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Standing up for Hertfordshire's countryside

Richard Tiffin
Planning and Building Control
North Hertfordshire District Council
Council Offices
Gernon Road
Letchworth Garden City
Herts SG6 3JF

Our Ref:

Your Ref:

20th November 2020 (by email)

Dear Mr. Tiffin,

Application No. 20/02458/FP

Erection of one detached 4-bed bungalow including alteration to the existing vehicular access off London Road following demolition of existing dwelling.

The Red Lion Stud, London Road, Reed, Royston, Hertfordshire SG8 9RP

And

Application No. 20/02459/FP

Erection of two detached 3-bed and one detached 4-bed bungalows including alteration to the existing vehicular access off London Road following demolition of existing dwelling.

The Red Lion Stud, London Road, Reed, Royston, Hertfordshire SG8 9RP

We are responding to both of these applications together as they are intimately linked, with 20/02458/FP essentially being a fallback position should 20/02459/FP fail to be approved.

The Red Lion Stud is situated in the Rural Area Beyond the Green Belt, outside of the settlement boundary of Reed.

We do not object to Application no. 20/02458/FP in principle as a replacement of the existing dwelling on the site which appears to be policy compliant, but Application 20/02459/FP (a re-submission of withdrawn Application no. 19/00728/FP) contravenes Policy 6 in the current North Herts Local Plan and Policy CGB1 of the Submission Local Plan currently subject to Examination in Public.

Policy 6 contains a number of exceptions permitting development, but this proposal for three dwellings within the curtilage of the current single dwelling does not meet any of them. Similarly, Policy CGB1 contains exceptions (slightly different to Policy 6 in order to comply with the National Planning Policy Framework) and again this proposal meets none of them.

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President: Sir Simon Bowes Lyon, KCVO
Chairman: Richard Bullen

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The applicant argues that this will be a *“small-scale development set within the curtilage of a large dwelling plot and would reflect the appearance and scale of an infill development on previously developed land on the fringe of a village.”*

The land south of the former Red Lion pub is land in the same ownership but is not ‘curtilage’ to the dwelling that it subsequently became. The Court of Appeal case *Dyer v Dorset DC 1988* defined a curtilage as a small area forming part or parcel with the house or building which it contained to which it was attached. More recently *Burford vs. Secretary of State and Test Valley Council (2017)* concluded “Curtilage” is an area of land “attached to” a house and “forming one enclosure with it”.

Moreover, this is not an infill development. The site is bounded by open fields to the north and west and faces further open countryside to the east, across the A10. The Red Lion Stud is a former coaching pub on the A10, a little way outside the village. As such it stands alone next to the highway. This proposal would result in a series of houses running northwards from Blacksmith’s Lane to The Joint, creating ribbon development on the opposite side of the A10 from the village and effectively creating urban sprawl.

Finally, the Applicant refers to the Council’s inability to demonstrate a 5-year supply of housing land. The Supreme Court judgement in *Suffolk Coastal DC v Hopkins Homes Ltd. (UKSC 37)* clarified that existing Local Plan policies which are designed to protect the countryside, such as policies 6 and CGB1 retain substantial weight despite lack of a 5- year housing land supply.

We urge the Council to reject this application.

Yours sincerely,

David Irving
Senior Planning Volunteer
CPRE Hertfordshire