances, reconsideration of the CA designation as a whole. Conversely, the existing boundary may have been drawn too tightly, omitting areas now considered of special interest such as historic rear plots with archaeological potential, later phases of development (such as more recent housing), or parks, cemeteries and historic green spaces. In such cases the existing boundary may need to be extended.</i></p> <p><i>The proposals seemingly ignore the importance of spaces protecting the assets and defined settings and quite clearly in some instances divide plots, all of which are contrary to Historic England guidance.</i></p> <p>Another similar representation advises that the agricultural land around the village is a necessary buffer to protect the village from an expanding Buntingford. Another refers to the 'farmland' as being an important transitional zone.</p> <p>The PC's general comments and concerns are supported by many other residents variously expressed.</p> <p>One representation refers to</p> | <p>The guidelines (same Advice Note 1 February 2016 referred to by the PC) example at para 11 the types of appropriate green spaces to include. For example such a green space being a component of a wider historic area: for example the eastern setting to Aspenden Hall which has been so identified.</p> <p>See above.</p> |
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| | <p>possible future development and associated increases in traffic.</p> | |
| <p>Land between the A10 and the edge of the village.</p> | <p>The PC advises <i>We have all seen the recent massive expansion of Buntingford without the provision of supporting infrastructure, especially with regard to education and healthcare. In addition, the recently consented development off Aspenden Road on the edge of the village poses a serious road safety issue, which again appears not to have been considered by East Herts. The proposed realignment of Aspenden's CA will only add to the pressures on the village, make it more likely to be consumed by the larger nearby town of Buntingford and leave the village open to unwanted development. The proposals potentially could also result in developments such as solar farms, as seen nearby at Great Munden and Nasty.</i></p> <p>Land to the north and south of the village are important to the makeup of the village in its valley setting forming <i>an important buffer zone around the entirety of the village.</i></p> | <p>Officers appreciate the fear that Aspenden may be 'consumed' by Buntingford.</p> <p>Aspenden is a small Group 3 village (see policy Vill3) where development opportunities are limited. The same policy advises that any development should not represent the loss of a significant gap or detract from the openness of the countryside.</p> <p>Officers accept that coalescence brought about by unwanted development in the countryside gap between the two communities would be inappropriate.</p> <p>It is therefore proposed subject to consultation (Anticipated to commence mid February 2018 for a six week period) to add a new sentence to para 6.1.17 of the DP thus: 6.1.17 Character: Buntingford ...town. To the south-west the open character of the countryside between Aspenden and Buntingford will be preserved, thereby avoiding coalescence</p> |

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| | | <p>between the two communities.</p> <p>Similar references to this effect are proposed in the Appraisal document at new paragraphs 5.36 and 5.37 to which the reader is referred. (See Essential paper B).</p> <p>Appraisal documents are 'material considerations' when determining planning applications.</p> |
| Tudor House and land to the west of the church. | <p>The PC consider Tudor House and land to the west of the church mark the edge of the village and form an important buffer to the farmland beyond, frame the Hall and Church that were once part of a larger estate.</p> <p>Another respondent registers objections 'to any changes in the fields around the church'.</p> | <p>The proposed alteration is considered a more appropriate edge to the CA enclosing as it does the historic buildings in this location. Much of the land now excluded is farmland. Some buildings are either of poor or very limited historic or architectural merit. Much of the area appears part of open countryside and part of the wider landscape and is not interpreted as being visually integral with the historic core of the village.</p> |
| Land to the south of the Street. | <p>Concerns relating to its removal have been expressed.</p> | <p>Land to the south of The Street lies generally to the rear of property boundaries fronting the Street. For the most part it is rough grass land and considered to form part of the wider landscape. Its character is different to land rear of Aspenden House and The Old Rectory</p> |

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| | | and Bridleway 006 and its steep banks which remains within. |
| Removing selected dwellings and not others – specifically Jubilee Cottages. | <p>The PC and others consider Jubilee Cottages to be centrally located and should be considered an integral part of the village suggesting one possible reason for their exclusion being that they <i>potentially provide access points from The Street to the land north of the village.</i></p> <p>Another representation advises <i>It would appear East Herts are actively trying to promote the relaxation of planning controls on land surrounding this village</i></p> <p>One resident of this area very positively advises that they would be prepared to improve their property frontage to Nos. 1-8 Jubilee Cottages.</p> <p>Another representation is interpreted as understanding the proposal.</p> | <p>The original reason for their proposed exclusion was their limited historic and architectural qualities and because of a visually unattractive frontage parking area. The suggestion that a reason for their exclusion might facilitate an access to land to the north is incorrect.</p> <p>It is also incorrect to suggest the council is promoting relaxation of planning controls.</p> <p>However the PC view that they are centrally located and an integral part of the village is accepted and it is no longer proposed they be excluded.</p> <p>The nearby house The Barn also will remain in the CA.</p> |
| Wildlife sites and potential loss of trees and hedgerows. | <p>The PC questions why only two wildlife sites within the village were identified in the Wildlife Sites Inventory for East Herts 2013. The PC refers to various local wildlife and considers <i>Removal of large tracts of land and potential future development will inevitably result in a diminished environment for these species. The appraisal also</i></p> | <p>The Council is reliant on the Herts and Middlesex Wildlife Trust for its information. It is suggested the PC with their enhanced local knowledge advise the Trust who may consider updates.</p> <p>Should important healthy trees be threatened in excluded areas, a Tree</p> |

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| | <p><i>identifies important trees and hedgerows, which we believe could also be threatened. This is of particular concern because there are several mature ash trees... already under threat from Chalara dieback...</i></p> <p>General wildlife concerns associated with perceived growth are raised.</p> | <p>Preservation Order can be made. Hedgerows will be subject to Regulations which apply equally within or beyond the CA.</p> |
| <p>Boundary alignments in detail/ division of plots.</p> | <p>There are several references to national advice to the effect that CA's should follow existing boundaries.</p> | <p>Officers generally follow this advice but there are exceptions. Sometimes a new alignment not following an existing boundary is drawn so as to protect a heritage feature such as a boundary wall or line of trees. This approach avoids ambiguity as to whether or not the heritage asset is within or beyond the CA. One example of this is the manner in which the boundary has been drawn in relation to the roadside trees east of Home Farm.</p> |
| <p>Summary</p> | <p>Over 20 representations have been received and are included as Background Papers to which the reader is referred.</p> <p>Overwhelmingly the principal concerns mainly relate to the removal of large areas of the wider landscape, principally agricultural land. Much of this concern is fuelled by a fear of being 'consumed' by Buntingford.</p> | <p>Officers conclude that the countryside areas proposed for exclusion form part of the wider landscape and as such their inclusion is inappropriate and contrary to local practice and Historic England's advice. The emerging District Plan contains policies that should protect them.</p> <p>However the fear of being 'consumed' by Buntingford</p> |

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| | <p>The secondary principal concern relates to the removal of properties in the central part of the village.</p> | <p>is understood and additional references have been made in the revised Appraisal document at paras 5.36-5-38 and at 7.14 (see above and accompanying Essential Paper C).</p> <p>A similar reference is proposed for inclusion in the emerging District Plan (see paragraph 6.1.17).</p> <p>The expressed view that they are centrally located and an integral part of the village is accepted and therefore it is no longer proposed they be excluded. Jubilee Cottages including The Barn are now proposed to remain in the CA.</p> |
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