



Historic England

Examination of Welwyn Hatfield Plan

Stage 4

Questions 8, 12, SP18, 24, 53

Historic England, Hearing Statement

May 2018

Historic England is the principal Government adviser on the historic environment, advising it on planning and listed building consent applications, appeals and other matters generally affecting the historic environment. Historic England is consulted on Local Development Plans under the provisions of the duty to co-operate and provides advice to ensure that legislation and national policy in the National Planning Policy Framework are thereby reflected in local planning policy and practice.

The tests of soundness require that Local Development Plans should be positively prepared, justified, effective and consistent with national policy. Historic England's representations on the Publication Draft Local Plan are made in the context of the requirements of the National Planning Policy Framework ("the Framework") in relation to the historic environment as a component of sustainable development.

Historic England Hearing Statement

Introduction

- 1.1 This statement addresses the Inspector's questions with regards Stage 4 of the Welwyn Hatfield Local Plan Examination in Public (EiP).
- 1.2 This hearing statement should be read alongside Historic England's comments submitted at previous consultation stages of the Local Plan.

Matters and Issues for Stage 4 of the Welwyn Hatfield Local Plan EIP

Issues

SADM 19 Town Centre North Development Site

- 8. Should the design criteria refer to the need to preserve and enhance the setting as well as the character and appearance of the Conservation Area?**
- 2.1 Historic England recommend that the development criteria should read, *'preserve or where opportunities arise enhance the character or appearance of the Conservation Area and its setting'*.
- 2.2 This is based on the wording in Part 2, paragraph 69 (a) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and paragraphs 132, 137 of the National Planning Policy Framework (NPPF).
- 2.3 The Act refers to *preserve or enhance and character or appearance*.
- 2.4 The NPPF, makes it very clear that the *setting* of heritage assets is particularly important. Indeed, paragraph 132 states that *'significance can be harmed through... development within its [the heritage asset's] setting'*.
- 2.5 Paragraph 137 refers specifically to Conservation Areas and states that *'local planning authorities should look for opportunities for new development within Conservation Areas and with the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably'*.
- 2.6 Furthermore, The Planning Practice Guidance (Paragraph: 004 Reference ID: 18a-004-20140306 Revision date: 06 03 2014) makes it clear that part of a positive strategy for the conservation and enjoyment of the historic environment includes *'the delivery of development within their settings that will make a positive contribution to, or better reveal the significance of, the heritage asset'*.
- 2.7 Hence the reference to 'setting' and 'where opportunities arise' in the policy.
- 2.8 'Where appropriate' could be a suitable alternative to 'where opportunities arise', reflecting the wording in the Planning Practice Guidance Paragraph:

003 Reference ID: 18a-003-20140306 Revision date: 06 03 2014 which states *'ensure that heritage assets are conserved, and where appropriate enhanced, in a manner that is consistent with their significance'*

SADM 20 Acceptable uses outside of Welwyn Garden City Core Retail Zone

12. Should the development criteria refer to the need to preserve and enhance the setting as well as the character and appearance of the Conservation Area?

2.9 Historic England recommend that the development criteria should read, *'preserve or where opportunities arise enhance the character or appearance of the Conservation Area and its setting'*.

2.10 The rationale for this wording is set out in our response to question 8.

SP 18 North East of Welwyn Garden City

The discussion at the Topic Specific Policies session suggested that the owners of much of this site would not support the reopening of Panshanger Airfield. The promoters of the facility said that the non-Green Belt land that is not now allocated for residential development had insufficient space to safely establish and operate a runway to be used by light aircraft.

The revised Full Objectively Assessed Housing need calculated for the Borough suggests that the currently proposed housing development proposals fall far short of meeting that target. Some currently proposed housing sites may be found unsound and others upon examination may not provide the envisaged numbers of dwellings.

In such circumstances it is important that every opportunity to increase the plan's ability to deliver housing is explored.

Would you reassess the extent and capacity of this site with a view to maximising the potential housing numbers that could be achieved through

a) The site's extension to the north.

b) A detailed review of the Green Belt boundary in this area.

c) Investigation of the feasibility of locating some non-housing uses,

particularly open uses in the adjacent parts of East Hertfordshire.

- 2.11 Historic England broadly accept the principle of residential development at this site allocation.
- 2.12 The proposed allocation site lies within the setting of several designated heritage assets. These include the Registered Parks and Gardens at Panshanger (grade II*) and Tewin Water and Marden Hill House, (both listed at grade II) and their associated structures, some of which are listed. The Church of St Peter, Tewin (listed at grade I) also lies across the Mimram valley. The airfield itself is of some historic interest. It was a World War II airfield that originally served as a decoy airfield and factory site representing the de Havilland factory at Hatfield, and was subsequently used as a training airfield.
- 2.13 Given the concentration of heritage assets in the area, Historic England recommended the preparation of a Heritage Impact Assessment (HIA) to inform the preparation of the Local Plan. The HIA was to consider the likely impact of any development and to recommend any development criteria and mitigation measures that may be necessary to minimise the impact of the development upon the historic environment.
- 2.14 To that end, WHBC and EHDC commissioned an HIA. This was prepared by Beacon Planning in 2016.
HIS/3 <http://www.welhat.gov.uk/CHttpHandler.ashx?id=11478&p=0>
- 2.15 In response to the HIA and in preparation for the EiP, Historic England negotiated revised policy wording and an additional paragraph in the Plan in relation to this site with WHBC in Autumn 2017. This wording is included in our Statement of Common Ground dated 1.12.17.
EX31 <http://www.welhat.gov.uk/CHttpHandler.ashx?id=12819&p=0> and is included in Appendix A for ease of reference.
- 2.16 In essence, the policy wording and supporting text is intended to highlight the need for the masterplanning of this site to have regard to the recommendations of the HIA for Panshanger.

a) Potential for extension of allocation to the north

- 2.17 We note the Inspector's question to the Local Authority as to whether the site could be extended to the north. We would highlight the recommendations in the HIA.
- 2.18 **In this respect, paragraphs 4.1.1 - 4.1.17 (p48-52) and 5.02 - 5.10 (p63-65) as well as figure 20, page 52 of the HIA are key.**

2.19 Figure 20, page 52 of the HIA specifically identifies the developable area of the land (at least in respect of the potential impact upon the historic environment). It is important to note that this differs slightly from the current site allocation boundary.

2.20 The recommendations of the report also include:

- substantial landscaping along the northern and eastern boundaries.
- the layout of the development should aim to reflect the key characteristics of the aerodrome site through the alignment of routes and/or open spaces and development parcels. Perhaps the key feature of the aerodrome is the airstrip and the retention of its memory through the layout of the development should be incorporated into the proposals.
- a full record of the remaining structures on the aerodrome site will need to be undertaken before any development on the site occurs.
- Money Hole Lane too is a historic route and its former south-westward line (across the airstrip) could be denoted in any development proposals.

2.21 To that end, Historic England would be prepared to see a slight extension of the site allocation to the north of the current allocation to more accurately reflect the developable area identified in the HIA (figure 20, p52 of the HIA). An extension to the north could also allow for more robust landscaping on the northern and eastern boundaries and a more considered response to the characteristics of the Aerodrome site as recommended in the HIA.

2.22 However, it will be important that the extended site clearly identifies the extent of the developable area and the landscaping screening, designed to minimise the impact of the development upon the setting of the heritage assets across the Mimram valley. Development must not spill down the slope.

2.23 In addition, careful consideration should be given as to whether the remaining land to the north can adequately accommodate an airstrip, once the necessary land-take for landscaping has been taken into account. If there is insufficient capacity for the airstrip, then this requirement should be deleted from the development criteria of the policy.

b) A detailed review of the Green Belt boundary in this area.

2.24 This question is considered as part of question 24 below.

c) Investigation of the feasibility of locating some non-housing uses, particularly open uses in the adjacent parts of East Hertfordshire.

2.25 Historic England would be concerned if other land uses, including open uses

such as playing fields, airstrips etc. were located much further north, down the slope and into the Mimram Valley in the adjacent parts of East Hertfordshire. The Valley currently has a rural feel and this is important to the setting of a number of heritage assets. Any development, even relatively open uses, would have the effect of reducing the rural feel of the valley with semi-urbanising effect and thus affecting the setting of those heritage assets.

24. Is the proposed Green Belt boundary to the north of this site one that is readily identifiable and capable of enduring permanently and consequently is in accordance with paragraph 83 of the NPPF?

2.26 Historic England made comments on the Green Belt boundary in this location during Stage 2 of the EiP. An extract from our Hearing Statement is included at Appendix B for ease of reference.

2.27 In essence when defining boundaries, the NPPF, paragraph 85, states that local authorities should:

- *ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development*
- *not include land which it is unnecessary to keep permanently open*
- *where necessary, identify in their plans areas of 'safeguarded land' between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period*
- *make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following a Local Plan review which proposes the development*
- *satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period*
- *define boundaries clearly, using physical features that are readily recognisable and likely to be permanent*

2.28 Many of the new green belt boundaries across the Borough do follow physical features that are readily recognisable and likely to be permanent e.g. roads/streams, field boundaries. We would however question the rationale for the green belt boundary adjoining site SDS1. As currently proposed, this does not follow a readily recognisable, permanent physical feature.

2.29 However, if the Green Belt boundary was rolled back to the line of field boundaries, vegetation, and linear woodland at Bericot Green in accordance with the HIA, this would represent a more defensible Green Belt boundary and would be better able to serve as part of a robust landscape mitigation strategy.

SP 22 North West Hatfield

53. Should the Master planning criteria require the protection and enhancement of the setting of the listed building (Old Cottage) within the site?

- 2.30 Yes, Historic England consider that the planning criteria should require protection and enhancement of the setting of the listed building (Old Cottage) within the site. Paragraph 154 of the NPPF states that *'Only policies that provide a clear indication of how a decision maker should react to a development proposal should be included in the Plan.'*
- 2.31 Our agreed position with WHBC in respect of this site is set out in our Statement of Common Ground (1.12.17) at paragraphs 3.3 – 3.8. This is included at Appendix C for ease of reference.
- 2.32 The wording chosen and agreed is set out below:
- "Conservation and, where appropriate, Protection and enhancement of heritage assets and their settings, in particular the setting of Old Cottage, which is a Grade II listed building; through careful masterplanning and appropriate mitigation measures, having regard to the findings of the heritage impact assessment."
- 2.33 This wording is based on the wording in Chapter 12 of the NPPF and the Planning Practice Guidance Paragraph: 003 Reference ID: 18a-003-20140306 Revision date: 06 03 2014 (which provides more detail about what is meant by conserve and enhance and includes the term *'where appropriate'*).
- 2.34 We recommend the above wording because it covers a variety of heritage assets, not just the Old Cottage, given the fact that there are other heritage assets nearby. These include Brocket Park Registered Park and Garden and a number of other listed buildings and structures.
- 2.35 The NPPF makes it very clear that the *setting* of heritage assets is very important. Indeed, paragraph 132 states that *'significance can be harmed through... development within its [the heritage asset's] setting'*.
- 2.36 Planning Practice Guidance states that, *'In developing their strategy, local planning authorities should identify specific opportunities within their area for the conservation and enhancement of heritage assets. This could include, where appropriate, the delivery of development within their settings that will make a positive contribution to, or better reveal the significance of, the*

heritage asset.' Paragraph: 004 Reference ID: 18a-004-20140306 Revision date: 06 03 2014

2.37 This is therefore reflected in the revised policy wording that references 'setting' as set out in our Statement of Common Ground.

Appendix A. Extract from Statement of Common Ground between Historic England and Welwyn Hatfield Borough Council, 1.12.17

It should be noted that the Statement of Common Ground signed in December 2017 between Historic England and WHBC proposed some additional wording for policy SP18 and this will be a main modification to the Plan.

The revised wording reads,

Policy SP18 North East of Welwyn Garden City.

“A Masterplan will set out the quantum and distribution of land uses, **key views to protect heritage assets**, access, sustainable design and layout principles prepared by Council, working with the landowner and other key stakeholders. The Strategy Diagram in Figure 11 below will inform the Masterplan which will form the basis of a Supplementary Planning Document to provide further guidance on site specific matters. Any application for development should be preceded by, and consistent with, the Masterplan.”

The tenth bullet point of the policy has been amended at the advice of Historic England as follows:

““**Conservation and, where appropriate**, ~~Protection and~~ enhancement of heritage assets **and their settings**, both on-site and in the wider area **through careful masterplanning and** appropriate mitigation measures, **having regard to the findings of the heritage impact assessment**.”

A paragraph of supporting text has been added as follows:

“**Given the presence of designated heritage assets in the vicinity of the development a Heritage Impact Assessment has been prepared. The Panshanger Park and Environs Heritage Impact Assessment July 2016, prepared by Beacon Planning Ltd, considered the potential impact of development at North East of Welwyn Garden City on heritage assets including Panshanger Registered Park and Garden. The masterplanning and subsequent development of the site will take place having regard to the findings of the heritage impact assessment.**”

Appendix B. Extract from Historic England's Stage 2 Hearing Statement in relation to Green Belt boundaries October 2017

Do the proposed revisions to GB boundaries result in stronger boundaries that will endure well beyond the life of this plan?

- 2.2 When defining boundaries, the NPPF, paragraph 85, states that local authorities should:
- ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development
 - not include land which it is unnecessary to keep permanently open
 - where necessary, identify in their plans areas of 'safeguarded land' between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period
 - make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following a Local Plan review which proposes the development
 - satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period
 - define boundaries clearly, using physical features that are readily recognisable and likely to be permanent
- 2.3 Many of the new belt boundaries do follow physical features that are readily recognisable and likely to be permanent e.g. roads/streams, field boundaries. We would however question the rationale for the green belt boundary adjoining site SDS1. This does not follow a readily recognisable, permanent physical feature.
- 2.4 In terms of the question of permanence, it is somewhat concerning that Policy SP3 states that 'Green Belt boundaries...will be maintained throughout the plan period and will only be reviewed through a review of this plan'. It is our understanding that Green Belt reviews should be exceptional, not revisited at every review of the plan. The boundaries should be permanent and look beyond the plan period. Indeed this is expressly identified as one of the criteria in para85 of the NPPF – *'local authorities should satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period'*. There does not appear to be any provision for *'safeguarded land' between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period'* as required by the NPPF.

Appendix C. Extract from Statement of Common Ground between WHBC and Historic England concerning North West Hatfield December 2017

Policy SP22 North West Hatfield

- 3.1 With regards to the North West Hatfield allocation, Historic England raised particular concerns regarding the presence of two Areas of Archaeological Significance within the allocation, and the proximity of the site to heritage assets. Historic England also suggested consideration should be given to the potential impact of traffic movements generated by the allocation of the site upon listed buildings and structures in Lemsford and Brocket Hall Registered Park and Garden.
- 3.2 WHBC notified Historic England of evidence submitted by the landowner in support of the allocation including an Archaeological and Heritage Impact Assessment and a Heritage Statement. WHBC notified the landowner of Historic England's concerns regarding impact upon Brocket Hall Registered Park and Garden and listed structures in Lemsford. The landowner subsequently commissioned a further specialist study which has been shared with Historic England. Historic England has broadly accepted the conclusions of this study which are that development at North West Hatfield will not materially affect the appreciation of the special interest of heritage assets in Lemsford and Brocket Hall Registered Park and Garden.
- 3.3 In response to Historic England's concerns (representation reference: dlpps 2139), WHBC have amended the tenth bullet point of Policy SP22 as follows:
- “Conservation and, where appropriate, Protection and enhancement of heritage assets and their settings, in particular the setting of Old Cottage, which is a Grade II listed building; through careful masterplanning and appropriate mitigation measures, having regard to the findings of the heritage impact assessment.”
- 3.4 For consistency purposes with other strategic site policies the North West Hatfield Figure 14 Strategy Diagram has been modified. A purple circle has been added to the diagram in respect of Old Cottage, a designated heritage asset, indicating a requirement to protect the setting of a Listed Building. The revised diagram is attached at Appendix 1.
- 3.5 Further, a new paragraph has been to the supporting text to Policy SP22 as follows:
- “Given the presence of designated heritage assets in the vicinity of the development, and that the site includes areas of archaeological significance, both a Heritage Impact Assessment and a desk-based Archaeological Assessment have been prepared. An archaeological field evaluation will be required to inform the masterplan. The masterplanning and subsequent development of the site will take place having regard to the findings of those assessments.”
- 3.6 Historic England are now satisfied that the Local Plan offers adequate protection to the historic environment and adequate evidence is available to allocate North West Hatfield for development. Historic England will provide further feedback at the masterplanning and planning application stages of the development process.