
PLANNING APPEAL

Former Bio Park premises, Broadwater Road,
Welwyn Garden City

May 2022

Carter Jonas

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Client: Gascoyne Estates
Job Number: J0048907
Appeal Reference: APP/C1950/W/22/3294860
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1.0 INTRODUCTION

- 1.1 Carter Jonas have been instructed by Gascoyne Estates (the Estate) to respond to the appeal lodged by the HG Group for the for the construction of 289 dwellings, a community hub and associated open space and supporting infrastructure on the site of the former Bio Park premises at Broadwater Road, Welwyn Garden City.
- 1.2 Gascoyne Estates manage Hatfield Park Estate on behalf of the Marquess of Salisbury. The Estate has been owned and managed by successive generations of the Cecil family for over four hundred years. As the nation's custodian of the Hatfield Park Estate, the Estate is actively involved in planning matters in Welwyn Hatfield and has engaged as a stakeholder in the progression of the submission draft Welwyn Hatfield Local Plan and other significant planning applications, such as the appeal proposals.
- 1.3 Hatfield House (Grade 1), the Old Palace, Hatfield Park (Grade 1) and the Registered Park and Garden (Grade 1) are located 2.8 miles (4.5 km) to the south of the appeal site. These heritage assets are of the highest significance and the standard registry entries do not convey their importance or provide a satisfactory account of their position within the historic landscape. The importance of these heritage assets is recognised by their Grade 1 listing; together with reference to them by English Heritage in 2014 at the New Barnfield Planning Inquiry which stated that, "... *the house, its gardens and park and the Old Palace form a place of extraordinary architectural significance*".
- 1.4 The Estate is not opposed to well-considered development taking place on the appeal site, or elsewhere within the Borough, however it is extremely concerned over the potential impact of the proposals upon Welwyn Garden City and the wider historic environment. Those concerns are best summarised as:
 - conflict with Section 66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 and national planning policy on conserving and enhancing the historic environment which extend beyond the immediate locality and involve heritage assets of the highest significance,
 - significant architectural and urban design issues which would impact upon the character and distinctive sense of place that exists in Welwyn Garden City, conflicting with the provisions of national planning policy on design,
 - conflict with the provisions of saved policies in the Welwyn Hatfield District Plan, 2005 and policies in the submission draft Welwyn Hatfield Local Plan, 2016 notably those relating to sustainable development, heritage, housing, design, open space, and transport, (H7, D1, D2 OS3, SP4, SP7, SP9 and SADM15), and
 - conflict with the provisions of the adopted Broadwater Road Supplementary Planning Document and the cumulative impact of the proposals when considered in conjunction with other developments that have been approved on adjacent sites.

Purpose of this Statement

- 1.5 This statement has been prepared by Carter Jonas in association with Barker-Mills Conservation, an independent, expert consultancy advising on the historic environment¹, and focuses upon heritage and design considerations. Representatives from both companies will be present at the Public Inquiry and will be available to answer questions from the Inspector. The Estate were granted Rule 6 status but have elected to submit written representations. It reserves the right to make further representations as further information becomes available.

2.0 THE SITE AND SURROUNDINGS

- 2.1 The appeal site extends to approximately 1.24 hectares and is located to the south-east of the town centre and railway station. Vehicular access is available via Bio Park Drive, a private road which joins Broadwater Road.
- 2.2 The site is of an irregular shape and is bounded to the north by a transport depot, to the east by recent residential development in Penn Way, to the south by allotments and to the west by the East Coast railway line.
- 2.3 The site is currently occupied by a large building and other ancillary buildings that were previously used for research and development purposes. The building is said to be approximately 30.5 metres high whilst the chimney flues are 34.75 metres in height.

Planning History

- 2.4 It is noted that the appellants have produced a draft Statement of Common Ground (SoCG) which records details of previous planning applications made on the appeal site and those relating to adjacent sites that it considers relevant to the appeal submission.
- 2.5 It has not however been possible to view the SoCG prior to the submission of the Estate's response to establish what parallels, if any, are being drawn between the appeal proposals and those which have been approved recently in the locality notwithstanding the legal requirement for planning applications to be determined in accordance with the Development Plan and their individual merits.

3.0 THE APPLICATION

The planning application was registered by Welwyn Hatfield Borough Council on 22 December 2020 and was for permission in full to demolish the existing buildings and construct 289 dwellings (Use Class C3) and community hub (Use Class E/F2), with public realm and open space, landscaping, access, associated car, and cycle parking, refuse and recycling storage and supporting infrastructure.

- 3.1 The Borough Council undertook extensive consultation with statutory and non-statutory bodies and organisations and other key stakeholders, including Historic England. Historic England in commenting upon the proposals observed that, *"...through the careful reduction of massing to the new development and a careful use of materials to make the site more recessive in these views from highly graded heritage assets, the proposal could reduce the visibility of the site and therefore reduce the impact upon the setting and significance of the heritage assets. We therefore consider that revisions should be made to the massing and materials to address these concerns"*.

¹ The Qualifications and Experience of Barker-Mills Conservation are provided in Appendix A

- 3.2 It should also be noted that the proposals also attracted considerable public interest with many representations expressing grave reservations about the impact of the development upon the immediate area, the character of Welwyn Garden City and the original design ethos.
- 3.3 The planning application was considered by the Borough Council's Development Management Committee on 9 September 2021 and refused for the following reasons.

Grounds of Refusal

- 3.4 The proposed housing tenures and mix (including affordable housing) would fail to meet the objectively assessed need (OAN) for housing in the borough and would not contribute to creating a sustainable, inclusive, and mixed community. As such, the application is contrary to Policy SP 7 of the emerging local plan.
- 3.5 The application, including the Transport Assessment, fails to provide sufficient evidence that the transport impact, car parking and proposed transport mitigation strategy shall achieve sustainable transport objectives and shall not result in any unacceptable impact. As such, the application is contrary to Policy H2 of the District Plan, the Council's Parking Guidance SPG and interim Policy for Car Parking Standards and Policies SP 4, SADM 2 and SADM 3 of the emerging local plan.
- 3.6 The proposal by reason of its form, height, bulk, scale, and massing does not achieve high quality design. The proposed Development also does not respect or relate to the character and context of the local area and fails to maintain, enhance, or improve the character of the existing area. As such, the application is contrary to Policies D1 and D2 of the District Plan and the Broadwater Road West SPD, Paragraphs 130 and 134 of the NPPF and Policy SP 9 of the emerging local plan.

4.0 NATIONAL PLANNING POLICY FRAMEWORK

- 4.1 The National Planning Policy Framework, 2021 (NPPF) sets out the Government's planning policies for England and how these should be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development.
- 4.2 Achieving sustainable development means that the planning system has three overarching objectives which are interdependent and need to be pursued concurrently. These are an economic objective, a social objective, and an environmental objective.
- 4.3 At the heart of the NPPF is a presumption in favour of sustainable development which for decision-making means approving development proposals that accord with an up-to-date Development Plan without delay.
- 4.4 Paragraph 126 of the NPPF advises that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. It states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 4.5 Paragraph 130 goes on to advise that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development and are visually attractive because of good architecture, layout, and appropriate and effective landscaping.
- 4.6 Paragraph 133 indicates that local planning authorities should ensure that they have access to, and make appropriate use of, tools and processes for assessing and improving the design of development. These include workshops to engage the local community, design advice and review arrangements.

- 4.7 Paragraph 134 advises that development which is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design as expressed in the National Design Guide and National Model Design Code.
- 4.8 Paragraph 194 advises that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.
- 4.9 Paragraph 199 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).
- 4.10 Paragraph 201 states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
- 4.11 Paragraph 202 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 4.12 The National Design Guide² and the National Model Design Code and Guidance Notes for Design Codes form part of the Government's collection of planning practice guidance on design. They support national policies as set out in the NPPF.
- 4.13 Historic England provide advice on their website about the importance of new design in the Historic Environment.³ The relationship between the Building in Context approach first promoted jointly by Historic England and the Commission for Architecture and the Built Environment (CABE) with government support and the current approach of the National Design Guide is explained. Both approaches stress the importance of a sensitive response to established context and character to promote identity of place.

5.0 DEVELOPMENT PLAN POLICIES

- 5.1 The development plan for Welwyn Hatfield consists of saved policies in the Welwyn Hatfield District Local Plan, 2005, the Hertfordshire Waste Local Plan, 2012 and 2014, and the Hertfordshire Minerals Local Plan, 2007.

Welwyn Hatfield District Plan 2005

- 5.2 The Welwyn Hatfield District Plan was adopted in 2005 and contains several policies that have been saved pending the adoption of the new Local Plan. The following saved policies have been identified as being relevant to the determination of the planning appeal.

- Policy SD1 - Sustainable Development
- Policy GBSP2 - Towns and Specified Settlements

² <https://www.gov.uk/government/publications/national-design-guide>

³ <http://historicengland.org.uk/advice/planning/design-in-the-historic-environment>

- Policy R1 - Maximising the use of previously developed land
- Policy R3 - Energy Efficiency
- Policy R5 - Waste Management
- Policy R10 - Water Conservation Measures
- Policy R11- Biodiversity and Development
- Policy R18 - Air Quality
- Policy R19 - Noise and Vibration Pollution
- Policy R20 - Light Pollution
- Policy R28 – Historic Parks and Gardens
- Policy M1 - Integrating Transport and Land Use
- Policy M2 - Transport Assessments
- Policy M3 - Green Travel Plans
- Policy M4 - Developer Contributions
- Policy M5 - Pedestrian Facilities
- Policy M6 - Cycle Routes and Facilities
- Policy M14 - Parking Standards for New Development
- Policy D1 - Quality of Design
- Policy D2 - Character and Context
- Policy D3 - Continuity and Enclosure
- Policy D4 - Quality of the Public Realm
- Policy D5 - Design for Movement
- Policy D6 - Legibility
- Policy D7 - Safety by Design
- Policy D8 - Landscaping
- Policy D9 - Access and Design for People with Disabilities
- Policy D10 - Public Art
- Policy D11 - Design Statements
- Policy D12 - Development Briefs
- Policy IM2 - Planning Obligations
- Policy H2 - Location of Windfall Residential Development
- Policy H6 - Densities
- Policy H7 - Affordable Housing
- Policy OS3 - Play Space and Informal Open Space Provision in New Residential Development

Welwyn Hatfield Local Plan – Submission Draft 2016

- 5.3 The Welwyn Hatfield Local Plan was submitted to the Secretary of State for Examination in May 2017. It contained a target to build 12,000 homes for the period 2013 - 2032 but the Objectively Assessed Housing Need for the Borough has been identified as 15,200 homes and the plan period revised to 2016 - 2036.

- 5.4 To address this shortfall the Borough Council identified additional sites, including the former Bio Park premises, for development. This was reflected in the Main Modifications (EX235) which allocated the site for the 250 dwellings. The inclusion of the Bio Park site was considered by the Local Plan Inspector via a series of hearings held between 4 and 17 March 2021 and later found to be 'sound' (EX273).
- 5.5 The progression of the draft Local Plan has stalled, however the following policies in the submission draft local plan have been identified as being relevant to the determination of the planning appeal.
- Policy SP 1 - Delivering Sustainable Development
 - Policy SP 2 - Targets for Growth
 - Policy SADM 1- Windfall Development
 - Policy SP 4 - Transport and Travel
 - Policy SADM 2 - Highway Network and Safety
 - Policy SADM 3 - Sustainable Travel for All
 - Policy SP 7 - Type and Mix of Housing
 - Policy SP 9 - Place Making and High-Quality Design
 - Policy SADM 11 - Amenity and Layout
 - Policy SADM 12 - Parking, Servicing and Refuse
 - Policy SP 10 - Sustainable design and construction
 - Policy SADM 13 - Sustainability requirements
 - Policy SADM 14 - Flood Risk and Surface Water Management
 - Policy SP 11 - Protection and enhancement of critical environmental assets
 - Policy SADM 15 - Heritage
 - Policy SADM 16 - Ecology and Landscape Policy
 - Policy SADM 18 - Environmental Pollution
 - Policy SP 13 - Infrastructure Delivery
 - Policy SP 15 - The Historic Environment of Welwyn Garden City

Broadwater Road West Supplementary Planning Document, 2008

- 5.6 The Broadwater Road West Supplementary Planning Document (SPD) was adopted by the Borough Council in 2008. The SPD is material to the consideration of the planning appeal and specifically seeks to encourage development that is no more than five storeys in height to minimise potential impact upon the surrounding area and wider historical environment. The SPD also contains other guidance and states that when considering planning applications, the Borough Council will have regard to the following criteria:
- Relationship to context of the site and the wider area
 - Effect on historic context of the site and the wider area
 - Relationship to transport infrastructure
 - Architectural quality of the building
 - Design credibility of the building

- Sustainable design and construction
- Contribution to public space and facilities
- Effect on the local environment and amenity of those in the vicinity of the building
- Contribution to permeability
- Provision of a well-designed environment including fitness for purpose.

Welwyn Hatfield District Plan Supplementary Design Guidance, 2005

- 5.7 The Supplementary Design Guidance was adopted by the Borough Council in 2005 and provides guidance on the design and layout of all new development and supplements the policies contained in the District Plan. It provides more detailed guidance on the design issues affecting listed buildings and conservation areas.

6.0 STATEMENT OF CASE

- 6.1 It will be demonstrated that the proposals would adversely affect the setting of designated heritage assets of the highest significance, conflict with the provisions of the Development Plan and fail to create a high quality, beautiful and sustainable development as required by national planning policy.
- 6.2 Section 70(2) of the Town and Country Planning Act 1990 (as amended) and Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) require that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 6.3 The Development Plan policies applicable to the determination of the appeal are contained in the Welwyn Hatfield District Local Plan, 2005. The Welwyn Hatfield Local Plan – Submission Draft, 2016 is at an advanced stage and the emerging policies are also applicable, as are the provisions of the Broadwater Road West Supplementary Planning Document.
- 6.4 It is well established that policies in a Development Plan may pull in different directions and that the Development Plan must be read as a whole.

Planning Policy Context

Heritage Policies

- 6.5 The heritage policies within the Welwyn Hatfield District Plan, 2005, and upon which the appellants seek to rely in their Statement of Case, have not been saved. The Borough Council considered the policies were reflected by the former provisions of Planning Policy Guidance Note 15 which has in turn been superseded by the NPPF.
- 6.6 The submission draft Local Plan is at an advanced stage and is also material to the consideration of the planning appeal. Policy SP 11 seeks to protect, enhance, and manage environmental, ecological, and historic assets within the Borough. Policy SADM 15 indicates that proposals which result in less than substantial harm to the significance of a designated heritage asset will be refused unless the need for, and benefits of, the development in that location significantly outweigh the harm.
- 6.7 Further guidance on conserving and enhancing the historic environment is contained in the NPPF. Paragraph 201 states that where a development proposal will lead to less than substantial harm to the

significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Design Policies

- 6.8 The Welwyn Hatfield District Local Plan, 2005 contains several saved policies on design (D1 to D12) that are relevant to the appeal proposal however only Policies D1 and D2 have been referred to in the Borough Council's reasons for refusal.
- 6.9 Policy D1 requires that new development to be of a high quality and incorporate the design principles covered by other Development Plan policies and guidance contained in the Supplementary Design Guidance. Policy D2 requires that all new development responds positively to the character of the area and respects the local context. Proposals are also expected to distinguish between private and public areas (Policy D3), incorporate well planned spaces as part of the public realm (Policy D4), allow for the ease of movement by pedestrians, cyclists, and public transport services (Policy D5), and be legible and easy to navigate both within the development and the surrounding area (Policy D6). There is also an expectation that development proposals are adaptable, incorporate a mix of uses and a variety of tenures and dwelling sizes to create diversity. All developments are expected to design out crime (Policy D7), incorporate landscaping between and around buildings (Policy D8), allow for the ease of movement by people with mobility problems or other forms of impairment (Policy D9) and incorporate public art (Policy D10). Finally, Policy D11 requires that proposals are accompanied by Design Statements while Policy 12 requires the submission of Development Briefs
- 6.10 The submission draft Local Plan is at an advanced stage and is also material to the consideration of the planning appeal. The weight that may be attached to the policies it contains is however limited, including the proposed allocation of the appeal site for residential development. Policy SP 9 provides a strategic design framework for the consideration of proposals and expects all development to respond to the character of the area and respect the surroundings in terms of height, mass, and scale. Proposals must also be legible, permeable, well connected and incorporate high-quality public areas, landscaping, and space for nature. In addition, proposals are expected to incorporate a mix of uses, be inclusive, safe, and secure. Proposals for taller buildings should positively respond to long distance views, the skyline, townscape, and historic assets.
- 6.11 Policy SADM 11 in the submission draft Local Plan requires that proposals offer a good standard of amenity and open space whilst Policy SADM 12 requires that space is available for parking, servicing and refuse collection. Policy SP 10 sets out the Borough Council's strategic approach to design and construction which is supported by Policy SADM 12 on sustainability requirements including energy and water use.
- 6.12 Further guidance on achieving well-designed places is contained in the NPPF. The NPPF is quite clear at paragraph 126 that, "*The creation of high quality, beautiful and sustainable places is fundamental to what the planning and development process should achieve*". This is reinforced by paragraph 130 which states that developments should be "*... sympathetic to local character and history, including the surrounding built environment and landscape ...*". To assist local planning authorities, paragraph 133 recommends that they make use of appropriate design processes and review arrangements. Finally, paragraph 134 advises that development which is not well designed should be refused.
- 6.13 The National Design Guide provides guidance on how to achieve well-designed places. The Guide suggests that there are ten characteristics to a well-designed place and in relation to the appeal proposal context, identity and built form are especially relevant.

Heritage Considerations

- 6.14 One of the planning objectives of the NPPF is the conservation of the built and historic environment as part of delivering sustainable development. The NPPF includes what the Court of Appeal has described as a “fasciculus” or bundle of paragraphs which lay down an approach which corresponds to the duty under Section 66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCAA).⁴ A decision-maker should identify and assess the particular significance of the heritage assets that are affected by a proposal. They should take account of this assessment to avoid or minimise conflict between the heritage assets’ conservation and any aspect of the proposal (paragraph 190).
- 6.15 Great weight should be given to the conservation of designated heritage assets. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification (paragraphs 193 and 194).
- 6.16 Whether harm is substantial or less than substantial (to use the terms of the NPPF) is a matter of judgement and the boundary between the two is not always clear cut. Harm is best thought of as a spectrum from negligible at one end to total loss of an asset at the other and the further along that spectrum you are the more important the clear and convincing justification becomes.
- 6.17 Paragraph 18 of the National Planning Policy Guide (NPPG) provides guidance on how the possibility of harm to heritage asset can be assessed.⁵ What matters is the impact upon significance and when assessing the degree of harm, it is important to be clear on whether the impact affects a key element of special architectural or historic interest. It is the degree of harm to the significance of an asset rather than the scale of development that must be assessed, and harm can arise from works to an asset or from development in its setting. The latter is often referred to as “indirect” impact in that it does not affect fabric.
- 6.18 Because harm can arise from loss of fabric but also from development within the setting of heritage assets, Historic England has provided advice on how to manage change within their setting.⁶ The Good Practice Advice does not seek to prescribe a single methodology or specific data source, but it is clear that alternative approaches will only be acceptable if they are demonstrably compliant with legislation, national policies, and objectives.
- 6.19 There is also an important distinction between setting and views and whilst acknowledging that the extent and importance of setting is often expressed by reference to visual considerations, and that they play an important part in the way an asset is experienced, other environmental factors and intangible associations or factors also have to be considered in order for the full impact of development upon the contribution made by setting to significance or the ability to appreciate significance to be robustly understood.
- 6.20 The suggested framework provided in the advice is a five-step process and to comply with legislation, policy, and national objectives steps 2, 3 and 4 are critical. Clearly establishing the contribution of setting and views to the significance of an asset or how it allows significance to be appreciated enables an effective and informed assessment of the effects of proposed development, whether

⁴ Jones v Mordue [2015] EWCA Civ 1243 at paragraph 28

⁵ NPPG Reference ID: 18a-018-20190723 Revision date: 23 07 2019

⁶ Historic England Good Practice Advice in Planning #3 (December 2017)

beneficial or harmful. It also enables Step 4, the maximisation of enhancement and minimisation of harm to be secured, ideally at an early stage in the design process. Early assessment of setting can provide an effective way of agreeing the scope and form of development.⁷

- 6.21 It is recognised that the setting of a heritage asset will change over time but where the setting has been compromised in the past by unsympathetic development, to accord with NPPF policies consideration needs to be given to whether additional change will further detract from, or can enhance, the significance of the asset. Negative change could include severing the last link between an asset and its original setting; positive change could include the restoration of a building's designed landscape or the removal of structures impairing views of a building.⁸
- 6.22 In assessing the contribution that setting makes to significance or the ability to appreciate that significance, which is step 2 of the Historic England guidance it is suggested that you should first address the key attributes or values of the heritage asset and then consider four key issues:
- The physical surroundings of the asset including its relationship with other heritage assets,
 - The asset's intangible associations with its surroundings, and patterns of use,
 - The contribution made by noises, smells, etc to significance, and
 - The way views allow the significance of the asset to be appreciated.

The assessment below has followed this approach.

- 6.23 Hatfield House is a Grade 1 listed building and part of a complex of buildings including the Old Palace (also listed Grade 1) that is set within an historic landscape Registered at Grade 1. There is a wealth of documentary material recording the very special architectural, historic, cultural, and political importance of Hatfield House, Old Palace, and Gardens but a recent summary provided by English Heritage (now Historic England) experts at the New Barnfield Inquiry, which refused development because of its impact upon the historic environment, is compelling.⁹ It states:

"Hatfield is a place of extraordinary significance. Here the imposing remnant of a medieval episcopal and later royal palace stands adjacent to one of the greatest of all the prodigy houses of late Elizabethan and Jacobean England, a house whose scale and opulence had few rivals. They are set within extensive gardens, originally as splendid as the house, and since restored in the spirit of the original, and an extensive park comprising ancient deer parks and providing an approach to the house's original principal front of surpassing grandeur. To the west of the house and palace are the parish church of St. Etheldreda and the old town of Hatfield. The extravagance of Hatfield's architecture and landscape reflects its historical importance. It was at the palace that the then Princess Elizabeth learned of her accession to the throne of England. It was here, on the first day of her reign, that she appointed Sir William Cecil Secretary of State. It was Sir William's son and political heir, Robert Cecil, Earl of Salisbury, who built the Jacobean house after playing a critical role in ensuring the succession of James VI of Scotland to the throne of England as King James I in 1603".

Of Hatfield House itself it is stated:

⁷ Good Practice Advice #3 pages 8-14

⁸ Good Practice Advice #3 December 2017 Page 4 bullet titled Cumulative Change

⁹ Proof of Evidence of John Neale, Principal Inspector of Historic Buildings and Areas PINS Ref APP/M1900/V/13/20192045

“Hatfield was intended from the start to be a house appropriate to the status of its builder and capable of accommodating the King and Queen. Its scale and opulence reflect this. Within the vast, spreading building whose appearance was originally much more lively than it is today, separate royal apartments were provided for the King and Queen, in addition to the hall, great chamber and gallery expected in noble houses, and a chapel of exceptional richness. That this was Salisbury’s intention is revealed in his comment, in the letter written in April 1607 in which he described choosing the site for the new house “where I doubt not ere it be long to have the honour to see my great Master”, and it is confirmed by an inventory of 1611”

“Hatfield House stands in gardens and within a park equal to its magnificence. As he replaced the old palace, so too did Salisbury replace its gardens, creating an elaborate series of new gardens both to complement the house and to provide retirement from it. Simultaneously he refashioned the park or parks associated with the old palace to create a landscape for his new house. To a greater degree than the house, gardens and park have passed through phases of change, but as with the house, Hatfield’s 19th century and more recent owners have worked to re-establish or reinforce the character that both gardens and park would have had in the early 17th century”¹⁰

6.24 The late C16 and early C17 centuries saw the construction of numerous houses of varying ambition for aristocrats and gentry, but only a small number were of this spectacular scale and richness for the most ambitious and powerful courtiers and statesmen. Hatfield is a supreme and precious example.

6.25 The key attributes or values of Hatfield House are:

- The illustration of the power and wealth of the medieval clergy including the use of new materials (brick) combined with fine timber framing in the Old Palace (architectural and historic interest),
- Scale and opulence of the architecture of the new house including materials (architectural interest),
- Plan form with separate royal apartments (architectural and historic interest),
- Commissioning of the design for receiving the monarch (historic interest),
- Associations of the site with Elizabeth 1 (historic Interest),
- Formal approach from the south to the original entrance elevation of surpassing grandeur (architectural interest),
- A designed landscape expressing power, wealth, and status (architectural and historic interest),
- A wider landscape used for recreation and as an illustration of power (historic interest),
- An historic and ongoing relationship with one aristocratic family for over 400 years (historic and architectural interest), and
- A strong historic and ongoing relationship between the estate and the surrounding local communities (historic communal interest).

¹⁰ John Neale Proof of Evidence Section 6 para 6.22

- 6.26 The setting of Hatfield House, and the Old Palace encompasses its gardens and park and the surrounding landscape. The new house was built on a platform to the east and south of the old palace and on higher ground. Although still close to the town and still to the west of the park, here it occupies an imposing position commanding views from south and north and the axial vistas created to anchor it to the landscape. The surrounding landscape also forms, of course, the setting of the gardens and park. This landscape has changed but still retains a wooded appearance in long views. This element of the setting also contributes very importantly to the significance of Hatfield. House, gardens, and park were conceived and developed as a whole, functionally, and aesthetically. The relationship between them is inevitably inter-twined, and they were deliberately sited with regard to the wider landscape which makes a positive contribution to the appreciation of their significance.
- 6.27 Like all country houses, Hatfield provided a seat for its owners and reflected and developed their power and their fortune. It also provided a theatre for art, culture, and recreation. The economic and cultural roles of the house and gardens, and the expression of political power they represent, are intimately interconnected, and relate to both building and setting. The immediate and wider setting of the house is intrinsic to all these aspects and without an appropriate setting the house would not have been built. The importance of the site and its setting is documented when in 1607 Salisbury himself chose the site,
- “I... looked upon Hatfield, where it pleased my Lord Chamberlain, my Lord of Worcester, and my Lord of Southampton to be contented to view upon what part of ground I should place my habitation”*
- 6.28 The gardens, parkland and wider landscape were essential for the house to perform its many functions appropriate to the status and power of its owner. The gardens and wider setting would be viewed from the house, and the house from the gardens. From both house and gardens, the park, and the countryside beyond would be seen. The park itself provided hunting, a favourite pastime of the monarchs most closely associated with the site, Elizabeth 1, and James 1, but this activity would have also extended into the surrounding landscape.
- 6.29 The setting of Hatfield House makes an integral contribution to its historic and architectural significance and the ability to appreciate and understand the intentions of the owner and designer of the house and how the landscape supported and influenced its siting and design.

Impact of the Proposals

- 6.30 The HTVIA Addendum prepared by Bidwells following concerns raised regarding the ability to robustly assess the potential impact of the proposals upon the highly designated heritage assets at Hatfield demonstrates that there will be an impact upon the current contribution made by the setting of the assets to an ability to appreciate the architectural and historic significance of Hatfield House. The impact is currently best illustrated and assessed in paragraphs 1.3-1.10 and figures 1-4 of the Addendum although visiting the site provides the most accurate means of experiencing its values and the potential impacts. The approach to analysis in the HTVIA and addendum is focussed on whether proposals affect the contribution of the development site to the setting of the listed building rather than considering the impact of the proposals upon the ability to appreciate and understand the significance of the listed building and registered landscape within which it sits.
- 6.31 The first views illustrated in the Addendum (Appendix B) are from inside the house and on the roof, or “leads”. The contribution that these views make to understanding the deliberately intended visual dominance of the house and the ability to experience the wider estate and hunting parks set in a rural

landscape appears not to be understood by the appellants.¹¹ The significance of the first-floor room from which the views over the north avenue and towards the development site also appears not to have been recognised. This room is one of the most historically, as well as architecturally, significant of the interiors in the house from which the owners could survey the wider parkland and its' setting. This view allows one to stand in the shoes of the Cecils' and their successors and experience the sense of importance, literally as well as figuratively, overseeing the landscape and wider setting of the estate. The views from the leads would also have originally been part of the intended display of power and dominance as Elizabethan and Jacobean prodigy houses often had banqueting rooms at high level for precisely this purpose of impressing the visitor. The fact that the views are not "public" in the modern sense of the word is an irrelevance.

- 6.32 Development has obviously occurred within the wider setting of the registered landscape and where that change has altered the character in parts from a wooded and green appearance to a more built-up character there is inevitably an erosion of the ability to appreciate the character of the original setting for the house and estate. This similarly therefore erodes its contribution to an understanding of the significance of the house. The impact of the proposed new development, more horizontal in extent and therefore extending the area of urban development in the view has additional impact because of its position in relationship to the strongly axial nature of the view along the northern avenue which is important in the views from inside the house and the leads. The anchoring of the house in the wider landscape provided by the axial planting is affected by the new development appearing just off axis and distracting the eye away from the historically intended effect.
- 6.33 The other view identified in the Addendum is that from the southern approach to Hatfield House (views 3 and 4 in Appendix B). This approach was historically to the principal front of the building for over two centuries and was designed with drama and spectacle in mind, using the topography to reveal the house in its widest setting. It retains, as identified by Historic England, its quality of "surpassing grandeur". This approach and the associated views of the house obtainable along it are the ones that make the most contribution to an understanding of the architectural intent of the building in its immediate and wider setting. The experience of the house in these views is amplified by the open expanse of the landscape, the relative tranquillity, and the contrast between the opulence of the house within its designed and planted gardens and the green character of its setting with the wooded hills beyond.
- 6.34 The original setting at the time of the construction of the house would have been an uninterrupted green backdrop and it remained in that state until the early years of the 20th century. As the scale and height of development increased over the course of that century, buildings and structures began to appear and they have impaired the experience of approaching the house from the south.

¹¹ This is one of several illustrations of a flawed approach to both the assessment of significance and the approach to setting and impact contained within the Bidwells HTVIA. Examples include the methodology for ascribing significance at 3.21 of the HTVIA which has listed buildings as low significance despite them being selected for their special interest on a national basis and introducing the concept of sensitivity into that assessment of significance when sensitivity relates more properly to considering change. The levels of significance identified in the table are a mix of terms, including, high, medium, and low but also "good" which would appear to relate to condition? The identification of the Evidential Value of the heritage assets is also incorrect (as seen in pp 67; 70; and 75). The analysis of the contribution that setting makes to significance or the ability to appreciate significance of the asset under consideration (Step 2 of the HE Guidance methodology) is also entirely missing because what is assessed is the contribution of the development site to the setting of the asset, which is a flawed approach.

- 6.35 The existing building on the site causes harm to the experience of and ability to appreciate the architectural primacy of Hatfield House in this key approach. There is an opportunity to enhance the contribution made by the setting to the significance of the house as part of redevelopment. See paragraph 6.21 above). However, the approach of the appellants is to take the height of the existing development, make a very minor reduction in one part and then to extend the development east and west, presenting a greater expanse of built form in the views from the southern approach. The proposed outline of the development obscures views of the wooded hills beyond and becomes visually attached to the central tower and cupola of the south elevation of the Grade 1 listed building. The loss of the “gap” to east and west and the extension of built development above the lower section of roof, between the central tower and the corner cupola of the house, represents a distraction to appreciation of its silhouette on its principal elevation and harms a key element of its architectural significance. Instead of replacing a structure that impairs the view of this hugely significant listed building with a development that reduces that impact, the appellants propose to replace it with one that has greater impact.
- 6.36 The harm caused to the listed building is less than substantial in terms of the NPPF but because the impact affects a key element of architectural and historic significance, which is the experience and appreciation of the house in the pre-eminent designed approach to the building, the harm is increased. This places the harm towards the lower range of the less than substantial spectrum, although it is not insignificant. It is also causing harm to an asset of the highest significance which increases the weight to be given to the conservation of its significance in planning terms.
- 6.37 This conclusion that the proposals cause harm to the Grade I listed building is one shared by Historic England. In their letter of 31 March 2021¹² following consideration of the HTVIA Addendum Historic England identify that the open view of the parkland is eroded by the proposal in views from the house, including those from the leads which were a deliberately intended viewing point. They also identify a harmful impact arising from the development when experienced from the southern approach to the house by losing views and enclosing the historic building form. The position of historic England is clearly and simply stated:
- “Historic England consider that the LVIA addendum has shown the increased building mass to be of concern to the setting and significance of the grade I listed building and, the designed views and vistas from the grade I registered park and garden at Hatfield Park. Figures 1 and 3 indicate that the site is within an important vista and to increase the visibility of it by increasing its size would make modern built form more dominant within the historic environment and detract from the significance of Hatfield House and park and garden. The proposal would not therefore be in accordance with paragraphs 193, 194 and 200 of the NPPF.”*
- 6.38 Historic England identify that a reduction in massing is required along with careful use of materials with the objective of making the building more visually recessive. The recommendation is also clear in stating that the issues and safeguards outlined in their advice need to be addressed for the proposals to meet the requirements of the NPPF.¹³ As the Expert Advisor to the Government on the Historic Environment their advice should carry great weight.
- 6.39 The Importance of new design and its potential impact upon the historic environment is the subject of Historic England Advice and their role is explained in the following terms:

¹² Letter Reference P01343350

¹³ Paragraphs 193, 194, 196 and 200 of the NPPF

Historic England's regional presence and statutory role in commenting on planning applications for development give it a powerful influence in encouraging and facilitating new development which is based on an understanding of each site's unique history, character and context, and thus creating distinctive new neighbourhoods.

Building on past experience with the Building in Context initiative and more recent success of Streets for All, Historic England is well-placed to play a leading role in promoting high-quality design in historic places.

- 6.40 The relationship of eight principles developed as part of the Building in Context Toolkit and programme and their equivalents in the National Design Guide is set out in the advice and of particular importance are those relating to understanding, context, and character as well as respecting views and being mindful of visual composition to add texture and variety to setting¹⁴ as discussed in the next section of this statement.
- 6.41 In preparation for the appeal the appellants have submitted what is described as a review of the HTVIA prepared in February 2022 by Levrant Architects (extracts appear in Appendix C). This appears to adopt the same methodology as that adopted by Bidwells. It has used a 500m radius based on the appeal site to identify heritage assets with a further study area of 1 km. The reason for these distances is not given. At paragraph 108 the HTVIA review indicates that Hatfield House and Registered Park was also considered and specifically the long views. The heritage significance of identified assets has also been re-examined and the approach to evidential value (archaeological interest) has been corrected.
- 6.42 Astoundingly in summarising the contribution of setting to the significance of Hatfield House and Garden the HTVIA Review states at paragraph 144:
- “From ground level in the parkland there is no visibility of BioPark building, so the building on the current site has no impact”.*
- 6.43 How this conclusion can be reconciled with the illustration of view 3 in the earlier HTVIA Addendum taken at ground level from the southern approaches to the house, or indeed the illustration of view 13 within this document is completely unclear. The assertion in the HTVIA Review is simply wrong. The views from the house and the leads of the house to the site are simply not identified, described or in any way analysed in the summary assessments.
- 6.44 The analysis in part 5 of the HTVIA which covers the impacts on Hatfield House is concerned with views and not with setting, as indicated by the references to receptors and sensitivity. The impact on the view as part of the setting and whether the impact is positive, neutral, or negative is not engaged with. This is a significant omission because the statutory duty is attached to the consideration of setting and not to views. The Historic England guidance stresses the need to be clear on the difference between the two. The analysis falls into the same error as the earlier HTVIA of looking at impact upon setting and not impact upon ability to appreciate and understand the significance of the heritage assets.
- 6.45 The HTVIA Review by Levrant Architects appears to attempt to claim that the site and development does not fall within the setting of the Grade I heritage assets of Hatfield House and its associated Registered Landscape. It is clearly not credible as an argument because the existing building can be

¹⁴ It should be noted that Nigel Barker-Mills of Barker-Mills Conservation was the English Heritage (Historic England) lead officer for Building in Context and developed the Principles as part of the BIC Toolkit during a nationwide training programme delivered with the then network of Architecture Centres across England.

seen from both assets and forms part of the context within which the heritage assets are experienced. Indeed, the Borough Council correctly consulted Historic England because of the wider setting issues and Historic England responded accordingly. The reason for taking a singular approach in the HTVIA Review is unclear unless it is to try and remove any identification of harm and therefore the strong presumption against the granting of planning permission. If this is the reason it is an unworthy one and not credible.

Design Considerations

- 6.46 The appellants in their Statement of Case and supporting HTVIA claim that the appeal proposal would enhance and improve the character of the area and result in the removal of an unsightly building that is visible in numerous long-distance views. It is claimed the proposed development takes cues its design from the surrounding area, particularly the red clay roof tiles and the fine grain elevations to existing buildings that have a domestic scale. As a result, it is said that the appeal proposal is sensitive to the local context because of the material palette and design details and will meld with existing development. The appellants also state that large footprint buildings are in keeping with the historic precedent of the area which reflect the former commercial and factory buildings that existed to the east of the town centre.
- 6.47 In response to these points, the former laboratory building is considerably smaller in scale than the combined mass of Blocks A – E as demonstrated by the appellants massing study in the Design and Access Statement that accompanied the planning application. This additional mass in combination with the proposed external treatment of the blocks and fenestration arrangements would introduce a very noticeable and incongruous form of development when viewed from the town centre conservation area and other vantage points.
- 6.48 The proposed double height mansard roof arrangement to some blocks would not respect the more traditional building forms found in the town centre and would appear at odds with the simplicity of the elevational treatments proposed to the lower storeys of the blocks. Furthermore, the use of dark tiles to the double height mansard roofs is only likely to accentuate the incongruous nature of this design feature on the skyline rather than providing for the assimilation of the development into the surrounding landscape. Rather than reducing the mass of the proposed development the feature has the opposite effect. The appeal proposal does not therefore respond positively to the surrounding environment as required by Policies D1 and D2 in the District Plan or Policy SP 9 in the submission draft Local Plan.
- 6.49 Policy SP 9 contains specific provisions in relation to the treatment of taller buildings and their impact upon long distance views, the skyline, townscape, and historic assets. The appellants in their HTVIA acknowledge that the appeal proposals will be taller than most of the buildings in the immediate locality however they seem to rely in their Statement of Case on the potential existence of taller buildings to the north of the site (once constructed) as making the development acceptable. It is well established in planning law that proposals must be determined in accordance with the Development Plan unless material consideration indicate otherwise. Any precedent set by other recently approved development should rarely be decisive and it does not make the appeal proposals more acceptable. As indicated in the preceding section of this statement the proposed development would be unacceptable because of its wider impact upon the setting of heritage assets of the highest significance and the town centre conservation area.
- 6.50 The Broadwater Road Supplementary Planning Document (SPD) was prepared and adopted to provide guidance for the determination of proposals in the regeneration area to the east of the railway

line and is material to the consideration of the planning application. The SPD assesses the local context including the wider historic environment and specifically seeks to encourage development that is no more than five storeys in height to minimise the potential impact of proposals upon the surrounding area and wider historical environment. The SPD also contains other guidance, as detailed above, and there is no reason to depart from the clear and unequivocal advice it provides to ensure that any proposals for the redevelopment of the site respond positively to the wider area. A similar approach has recently been adopted for the regeneration of Hatfield Town Centre, with a town wide Article 4 direction being made to govern upward extensions, and the same principles should apply equally to Welwyn Garden City.

- 6.51 It is very disappointing that the appeal proposal was not subject to an independent Design Review especially given the importance of the founding Garden City principles and potential cumulative impact of the development when considered in conjunction with the development proposed on adjoining sites. Such a review would have provided an objective and impartial assessment of the proposals and been consistent with the guidance contained in paragraph 133 of the NPPF. Such an approach would also have allowed for the use of assessment frameworks such as “Building for a Healthy Life” to be utilised. The proposals have not however been subject to any degree of independent external rigour. Instead, the HTVIA suggests that internal workshops were held which did not involve key stakeholders and the proposals were assessed in isolation by the Borough Council’s Urban Design Advisor. This does not reflect current best practice as advocated by the NPPF and consequently the opinions that have been expressed by the Urban Design Advisor, and upon which the appellant seeks to rely, should be treated with caution.
- 6.52 In summary, the appeal proposal would not respond positively to its surroundings or relate well to them. As such they would fail to respect the original Garden City principles and historic legacy as recommended by the National Design Guide. Furthermore, the intended sense of identity that would be created by the proposals fails to respect the typical building forms, composition, and articulation that is present in the older parts of Welwyn Garden City. The appeal proposal would not therefore result in the “... *creation of high quality, beautiful and sustainable buildings* ...” as required by paragraph 126 of the NPPF or satisfy paragraph 130 which requires proposals to be “...*sympathetic to local character and history* ...”.

Open Space and Healthy Living

- 6.53 Saved Policy OS3 in the District Plan requires that children’s play space and informal open space is provided on all new residential development sites exceeding 0.4ha. The report presented to the Development Management Committee indicates that some 0.3ha of public open space is to be provided across the appeal site however some of this space is to be provided on communal roof terraces and within an area that is intended to flood. Not all open space will therefore be useable or suitable for children’s play.
- 6.54 In accordance with standards applied by the Borough Council 0.4 – 0.5 ha of useable children’s play space and informal open space should be provided on site. The proposed development therefore fails to meet this requirement. The Peartree Ward within which the appeal site is located is one of the less advantaged Wards within the Borough and an assessment of open space provision conducted in 2009 identified the lack of equipped children’s play space to serve the needs of residents was a specific issue. The proposed development would accordingly compound this problem and add to the pre-existing deficiency.

- 6.55 The Pandemic has demonstrated the importance of accessible open space for recreation and the promotion of health and well-being is a central plank to public policy which is reflected in Development Plan policies. The under provision of children's play areas and informal open space also fails to reflect the provision of national planning policy and runs wholly counter to the original Garden City principles.

Housing Supply and Development Mix

- 6.56 It is acknowledged that the Borough Council does not have a readily available supply of housing sites that are capable of delivery to meet a high level of need for new homes, including affordable homes. This does not however override the requirements of planning law and the need for proposals to comply with adopted and emerging Development Plan policies in all other respects.
- 6.57 It is evident that the proposed development will not be policy compliant in several ways and significant deficiencies can be identified. The report presented to the Development Management Committee on 9 September 2021 highlights that the intended housing mix does not reflect the Borough Council's latest evidence on housing need and is heavily skewed towards the provision of one and two bedroomed flatted accommodation (91%) with limited provision being made for larger properties. This also brings into question whether the proposal would result in the development of a truly mixed and balanced community as advocated by national policy and reflect the original Garden City principles.
- 6.58 The Borough Council's Annual Monitoring Report¹⁵ observes in paragraph 5.11 that of the 421 dwellings completed during 2020/21, 76% consisted of flats. The Report further observes in paragraph 5.12 that housing delivery since 2016 has largely been made up of one and two bed properties with much lower levels of delivery being achieved for three and four bedroomed properties.
- 6.59 In addition to the above, the proposal fails to provide affordable housing in line with the requirements of saved Policy H7 in the District Plan and Policy SP9 in the submission draft Local Plan. This is a significant omission given the high level of unmet housing need that exists within the Borough.
- 6.60 The provision of 29 on a shared ownership basis does not address the need for social and affordable rented properties. The proposal therefore fails to comply with Policy H7 in the District Plan and Policy SP7 in the submission draft Local Plan and would not result in any significant public benefit. Whilst other social and physical infrastructure is proposed in association with the development, this is required to make the development acceptable in planning terms and should be given very limited weight.

Sustainable Transport

- 6.61 It is noted that the appellants are reliant on the development of other sites to secure a safe and convenient footpath and cycle link to the town centre and railway station. It is therefore questionable whether the proposal will allow for the ease of movement as required by Policy D5 in the District Plan and encourage sustainable transport choices as required by Policy SP4 in the submission draft Local Plan and national planning policy. In the circumstances there may not be a modal shift away from the use of private vehicles resulting in additional pressure on the limited parking spaces to be provided on site placing yet further pressure on the adjoining neighbourhood which is already known to be experiencing problems.

¹⁵ Annual Monitoring Report 2020/21 – Welwyn Hatfield Borough Council, February 2022

7.0 CONCLUSIONS

- 7.1 In conclusion, it has been demonstrated that the proposed development would conflict with legislative requirements and national planning policy on the conservation and enhancement of the historic environment which extend beyond the immediate locality and involve heritage assets of the highest significance. Furthermore, the appeal proposals raise significant architectural and urban design issues which would impact upon the character and distinctive sense of place that exists in Welwyn Garden City, conflicting with the provisions of saved and emerging Development Plan policies and national planning policy on design.
- 7.2 The NPPF makes it clear that when considering the impact of a proposal upon designated heritage assets great weight should be given to their conservation: the more important the asset the greater the weight should be. Contrary to the appellants claims in its Statement of Case the provision of additional dwellings to address a known shortfall on previously developed land does not automatically make the proposals acceptable. The proposals need to be acceptable in all other respects.
- 7.3 The Estate maintains, as set out in this statement, that there are considerable shortcomings. The appeal proposal is not of exceptional design quality it that it fails to the respond to the local context and Garden City principles. The proposed built form would not engender a sense of identity as expected by the National Design Code or significant public realm benefits; the proposed linkages to the town centre being reliant on the development of other sites. Some of the open space proposed is on roof terraces limiting accessibility to all and other planning benefits, such as high levels of energy efficiency and surface water management, are applicable to all development proposals. In short, the public benefits that the appellants claim flow from the proposed development are not sufficient to outweigh the harm that would be caused to designated heritage assets of the highest significance and the wider historic and local environment. Accordingly, the requirements of NPPF paragraph 202 are not met.
- 7.4 The Inspector is respectfully invited to concur the views of the Estate and dismiss the appeal.

Appendices

A Qualifications and Experience

Barker-Mills Conservation

1.0 Qualifications and Experience

- 1.1 I am Nigel Patrick Barker-Mills. I have a BA Honours Degree in History of Art and Architecture from the University of Reading. In 1985 I was awarded a PhD by Reading University for my thesis on “*The Architecture of the English Board of Ordnance 1660-1750*” which was completed under the supervision of Professor Kerry Downes and with the award of a State Studentship (one of approximately 20 given by Government in 1979 to support Arts and Humanities research). In 1978 I was awarded a Scholarship by the Courtauld Institute to attend an architectural Summer School in Venice with Professor Anthony Blunt.
- 1.2 In 1982 I was appointed a fieldworker for the Accelerated Resurvey of Buildings of Special Architectural or Historic Interest for Surrey. This was a national programme commissioned by the then Department of the Environment and subsequently managed by the newly established English Heritage. I resurveyed and prepared the lists for approximately 75% of the county between 1982 and 1986.
- 1.3 In 1987 I was appointed Historic Buildings Officer by Surrey County Council and was awarded a Postgraduate Diploma in Building Conservation from the Architectural Association in 1990. My dissertation was on education and training for specialist contractors working on historic buildings. I was elected Fellow of the Society of Antiquaries of London in 2014
- 1.3 As Historic Buildings Officer for Surrey County Council I was frequently involved in proposals for the designation and review of buildings and conservation areas and subsequently advising on development proposals affecting them. I advised on the repair and re-use of historic buildings ranging from redundant agricultural structures to complex historic assets like Wotton House, near Dorking, a listed building in a Grade II* Registered Landscape. I established and was subsequently

Chairman of the Conservation Officer's Group-Surrey (COGS) during which time we published advisory leaflets for owners and contractors on the repair and maintenance of historic buildings and published the Buildings at Risk Survey for the county. I also worked on the Surrey Heritage Strategy.

- 1.6 From 1984 -2000 I was a member and at times Secretary of the Buildings committee for the Surrey Archaeological Society and was elected an Honorary Member of the Surrey Arts and Crafts Movement. I was also a Trustee of the Grade 1 Listed Watts Chapel in Compton, Surrey involved in the successful repair of the roof and dome of the building and I also provided conservation advice to the Surrey Historic Buildings Trust Repair Grants Scheme
- 1.4 In 2001 I joined English Heritage as Historic Areas Advisor in the SE Region with responsibility for advising on new development and managing area grant schemes in Kent and East Sussex. In this role I advised on the production of the Tall Buildings Strategy for Brighton and Hove, advised on the initial development proposals for the King Alfred Centre by Frank Gehry and was involved in the regeneration of Gravesend Canal Basin. I also advised on the management of C20 heritage including the Cold War landscape at Upper Heyford which included scheduled monuments, listed buildings and is a designated conservation area. This included appearing as an expert witness at a planning inquiry on behalf of English Heritage. I also advised upon and assisted in the production of management guidelines for Milton Keynes Shopping centre, a Grade II listed building. I also worked with Kent Design Architecture Centre on Design Review.
- 1.5 In 2004 I was appointed Team Leader and Historic Areas Advisor for Berkshire, Buckinghamshire and Oxfordshire and was actively involved in advising on developments proposed by the University of Oxford including supporting the Zaha Hadid building at St Antony's College. I also commissioned and developed the "*Building in Context Toolkit*" a training programme for local planning authorities, which developed out of the joint EH/CABE publication issued in 2001. The toolkit

received a national Royal Town Planning Institute Award (RTPI) in 2008. I also piloted a Community based Conservation Area Appraisal Programme (CHIP's) with local authority partners and Heritage Consultants in Elmbridge Borough Council and a Strategic Conservation Area Management Project with Aylesbury Vale District Council.

- 1.6 In 2009 I joined the London Region of English Heritage as Head of Partnerships responsible for the Planning Policy team and the Greater London Archaeological Advisory Service (GLAAS) which includes maintenance of the Historic Environment Record for London. In 2012 I was appointed Planning and Conservation Director for London, leading a team of 40, including Inspectors of Historic Buildings and Areas, Inspectors of Ancient Monuments, Archaeological Advisers, Planning Advisers, Heritage at Risk Advisers and conservation accredited architects and surveyors.
- 1.7 I was invited to represent English Heritage (now Historic England) on the former London Mayor's Cultural Strategy Group and was a member of the New London Architecture Sounding Board. I also sat on the Gunnersbury 2026 Project Board until September 2016.
- 1.8. I retired from Historic England in September 2016 and established Barker-Mills Conservation – a specialist consultancy dealing with sustainable management of the historic environment. Clients have included Historic England in the SE and NW regions, Guildford Borough Council, Hart District Council, Greater London Council, The Corporation of the City of London, Southwark council and Waverley Borough Council. I am retained as heritage adviser for the Gascoyne Cecil Estate at Hartfield and have worked with a number of developers on proposals to adapt and extend historic buildings. In 2019 I was commissioned by Historic England to draft the replacement guidance on the conservation of the Georgian and Victorian Terraced House- published in July 2020

- 1.9 I am a founder member of the Institute of Historic Building Conservation (IHBC) and have served on its Council as chairman of the SE Branch. I was Editor and Chairman of the Editorial Board for *Context*, which is the journal of the institute, from 2000-2006.
- 1.10 I have contributed to publications on eighteenth century English Architecture, Arts and Crafts Houses and Gardens in and around Guildford and on the EH publication on Margate; part of the “Informed Conservation” series. I am a registered lecturer for the University of Surrey: Department of Continuing Education specialising in Building Conservation and Architectural History and have regularly lectured for national and local amenity groups.
- 1.11 In 2014 I was elected a Fellow of the society of Antiquaries of London and in 2017 I was appointed Chairman of the Heritage Advisory Group for the Canals and Rivers Trust.
- 1.12 In 2020 I was appointed Chairman of the Cultural Heritage Advisory Group of the Canals and Rivers Trust. I am currently advising the Ss Great Britain Trust on regeneration projects in Bristol.

B Extracts from Heritage Addendum by Bidwells

1.0 Introduction

- 1.1 This Heritage, Townscape and Visual Impact Addendum has been prepared by Bidwells on behalf of HG Group to provide additional assessment of the potential impacts of the proposed Broadwater Gardens upon the significance of two listed buildings and a Registered Park and Garden.
- 1.2 Further clarity was requested by the local authority and Historic England in order to determine the impact to long range views from Hatfield House and Hatfield Park and Garden, both Grade I listed as well as an additional winter view taking in the Former Roche Office Building on Broadwater Road, Grade II listed. The following view points were agreed with Historic England, and a site visit undertaken on the 16th of February. As such the views are representative of a winter context, with the minimal expected screening from surrounding vegetation.
- 1.3 This Addendum should be read with the full Heritage, Townscape and Visual Impact Assessment (HTVIA) which provides a complete assessment of the significance of the assets identified above, as well as the existing contribution of the site.

View from Hatfield House Roof



Figure 1. View from Hatfield House Roof, Existing massing within the site shown in blue, proposed shown in red. Inset: Position of view point in relation to the site, indicated by the red arrow and yellow transparency respectively.

- 1.4 The site is located over 4km from the house, and is just perceptible below the horizon line when viewed from the roof of the building. The distance to the site is such that the quality of the buildings within the site are not appreciable and only partially visible, filtered by vegetation as well as the undulating quality of the land. However the use of light coloured and reflective cladding to the existing structures within the site, as well as the large areas of glazing enable to location of the site to be identified. Similarly the Shredded Wheat Factory is also visible to the right of the Site for this reason. The view takes in the surrounding townscape of Welwyn Garden City as well as Hatfield to the west and will include the extent of the consented redevelopment surrounding the Shredded Wheat Factory.
- 1.5 These areas of development are visible at a distance beyond the expansive park which surrounds the house. The quality of these views are therefore predominately characterised by that of the formal gardens and woodland, including a lengthy avenue beyond which later twentieth century development at Welwyn Garden City is apparent at an extreme distance.

- 1.6 The wireline shows the proposed development to appear lower than the existing structure. Whilst the proposals include an increase in the horizontal mass, the proposed material pallet which comprises a mixture of brick and render ensures the overall volume of the scheme will appear broken up, consequently less intrusive in this distant view. It is also noted that just as with the existing structure a large portion of the development will be screen by vegetation as demonstrated within this viewpoint. Therefore due to the considerable distance from the house to the site, the site's development centuries after the enclosure of the parkland and the location of the site within a wider band of visible twentieth century development far beyond the historic boundaries of the surrounding parkland associated with Hatfield Estate, the current contribution of the site to the setting and significance of the listed building is thought to be **negligible**, and this contribution will remain unchanged in view of the proposed development resulting in an overall **neutral** impact as perceived in this view.
- 1.7 It should be noted that the site is not visible from the House at ground level and this view point represents an elevated view not accessible by the public.

View from Hatfield House First Floor



Figure 2. View from the first floor towards the Site. The site as existing is indicated by the blue line and the site as proposed is shown in red. Inset: location of the viewpoint indicated by the red arrow and the Site highlighted by the yellow transparency.

- 1.8 This viewpoint is taken from the first floor of the house, overlooking the avenue that extends to the north beyond the house. The overall quality of the view is of the formal parkscape that surrounds the house, with an overall rural character. The site is only partially visible, seen below the horizon line and perceived in glimpsed views, screened by the tree line which surrounds the avenue that extends from the north of the house. The proposals similarly will only be partially visible, also screened by the surrounding vegetation and perceived below the horizon line. While the massing of the proposals increases in terms of width, as above, the use of a mixed material pallet will break up silhouette of the new structure. This is considered to improve the present stark appearance of the Site which is easily identifiable due to the light colour of the existing exterior walls and rectangular solid massing. It is also acknowledged that as with the existing view, the site itself is largely screened from view. As such, the proposals are considered to have a **neutral** impact upon the significance and setting of Hatfield House and Park and Garden, unchanging the present **negligible** contribution as perceived in this view.



Figure 3. View from the southern approach within Hatfield House Park and Garden, looking towards the site over the house from a slight incline. The blue line indicates the existing building while the red line shows the proposed. Inset: viewpoint indicated by the red arrow while the site is highlighted in yellow.

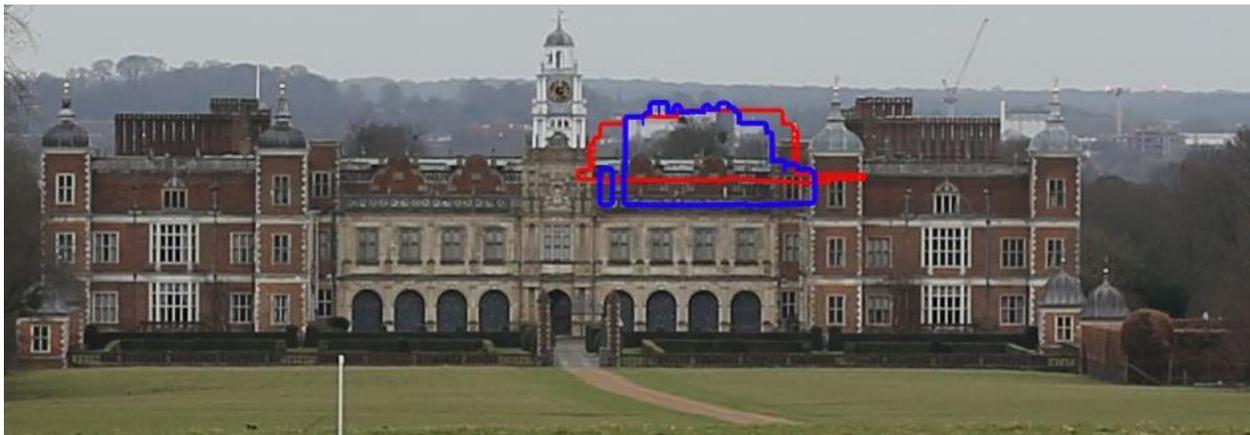


Figure 4. Magnified view of Hatfield House from the Southern Approach, with the existing massing of the site shown in Blue and Proposals shown in red.

1.9 This view takes in the open lawn located either side of the southern approach within the Park, which reflects the historic entrance way towards the main house. The quality of the view is primarily open, with a tree line framing the main house, seen centrally terminating views north along a gravelled lane. The viewpoint is positioned on a slight incline so that the wider built extent of Welwyn Garden City can be seen above the parapet line of the house in the distance. These views disappear as the house is approached and the land falls gently down. The current view includes the buildings within the Site as well as the Shredded Wheat buildings seen to the right, as well as the town centre of Welwyn Garden City. As such the existing buildings within the site are just about perceptible, seen above the parapet of Hatfield House within the wider context of Welwyn Garden City, perceived at a distance and partially obscured by the tree line beyond the house. For the purposes of clarity an expanded view has been included at Figure 4, but it should be noted that as the house is approached views of the site disappear due to the fall in the land, Figure 3 is therefore representative of the visual impact of the proposals and the assessment should be understood in this context.

1.10 As with the view points above, the building's within the site are currently identifiable by virtue of the light colour of the exterior walls. The proposals appear comparatively lower in the skyline, partially hidden behind the parapet line of the house. While there is a change in the overall

C Extracts from Heritage and Townscape Visual Impact Assessment





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pink highlight





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[Pink highlighted building]

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