

Development Management
East Herts Council
Wallfields
Pegs Lane
Hertford
Hertfordshire

24th October 2025

Dear Sir/Madam

Reference : 3/25/1565/FUL

Address : Rooks Nest Farm, 182 High Street, Walkern, Hertfordshire, SG2 7NS

Proposal : Development of 7no. self build dwellings, with access route, associated landscaping and parking provision

Walkern Parish Council formally objects to the proposed development of seven residential dwellings on the site in question. While we acknowledge the Council's current shortfall in its 5-Year Housing Land Supply—an important material consideration that engages the 'tilted balance' under Paragraph 11 of the National Planning Policy Framework (NPPF)—there are clear and compelling grounds for refusing this application. These are outlined below and are particularly relevant given that the scheme would contribute only seven additional homes, which the Parish Council considers insignificant in the context of district-wide housing needs.

Walkern is designated as a Group 1 Village under Policy DPS3 of the East Herts District Plan, with an allocated housing growth of 10% (equivalent to 55 homes) between 2017 and 2033. To date, approximately 94 new homes have already been built—significantly exceeding the District Plan's intended limits for Category 1 Villages.

The site lies outside the village boundary in a valued rural area beyond the green belt governed by District Plan Policy GBR2, emphasizing openness and preservation of undeveloped nature. The design and form of the proposed development would negatively affect the setting of the Grade II Listed Rooks Nest Farm, causing less than substantial harm to its significance. Furthermore, the scale, design, and location of the dwellings would appear out of character within the Walkern Conservation Area.

Policy WLK14 of the Walkern Neighbourhood Plan sets out the criteria all new development must adhere to including that the scale and design of all new development will reflect the character of Walkern, and its historic Conservation Area as detailed in the Walkern Conservation Area Appraisal and Management Plan 2016. The Parish Council consider the scale and design of the proposed development would disrupt the distinctiveness of the village, detract from the conservation area and the setting of listed buildings and would therefore be in contravention of the Neighbourhood Plan.

Based on extensive community consultation for the original Walkern Neighbourhood Plan, a housing assessment was conducted. Feedback highlighted concerns over parking, preserving the village's character, and the need for more affordable housing, especially for local residents.

Recommendations included a mix of housing, such as smaller homes and bungalows, to meet the diverse needs of the community, including young people and the elderly. The overall vision is for gradual, sustainable growth that protects the village's rural character, enhances wellbeing, and preserves natural features. **This planning application which is for seven detached larger homes is inconsistent with community views and the specific recommendations of the Neighbourhood Plan.**

Relevant Planning Precedent

In December 2020, the Planning Inspectorate dismissed an appeal for a neighbouring site at Rooks Nest Paddock (Appeal Ref: APP/J1915/W/20/3256691). The appeal challenged East Hertfordshire District Council's refusal to grant permission for a single dwelling outside the village boundary. The Inspector concluded that:

- The site lies within the Rural Area beyond the Green Belt and is not considered previously developed land under the NPPF.
- The proposal did not constitute infill development and was inappropriate in terms of character, appearance, and setting.
- The development would harm the character and appearance of the Rural Area, contrary to Policies GBR2 and DES4 of the District Plan.

This decision is highly relevant and reinforces the principle that development in this sensitive location must be carefully controlled. The current proposal at Rooks Nest Farm—larger in scale—raises similar concerns regarding form, massing, and landscape impact.

Detailed Grounds for Objection

1 Impact on the Conservation Area (Policy HA4 of the District Plan)

The site lies within a designated Conservation Area. Policy HA4 requires that any development must preserve or enhance the area's special interest, character, and appearance. The proposed scheme risks undermining Walkern's established rural and historic character through:

- **Overdevelopment:** Seven new dwellings represent a substantial intensification of residential use on this site.
- **Visual Intrusion:** Even with heritage-sensitive design, the introduction of modern dwellings may disrupt key views and the tranquil setting of Rooks Nest Farm.

Approving this development may set a precedent for further infill or speculative development within the Conservation Area, gradually eroding its unique character.

2 Heritage Asset Concerns

Policy HA1 of the East Herts District Plan mandates that development proposals must preserve—and where appropriate, enhance—the significance of heritage assets and their settings. While the submitted Heritage Statement asserts no harm will result, this conclusion is subjective and

contestable. The cumulative impact of new dwellings, associated infrastructure, and increased activity may erode the historic character of the site and its surroundings.

Rooks Nest Farm is a highly significant polite residence dating from the late 17th to early 18th century. Constructed in fine red brick masonry, it features stone mullioned windows on the earlier frontage wing and exposed timber beams internally. Its stark, regular cross-shaped form, steeply pitched triangular roof, and massive four-flue chimney give the building a strong and striking presence—particularly as it is one of the few structures that rise prominently from the landscape in this part of the Conservation Area.

The building and its setting are vulnerable to harm from the proposed development and there is a statutory duty under Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 to ensure that development proposals preserve or enhance the character or appearance of both the Conservation Area and the Listed Building.

The National Planning Policy Framework (2021) defines the setting of heritage assets as the surroundings in which an asset is experienced. This includes not only views but also factors such as noise, dust, vibration, and the historic relationship between places. The Planning Practice Guidance (PPG) further clarifies that assessment of impact on setting must be proportionate to the significance of the asset.

3 Design Quality and Local Character

Although the Design and Access Statement asserts compliance with high-quality design principles, there is a risk of introducing architecture that, while contemporary, may not harmonise with the vernacular traditions of Walkern.

4 Environmental and Infrastructure Impact

Walkern is a historic village with limited infrastructure. The scale and nature of the proposed properties may not be in keeping with the surrounding built environment and could place undue pressure on local services, roads, and amenities. In particular increased vehicle movements may exacerbate congestion and pose safety risks - this issue is discussed in more detail below.

The proposed development is likely to place additional strain on already overstretched local infrastructure, including healthcare facilities and road networks. Walkern currently lacks essential amenities—for example, there is no doctor's surgery.

Public services such as healthcare provision, policing, sewage systems, and general infrastructure are already under significant pressure. Walkern is particularly vulnerable to flooding, both from surface water run-off and river flooding associated with the floodplain of the River Beane. There are for example ongoing and well-documented issues along the Stevenage Road which is the stretch of road adjacent to the proposed development. Overloaded sewers have resulted in sewage flooding homes and streets, with overflow reaching the environmentally sensitive River Beane. The outdated sewer network was not designed to handle the current level of demand.

5 Self-build and Affordable Housing Consideration

This application raises significant concerns regarding affordability, local housing needs, and compliance with East Herts District Plan policies—particularly Policies HOU3 and HOU4.

- *Lack of Affordable Housing Provision (Policy HOU3)* The proposed self-build homes are substantial in scale and unlikely to be affordable to local residents. Policy HOU3 of the East Herts District Plan clearly states that developments are expected to provide affordable housing, with specific thresholds and percentages. This proposal appears to circumvent that requirement, offering no meaningful contribution to the district's affordable housing stock. In a village like Walkern, where housing affordability is already strained, this omission is unacceptable.
- *Incompatibility with Rural Exception Site Policy (Policy HOU4)* If the site lies outside the development boundary, Policy HOU4 may apply. This policy permits affordable housing on rural exception sites only where it meets proven local needs and is typically delivered in partnership with housing associations. The current proposal does not demonstrate such a partnership, nor does it appear to address any identified local housing need. Instead, it risks introducing high-cost homes that could exacerbate affordability challenges and alter the character of the village.
- *Missed Opportunity to Address Local Housing Needs* Given the pressing need for genuinely affordable homes in East Herts, this site could be better utilised to deliver housing that benefits local families, key workers, and young people seeking to remain in the community

6 Concerns Regarding Self-Build Eligibility

A proforma for Self-Build or Custom Build Schemes has been submitted with the application. The application is a full submission for seven houses, with the layout and design already finalised. This being the case, there is a genuine concern that the proposed development does not qualify as self-build because of the requirement that initial homeowners should play a significant role in determining the style and layout of the properties.

7 Sustainability and Design Concerns

A Sustainable Design and Construction Submission Checklist has been submitted, which suggests compliance with relevant policies. However, while the site layout plan appears to show two parking spaces per plot, it lacks any indication of:

- *Electric vehicle charging points*
- *Secure and accessible cycle storage*

This omission raises concerns regarding compliance with both the **District Plan** and the **Walkern Neighbourhood Plan**, particularly in relation to sustainable transport infrastructure.

Relevant Policy Requirements

District Plan:

- **TRA1:** Requires developments to provide a range of sustainable transport options, including sufficient, secure, and covered cycle storage.
- **DES4:** Mandates the incorporation of electric vehicle charging points in new dwellings.

Walkern Neighbourhood Plan:

- **WLK14(e) and (j):** Parking standards must be met to prevent overflow onto surrounding streets. Paragraph (j) recommends a minimum of two parking spaces per new home, where feasible.
- **WLK18(v):** Secure and accessible cycle storage must be provided in all new developments.

While the proposed development appears to meet the parking space requirement, the absence of clear provision for electric vehicle charging and cycle storage undermines its alignment with sustainability goals and policy compliance.

The Sustainability Checklist states that the proposed development would not adversely affect neighbouring properties in regard to light pollution. However, no information is given to demonstrate how this will be achieved. The Parish Council would have liked to have seen a sustainable lighting solution included as part of the planning application. The installation of low-level, energy-efficient street lighting within the development area would significantly reduce energy consumption and carbon emissions, while also helping to minimise light pollution. Such lighting preserves the natural night-time environment, which is particularly beneficial for local wildlife, especially nocturnal species. It also contributes to a more pleasant and less intrusive nighttime atmosphere for residents. Sustainable lighting can be thoughtfully integrated into the landscape design to enhance visual appeal and strengthen community identity. Importantly, the lighting design should comply with best practices for sustainability, safety, and ecological sensitivity.

8 Ecological and Biodiversity Concerns

The Parish Council strongly objects to the planning application on the grounds of insufficient ecological consideration and non-compliance with biodiversity policy requirements.

Biodiversity Net Gain (BNG) Requirements

The application asserts that, because the 0.45-hectare site falls below the statutory threshold, it is exempt from mandatory Biodiversity Net Gain (BNG) requirements. While this may be technically accurate under current national regulations—which appear to exempt self-build sites of fewer than nine dwellings and under 0.5 hectares—the Parish Council considers the absence of any effort to incorporate biodiversity net gain measures to be both disappointing and environmentally irresponsible. Particularly given that East Herts Council has formally declared an Ecological and Biodiversity Crisis, reinforcing its commitment to reversing biodiversity loss and enhancing the natural environment. It is therefore normally expected that:

- All planning permissions in England are subject to BNG requirements.
- Developers are expected to submit a Biodiversity Gain Plan prior to commencement, demonstrating how a minimum 10% net gain will be delivered.
- Where on-site gains are not viable, appropriate off-site habitat creation or enhancement must be secured.

As the application fails to outline any strategy for achieving, monitoring, or sustaining Biodiversity Net Gain over time, the Parish Council considers this omission to represent a significant environmental shortcoming. In light of East Herts Council's formal declaration of an Ecological and Biodiversity Crisis—and its stated commitment to reversing biodiversity loss—such disregard for BNG principles is not only disappointing but also contrary to the spirit of responsible development.

The absence of a Biodiversity Gain Plan, whether for on-site or off-site measures, undermines the expectations typically placed on all planning applications in England. Accordingly, this lack of engagement with BNG is viewed as a substantial negative impact and constitutes a compelling basis for objection.

Local Policy Non-Compliance

Policy WLK6 of the Walkern Neighbourhood Plan (2021–2033) requires the conservation and enhancement of biodiversity, with specific emphasis on protecting wildlife and significant habitats. The proposal does not demonstrate compliance with this policy and risks degrading local ecological assets.

Protected Species: Badgers and Bats

There is documented evidence of protected species—including badgers and bats—in the vicinity of the site. These species are protected under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2017.

Badger Mitigation Requirements

Although the submitted Landscape, Ecology and Arboriculture Report did not record badger activity on the site, it is well established that badgers inhabit the wider area. Therefore, the Parish Council expects the following mitigation measures to be adopted:

- **Pre-construction Survey:** A comprehensive badger survey must be conducted prior to any site clearance or construction to confirm the presence of active setts and inform mitigation.
- **Avoidance of Setts and Corridors:** Development plans must avoid direct impacts on active setts and preserve habitat corridors for badger movement.
- **Timing of Works:** Works near setts must be scheduled outside the breeding season (December–June) to prevent disturbance.
- **Licensing:** If disturbance is unavoidable, a licence must be obtained from Natural England before works commence.
- **Mitigation Measures:** These may include exclusion zones, artificial setts, and post-development monitoring to ensure long-term protection.

These measures are essential to uphold statutory protections and ensure ecologically responsible development.

Bat Conservation

Bats are known to be present in the area and are similarly protected under UK legislation. The application fails to demonstrate that harm to bat populations and their roosting or foraging habitats can be avoided or appropriately mitigated. No bat survey has been submitted, nor have any mitigation strategies been proposed.

Conclusion

The planning application does not meet the required standards for ecological protection and biodiversity enhancement. It lacks:

- A Biodiversity Gain Plan
- Adequate species surveys and mitigation strategies

- Alignment with local and national biodiversity policies

In its current form, the proposal risks undermining local conservation efforts and should be refused until these critical ecological concerns are addressed.

9 Traffic and Highway Safety Concerns

We have serious concerns regarding the traffic and highway implications of the proposed development. The application fails to adequately address the impact on local road infrastructure, traffic flow, and pedestrian safety—particularly during both the construction phase and subsequent operation.

The village already experiences significant traffic issues due to parked vehicles and narrow roadways, which pose safety risks for pedestrians and cyclists. These risks are especially pronounced along the proposed entry and exit route via the B1037 Stevenage Road. Notably, the site's exit point is situated near the village's main bus stop, further heightening the danger to pedestrians.

During peak times, traffic congestion becomes severe. This issue is compounded by the high volume of vehicles dropping off and collecting children from the nearby school.

A key omission in the application is the absence of a comprehensive Construction Management Plan (CMP), which is essential to ensure compliance with local regulations and uphold safety standards. Without a CMP, there is no clear strategy for managing construction-related traffic, delivery schedules, contractor parking, or potential road closures. This lack of a plan makes it difficult to assess the full extent of disruption to the local environment and undermines efforts to reduce noise, air pollution, and maintain safe and functional roadways throughout the construction period.

Furthermore, the application lacks a traffic impact assessment and fails to demonstrate that the existing road infrastructure can accommodate the increased traffic volumes associated with the development. There are no proposed measures to improve junction capacity, pedestrian crossings, or cycle safety. This raises serious concerns about the long-term sustainability and safety of the project.

Unless a detailed CMP and traffic impact assessment are submitted and approved, we believe the application must be considered incomplete. These documents must clearly outline how the developer intends to mitigate disruption, safeguard public safety, and ensure full compliance with all relevant highway regulations.

10 Conclusion

In order to preserve the character and heritage of Walkern the Parish Council urge rejection of this application. However, if the planning authority takes a different view and the application is approved then the Parish Council expect:

1. to have significant input into any S106 process with regards identifying what should be included in the agreement and how it should be spent
2. that a condition is put in place, and enforced, concerning providing satisfactory drainage and mitigating harmful additional sewage overflows, reducing flood risk and groundwater matters.
3. a condition is put in place, and enforced, to minimise the amount of mud, soil and other materials originating from the site being deposited on the highway. This should include that

all vehicles leaving the development site during construction are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Measures should include cleaning the wheels of all construction vehicles leaving the site.

4. a condition is put in place, and enforced, that mitigates noise and disruption to adjoining or nearby neighbours including:
 - a. that workers are prevented from using adjoining roads as overflow parking away from the site during the construction phase.
 - b. that a Construction Traffic Management Plan is in place to ensure the impact of construction vehicles on the local road network is minimised
5. a condition is put in place, and enforced, concerning site preparation, demolition, construction and ancillary activities that working hours shall be restricted to 08:00 - 18:00 hours on Monday to Friday, 08:00 - 13:00 hours on Saturdays, and not at all on Sundays or Bank / Public Holidays. Vehicles arriving at and leaving the site must do so within these working hours
6. a condition is put in place that in order to preserve the local character, prevent light pollution, support wildlife (particularly nocturnal species), and safeguard the privacy of neighbouring properties, no external lighting shall be installed on the main property, any outbuildings, or the surrounding land. This includes fixed, temporary, or motion-activated lighting, unless otherwise agreed in writing by the Local Planning Authority.
7. If bats or evidence of them are discovered during the course of works, work must stop immediately, and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England to avoid an offence being committed.
8. To protect the ecological value of the site, provide adequate landscaping and provide a biodiversity net gain details of the provision of at least one bird box and one bat box per dwelling shall be submitted to and approved in writing by the Local Planning Authority.
9. that the boundary is respected and that any trees or plants that are removed, die or are damaged be replaced as soon as is reasonably practicable with others of species, size and number as originally approved

Yours faithfully

on behalf of Walkern Parish Council

Abi Brown

Clerk to Walkern Parish Council