

**Report of Public Participation
on
Hatfield Broad Oak Conservation Area
Appraisal and Draft Management Plan
11 February – 24 March 2013**

**Report One
Comments made at the Public
Exhibition
and during the consultation period**



March 2013

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Introduction

This report outlines the responses received from the public exhibition held at Hatfield Broad Oak Village Hall on Saturday 2 March 10am to 12.30pm and all responses received during the consultation period 11 February to 24 March 2013.

The Government encourages councils to undertake appraisals of Conservation Areas and as part of an ongoing programme an appraisal of the Hatfield Broad Oak Conservation Area was carried out in 2012. Anyone with an interest in Hatfield Broad Oak was invited to respond to the consultation on the draft Appraisal which was available on line at <http://www.uttlesford.gov.uk/hbocaa> or, from 11 February paper copies could be inspected at the Council Offices in Saffron Walden, Great Dunmow CIC and library, the mobile library, Hatfield Broad Oak Parish Council chairman or from the Hatfield Broad Oak Parish Clerk.

Consultees were invited to visit one of the above venues or to go to the council's website where an online interactive version of the appraisal document was available via the Objective consultation portal. Respondents were able to read the document and send in responses as to whether all the measures should be included or just a selection of them. For those who could not access the website, anyone could send comments to the Project Officer at the Council Offices, London Road, Saffron Walden, CB11 4ER by email, letter or fax.

There was also a chance to see details of all the proposed changes, to discuss them with council officers and to make comments at a public exhibition which was held at Hatfield Broad Oak Village Hall on Saturday 2 November 10am to 12.30pm.

Following the consultation the District Council will take into account all comments and approve an amended document that will be an important material consideration when processing applications.

Summary of findings of the Hatfield Broad Oak Conservation Area Appraisal

Hatfield Broad Oak is a village of importance in historical, visual and archaeological terms. The church is still very visually at the heart of the village, with views of it on

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both east and west approaches to the centre as well as between buildings on the High Street. The landscape is essential to the setting of the buildings both in terms of the large mature trees in the churchyard and the open ground south of the High Street. The High Street is elevated in its importance as the principal street by the addition of brick fronts to many buildings which provide a contrast to the plastered frontages remaining elsewhere. Garden walls and hedges throughout the Conservation Area contribute to the enclosure of frontages between buildings while gateways provide glimpses of greenery beyond.

In Cage End the more rural character is enhanced by the grass verges and width of the street. The Grade II* Town Farmhouse remains associated with the adjacent timber barns retaining the grouping of buildings within the landscape which contributes to the rural character. Landscaping in the form of grass verges, trees and large front gardens has been critical in minimising the impact of new housing at the south of Cage End on the views from the village centre.

A number of quality non-listed buildings have been identified as worthy of protection, most notably Clarob and Laburnum Cottages, Woodhurst on Feathers Hill and the butchers shop at Cage End.

This Appraisal, as consulted on, proposed that the following areas be included within the Conservation Area:

- (a) The car park in front of the Vicarage and the Vicarage site.
- (b) The lower end of Cage End. This area is very important in views from the village centre and for the continuation of the trees and green verges which are part of the character of the Cage End.
- (c) Extend the boundary further east end along the High Street beyond Bury House.
- (d) The open space enclosed by the rear of properties on the south side of the High Street, the east side of Cage End and the north side of Cage End Close and Medlars Mead.
- (e) Consideration should be given to the preservation of the character of the Broad Street Green and the setting of listed buildings around it by possibly designating a separate Conservation Area. This may be the subject of a separate study.

Publicity

Publicity was carried out to advise all possible respondents of the publication of the Appraisal, the duration of the consultation period, ways of making a response and the details of the public exhibition held in the village.

Parish Council - Hatfield Broad Oak Parish Council were notified of the council's intention to appraise the Conservation Area and were supplied with advance notification of the consultation and with a pre-publication copy of the Appraisal report to which they were invited to make an initial response.

Posters were distributed around the village and copies were sent to the Parish Council.

Information letters were delivered to all properties within the Conservation Area and in any other areas affected by any amendments. A copy is included in Appendix 1.

Website – a dedicated page on a marketing url <http://www.uttlesford.gov.uk/hbocaa> was created on the council's website from which links were supplied to enable access to pdf and online interactive versions (via the council's Objective consultation

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portal) of the Appraisal. Summary information on the report was given on the page and links to pdf and Word versions of the comments form.

Direct Mailing - key consultees on the Council's database (Objective) were emailed advising them of the new consultation event.

Public exhibition – a public exhibition was held at Hatfield Broad Oak Village Hall on Saturday 2 March 10am to 12.30pm.

Press release – a 500 word article was submitted to the parish magazine prior to the publication of the appraisal on 11 February. A press release was issued on 19 February to remind residents of the consultation and the forthcoming public exhibition. This was subsequently published in local newspapers. It was also available on the council's website and via its Twitter and Facebook pages.

Copies of the Appraisal - The Appraisal document was available online, as noted above, and paper copies could be inspected at the Council Offices in Saffron Walden, Great Dunmow CIC and library, the mobile library, Hatfield Broad Oak Parish Council chairman or from the Hatfield Broad Oak Parish Clerk.

Results of the consultation on the Hatfield Broad Oak Conservation Area Appraisal

A public exhibition was held at Hatfield Broad Oak Village Hall on Saturday 2 March 10am to 12.30pm and was attended by 31 people. The exhibition was attended by the Council's Conservation Area Appraisals Project Officer and two officers from Essex County Council Place Services who had been commissioned to carry out the fieldwork and produce the report. All three officers were on hand to answer enquiries. Maps, plans, a slideshow of images of important local buildings and copies of the Appraisal were available as were paper copies of the response forms.

The consultation period ran for six weeks between 11 February and 24 March 2013 and all responses received during this period are detailed below:

Hatfield Broad Oak Parish Council

The Council was satisfied with the report and its recommendations and had no further comment to make.

Comments received from Cllr Keith Artus:

... just one comment on the 'unsightly' deer fencing adjacent to the scheduled ancient monument in our new village green, it was a requirement of English Heritage, not us.

Question: Is there any reason why the conservation area should not extend to the High Street frontage of our new village green (i.e. the area discussed above)?

Natural England

[See following page]

Date: 07 March 2013
Our ref: 77990 Hatfield Oak CAA



Mr Bruce Tice,
Uttlesford District Council,
Council Offices,
London Road,
Saffron Walden,
Essex,
CB11 4ER
By email only: btice@uttlesford.gov.uk

Consultation Service
Hornbeam House
Electra Way
Crewe Business Park
Crewe
CW1 6GJ
T: 0300 060 3900

Dear Mr Tice,

Re: Hatfield Broad Oak Conservation Area Appraisal

Thank you for your consultation on the above, which was received by Natural England on the 11 February 2013.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

The consultation which we have been offered the opportunity to comment on is of a low risk/priority for Natural England and so we will not be offering representations at this time. The lack of further comment from Natural England should not be interpreted as a statement that there are no impacts on the natural environment. Other bodies and individuals may be able to make comments that will help the Local Planning Authority (LPA) to fully take account of the environmental value of areas affected by this plan in the decision making process.

For any correspondence or queries relating to this consultation only, please contact Jamie Melvin using the details given below. For all other correspondence, including in relation to forward planning consultations, please contact the address above or email consultations@naturalengland.org.uk.

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely,

Mr Jamie Robert Melvin
Land Use Operations Team
Tel: 0300 060 4935
Email: jamie.melvin@naturalengland.org.uk
Address: Block B, Government Buildings, Whittington Road, Worcester, WR5 2LQ

A Hatfield Broad Oak resident

Re: Hatfield Broad Oak Conservation Appraisal - Cage End.

Further to my e-mails to you dated 4th and 6th February 2013 in respect of the above I would like to make a short submission to you in respect of my concerns relating to the daily heavy traffic and its effect on Cage End, Hatfield Broad Oak.

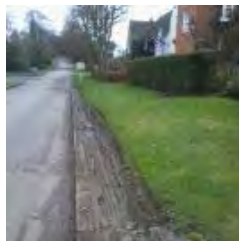
As previously mentioned Cage End is a busy road with normal car and commercial vehicle traffic, but heavy traffic daily using Cage End has increased over the years due mainly to deliveries etc., to the Sausage Factory behind the Village Hall.

The majority of these are articulated lorries (generally about 40ft long), from here and abroad, can barely squeeze down Cage End and at times will drive up on to the grass verges to get down to the Factory. Similar to the photographs I attached to my e-mail sent to you of the damage in Cage End which happened during the 5th/6th February 2013.

These deliveries normally start from 7.00.a.m. but have been known to be earlier. Also on two occasions last week two articulated lorries were unable to get access to Cage End from the High Street as they were unable to turn around the island due to parked cars. However, they have been known to drive the wrong side of the island to get into Cage End.

Due to the size and weight of these lorries the road on the right hand side of Cage End (coming down from the High Street) in subsiding again and breaking up. There is also the noise and vibration caused by this traffic on a daily basis to be taken into consideration, given particularly the age of most of the properties in Cage End – most have no footings, which is a further concern.

As far as I have been able to find out there is no weight restriction in place – but would have thought there must be alternatives to this situation. As previously mentioned I find all of the above at odds with the Council's letter regarding Hatfield Broad Oak's rural character, historical, visual and archaeological importance and the phrase "Conservation Area".



A Hatfield Broad Oak resident

I am writing with concern to the heavy traffic down our narrow road with the articulated lorries going to the sausage factory. The damage they are doing to the grass verges is so unsightly they are spoiling the look of our beautiful village. As this is a conservation area perhaps there is something that could be done.

A Hatfield Broad Oak resident

Comment here on the character analysis of Area 1 - High Street:

Adding demarcation to the triangular area with 'nose in' parking would alleviate parking problems and improve the vista.

Running cables underground, removing telegraph poles and satellite dishes would also help

Comment here on the character analysis of Area 2 - Church of St. Mary the Virgin:

Preventing large buildings on the horizon of this site is essential.

Comment here on the revised Conservation Area boundary:

There are many listed buildings in Broad Street, Broad Street Green and Cannons Lane that should be considered as an additional Conservation area

Any other comments:

Extend tone Cage end area to include the village hall

A Hatfield Broad Oak resident

Comment here on the buildings that make an important architectural or historical contribution to the conservation area:

Please look at Broad Street as there are some important buildings there

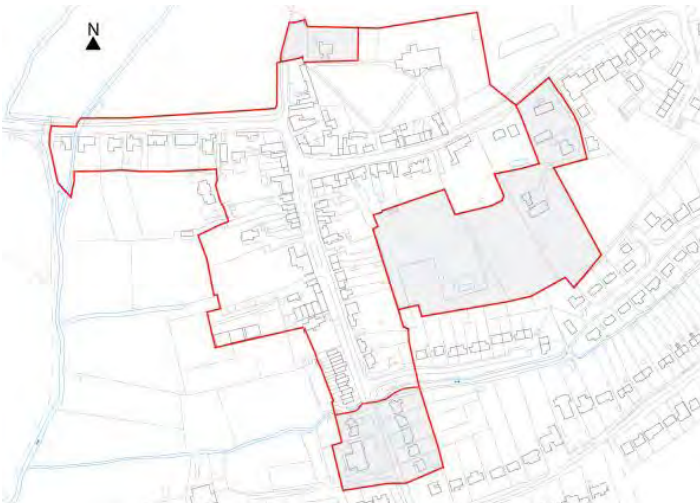
Phase 2 Planning and Development Limited on behalf of Mr P Crook in relation to his land at Great Chalks Hatfield Broad Oak

[See following pages]

Uttlesford District Council

Public Participation on the Hatfield Broad Oak Conservation Area Appraisal and Draft Management Proposals, March 2012

Response on Behalf of Mr P Crook



Our Ref: C12017

March 2012



200 Avenue West, Skyline 120, Great Notley, Braintree, Essex CM77 7AA

01376 332560

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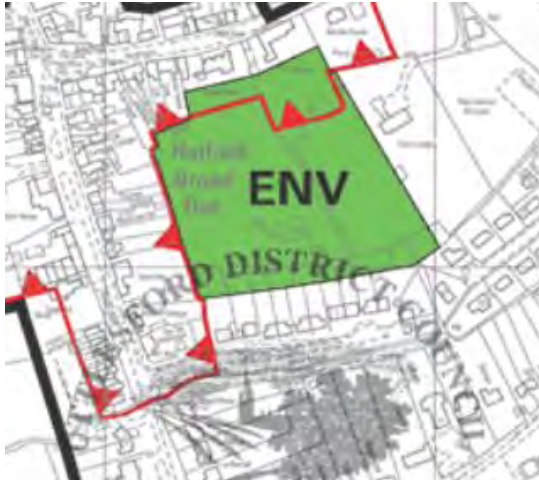
Appendix A – Site Plan

Appendix B – Extracts from SHLAA

Appendix C – Photographs of Site from Public Views

1.0 Introduction

- 1.1 The following response to the Hatfield Broad Oak draft Conservation Area Appraisal is made on behalf of Mr P Crook in relation to his land at Great Chalks in Hatfield Broad Oak, identified on the attached plan. The site is included within the defined village boundary within the existing 2005 Local Plan. The northern part of the site close to the house is currently located within the village conservation area. Additionally, the majority of the garden and paddock is defined as a protected open space. An extract from the Local Plan proposals map is shown below:



- 1.2 During the drafting of the 2005 Local Plan, our client made representations against the definition of the site as open space, and also offered for the important trees to be the subject of individual Preservation Orders, rather than the group Order currently in place. These representations were not taken forward by the Council.
- 1.3 Our initial point in response to the re-appraisal of the Hatfield Broad Oak Conservation Area (HBOCA), is that there is no context to explain when the conservation area was first established, how it was appraised, or why the areas of land now proposed to be included were excluded when the HBOCA was first defined, particularly given that the character of the areas now proposed to be included has not changed.

Background

- 1.4 In July 2012, our client made a representation to the Role of Settlements and Site Allocations Development Plan consultation. In the representation, the following points were made.

Policy HE5 - Traditional Open Spaces and Trees states that development proposals which would result in the partial, cumulative or total loss of traditional open spaces including village greens or commons and other visually important spaces, groups of trees and fine individual tree specimens will only be permitted where the need for the development outweighs their amenity value.

Proposed Para 38.20 states that where the principle of development is acceptable it should avoid taking away features that are prominent elements and enhance the local environment, such as for example, healthy mature trees.

The site is entirely enclosed without any public access, and in our view it is odd to include an area of garden land that is totally private unless it can be seen from outside, which in this case only applies to the mature trees, which are subject in any case to a group Tree Preservation Order.

As part of the background studies for the review of the Local Plan, in 2009 the Council produced a Strategic Housing Land Availability Assessment which looked at all sites potentially available for housing, and scored them against a number of key criteria. With regard to the subject site, this was defined as HBO1, and the Council concluded that:

“although the site is within the development limits in the adopted local plan it is identified as a protected open space of environmental value and on balance the group felt that this designation should be taken into account in assessing the site’s suitability” and they went on to propose that the site be included ***“but identify constraints of important open space and TPO”***. They proposed a capacity of 27 dwellings, and that there were no access constraints.

- 1.5 The response by the Council to the above appears to be the extension of the HBOCA, which for the reasons set out in the following is unjustified, not necessary, and unsubstantiated in planning terms.

2 Policy Context

- 2.1 Paragraph 1.8 of the consultation document rightly identifies the legislative basis for designating a Conservation Area is as set out in Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which states that Local Authorities shall from time to time designate Conservation Areas, which are defined as being 'areas of special architectural or historic interest, the character or appearance of which it is desirable to conserve and enhance'.

- 2.2 Para 1.16 goes on to state that in relation to the historic environment the new National Planning Policy Framework advises that there should be a positive strategy in the Local Plan for the conservation of the historic environment and up-to-date evidence used to assess the significance of heritage assets and the contribution they make, and that local Planning Authorities should look for opportunities for new development within Conservation Areas to enhance or better reveal their significance and proposals that preserve such elements should be approved.

- 2.3 Unfortunately the consultation omits para 127 of the NPPF which states that:

"When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest."

- 2.4 This is a key criteria which will be addressed below.

3 The Response

3.1 Although our response is specifically made in relation to the inclusion of our client's land within Area 4 – Cage End, there are various part of the document that we would respond to, and will refer to relevant paragraph numbers from the consultation document as follows.

3.2 Para 1.25 sets out that the parish is one of the largest in Essex, stretching over 36 km and that under the suggested settlement hierarchy, proposed in the consultation document Role of Settlements and Site Allocations Development Plan Document (Uttlesford District Council, January 2012), Hatfield Broad Oak, together with several other villages of similar size, was placed within a group 'Rural Settlements - Type A' defined as a 'village with primary school with some local services suitable for a scale of development that would reinforce role as a local service centre'. It sets in paras 1.26 that there is local employment at Broad Oak Sausage factory, at Cammas Hall Farm and CPL Aromas at Barrington Hall. Para 1.35 sets out that the centre of the village provides some local amenities which include the Cock Inn public house, a post office/general store, a butcher's, an estate agent and a computer consultancy. There is also a primary school in the village.

3.3 Given the status of the village as a local service centre with a good range of facilities, it is therefore surprising that the consultation document offers the following views:

- In para 1.25 it states that at the time of the 2001 census the parish had a population of 1,600 and this number is not expected to change significantly over the next 15 years.
- Para 1.17 states that many areas are protected by separate designations (such as the open ground at the rear of the High Street and Cage End which is Protected Open Space of Environmental Value in the Local Plan) or by being within the curtilage of listed buildings but it is considered that development on any of the above open spaces would be entirely inappropriate.

- Para 1.23 states that there appear to be few opportunities for new building with remaining land largely considered inappropriate for development.

3.4 It is simply not the place of a Conservation Area Appraisal which assess whether land and buildings that should be included within a conservation area, to then prejudge whether further development would be appropriate without an assessment of the proposals against the proper planning test of whether the proposals 'preserve or enhance' in accordance with established planning law. It suggests a political rather than planning motive for the extension of the HBOCA.

3.5 In addition, as set out above, the emerging designation for the site is as a 'traditional open space' which is the subject of an extant representation. Further, the Council's own SHLAA identifies the land as being potentially suitable for development that would retain the features that contribute to its' character ie the trees. Although the version published on the Council's website has subsequently and inexplicably been amended, a copy of the original assessment is attached with this response in the interests of clarity. It is therefore entirely inconsistent and lacking in credibility for the Council to identify the land as having potential, only to then claim that it doesn't.

3.6 Para 1.32 sets out the important characteristics within the Conservation Area are the variety and quality of the listed buildings, the green verges of Cage End with their row of pollarded trees, the widening of the High Street at the junction with Cage End and the open churchyard fronting the High Street with its many large trees. It goes onto suggest that there is little backland development and therefore open spaces exist at the rear of buildings in the centre of the village, particularly south of the High Street and east of Cage End. We would challenge the suggestion that there is little backland development, as there is development in depth on the southern side of Feathers Hill, to the west of Town Farm, Cage End Close, the school of the High Street, and the large property to the east of our client's land. Indeed, many paras eg 1.156 refer to buildings within the curtilages of existing frontage buildings.

- 3.7 Paragraphs 1.67 to 1.83 deal with a Character Analysis as a basis for the appraisal and sets a number of parameters used for the analysis and the evaluation of the buildings and spaces. These include:

Important trees (Para 1.72) This states that the basic criteria for identifying such trees are (a) trees must be in good condition; (b) they are visible, at least in part, or as part of a group, from public viewpoints and (c) individual specimens selected should make a significantly dominant contribution to the street scene.

- 3.8 Whilst we do not disagree with this assertion, it states that the positions marked on the maps are indicative, and should be noted that no trees are marked on the area to be included within the extended conservation area.

Important open spaces of landscape quality or of historic importance that contribute to the visual importance and add to the variety of the street scene or the conservation area generally (para 1.73).

It stresses that the entirety of the open space does not have to be visible from public view points.

Key views (para 1.75). The analysis of the area includes the street scenes and the finest views of landmark features, buildings and countryside (our underlining). It states that any development proposals that would significantly alter these important views would not be appropriate.

- 3.9 Para 1.77 goes onto refer to proposed revisions to the conservation area, and defines a number of areas that are proposed for inclusion that contain buildings or landscapes of quality that are "now considered to positively add to the quality of the conservation area".

- 3.10 With regard to Great Chalks, this is at various times referred to as Great Chalks, The Chalks, or Chalkes, highlighting a lack of research. In para 1.83 it states that Great Chalks is set slightly back from the road with a shallow depth front garden enclosed by railings and a hedge whilst Bury House is closer to the road behind a small hard landscaped area enclosed by posts and chains. Both properties have gateways opening into private courtyards. Private garden areas are separated from the road by attractive old brick walls.
- 3.11 Para 1.113 then goes onto to assess the property further. It states that on the south side of the High Street Great Chalks between Brick Cottage and the Coach House is a large three storey house with a separate stable block and was built as a rectory between 1837 and 1841. The house, in red brick, is taller than other buildings, having a second floor attic and a symmetrical frontage with three gabled projections, each of three storeys. Tall thin casement windows accentuate the height and these have brick hood mouldings over them. There is a double entrance door located centrally. The stable block has a brick front with a gabled parapet to the street and white weatherboarding on the long elevation. The detached house and garden walls contribute to the visual richness of the High Street.
- 3.12 In both these assessments, which presumably formed part of the original appraisal, no mention is made of the trees or land to the rear of Great Chalks.
- 3.13 However, much later on there is an assessment of important trees and open spaces. Paras 1.114, 115 and 116 refer to three areas, as follows:
- The tall protected trees in the churchyard are of major importance both within the open views of the churchyard and as a backdrop behind the buildings.
 - The tops of trees in the open ground south of the High Street can be seen across the courtyards and outbuildings of Great Chalks and Bury House.

- The hedges and tree in the garden of the set back houses are of great importance in the street scene as is the tree in the garden of Great Chalks and the hedges in front of the house.

3.14 Again, only one specific tree is mentioned, and only the tops of the trees on the area to the rear of Great Chalks. This is shown clearly in picture 1.36.

3.15 Para 1.122 goes onto assess those views that make important contributions to the attractiveness of the Conservation Area:

“When standing in the centre of the village there are important views to the south down Cage End to the trees in the distance, and along the High Street towards the east. To the north a roadside tree and an open aspect can be seen at the top of Feathers Hill framed by the buildings.

When walking east along the High Street views into the churchyard, there are glimpses of the church and the foliage of trees, seen along the footpath and across the garden of the Almshouses and between buildings and across the garden of Church Cottage. The view along the footpath in front of Oak House and Church Cottage frames the entrance door to the Church.

Beyond Oak Cottage and Bury House where the churchyard is adjacent to the road there are open views through the trees to the Church building and the parkland beyond.

When travelling along the High Street from the east, the view is terminated by the attractive listed façades of Rundle House, the County library and the shop front of Aural and Visual Services.”

3.16 Again, there is no mention of the land to the rear of Great Chalks.

- 3.17 A number of paras mention gaps in the frontage along Cage End where views towards the land to the rear can be seen eg para 1.162 states that the street frontage at Fuschia Cottage is not continuous and the gaps between the houses reveal the gabled flanks and a green backdrop of gardens and large trees in ‘the open ground to the rear’, whilst para 1.176 states that a single garage and driveway adjacent to Sparrows allows views of the trees on land to the rear.
- 3.18 However, picture 1.41 shows only limited gaps and the tops of trees. Picture 1.42 shows probably the widest gap between South Cottage and Fuchsia Cottages, but again shows the tops of trees and not any sense of openness within the site, despite clearly being taken in the winter. 1.183 and 1.184 make mention of the trees in gaps providing intimate interest, but without a detailed assessment of their contribution, or indeed any contribution made by the suggested openness of the land. Para 1.193 only hints at gateways provide glimpses of greenery beyond between the general character of enclosed frontages between buildings aided by garden walls and hedges, although para 1.191 does talk about an important characteristic being the *“sudden transitions from the enclosure of continuous built frontages to the open views of the countryside”*. There is no doubt that this does not refer to the land to the rear of Great Chalks.
- 3.19 Within this context, Part 2 then introduces the Revised Conservation Area Boundary, defining it as:

“the open space enclosed by the rear of properties on the south side of the High Street, the east side of Cage End and the north side of Cage End Close and Medlars Mead. There does not appear to be direct access into this area although there is an access into the school field further to the east from Medlars Mead. The views of the trees and other vegetation both from the entrance to Bury House and the Coach House and between the houses in Cage End are essential to preserving the rural character of the village. The open space also defines the plan form of the village centre and helps to preserve the scale and density of it and therefore this area should be included in the Conservation Area.”

- 3.20 A number of points are important. Firstly, there is no access to this land despite the writer of the appraisal not being entirely sure. It forms part of the garden and a private paddock to Great Chalks. Secondly, there is no view into this land from the school field to the east due to high vegetation on the boundary and the curtilage of a large dwelling in between, which is not included within the revised HBOCA boundary.
- 3.21 Para 1.16 defines spaces outside the Conservation Area which affect its setting, and despite scant reference in previous sections defining the character of the village, includes *“open ground with large trees bounded by the rear gardens of houses in the High Street, Cage End and Cage End Close.”*
- 3.22 It should be noted that within the appraisal there are only a limited number of photographs that help reinforce points made in the appraisal, and at the very least it would be expected to see a visual appraisal which clearly shows why certain areas are included within the HBOCA as revised. This is a clear weakness, as are many of the suggested points such as the suggestion that the land to the rear of Great Chalks is in any way *“open ground”*. Attached as appendix C are a number of photographs taken firstly within the site, the from the eastern part of the High Street, walking down Cage End then into Cage End Close. In none of these photographs can the site be defined as *“open ground”*, with only the upper parts of the trees being seen.
- 3.23 We have no quibble that the appearance of the trees are important, and indeed our client has suggested on more than one occasion that they could be specifically preserved rather than as a group, which would provide more certainty, and indeed would be a more robust way of preserving the trees than by arbitrarily extending the HBOCA by unfounded claims that it has an ‘open character’.
- 3.24 Indeed, para 1.19 suggests that many of the trees are protected by tree preservation orders and the general position of these are shown on figures 3-6, and that there would appear to be scope for a study to identify particular trees within the A1 C1/76 area covering The Chalks (*sic*) and land to the rear. It acknowledges that the tree in the front garden of the Chalkes (*again sic*) is particularly significant to the streetscape.

4 Summary

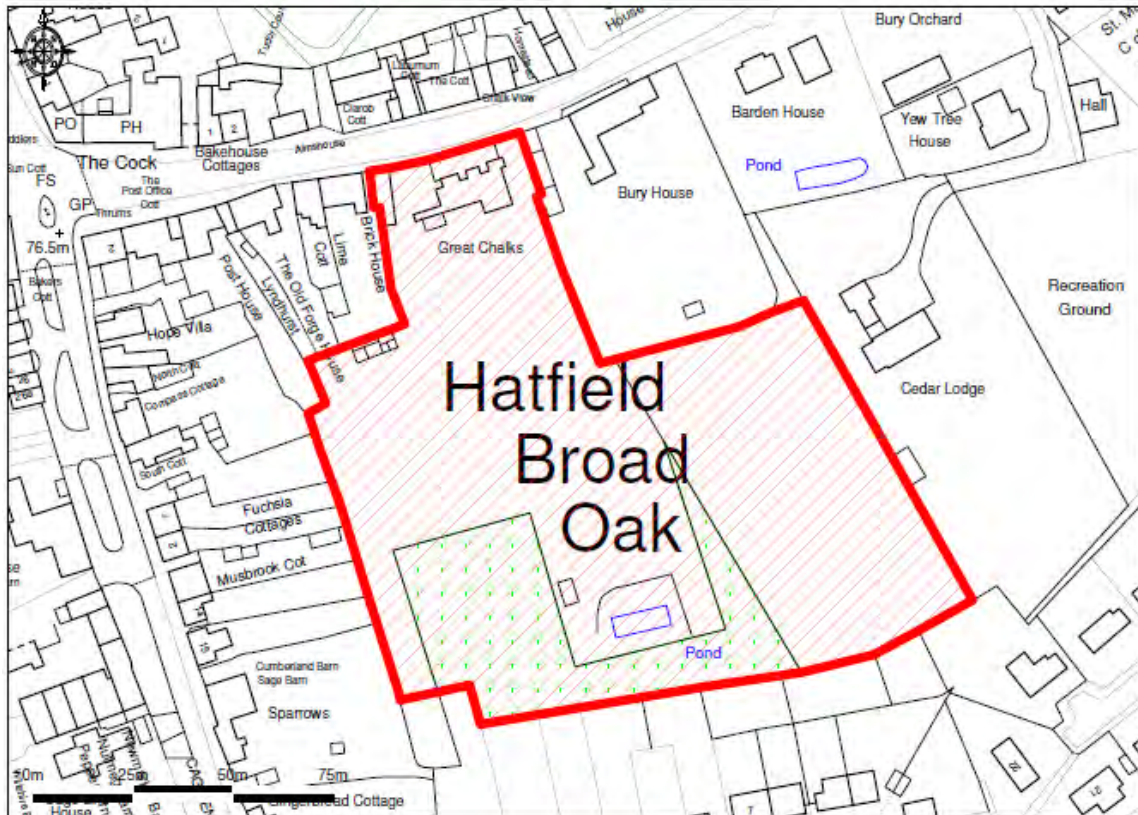
4.1 In summary, the following response is made to the consultation:

- The starting point is the NPPF and the advice that when considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.
- There is no context to explain when the conservation area was first established, how it was appraised, or why the areas of land now proposed to be included were excluded when the HBOCA was first defined, particularly given that the character of the areas now proposed to be included has not changed.
- It states that trees that make a “significantly dominant contribution to the street scene” should be included, then goes on to define closed frontage development with limited gaps and ‘glimpses’ of trees. It is clearly not sufficient to include the land based on this criteria.
- The appraisal stresses that the entirety of defined open space does not have to be visible from public view points. It is clear that there is no sense of openness from the newly included land, and that none of it makes a contribution based on this criteria.
- The analysis of the area within the appraisal includes the street scenes and the “finest views” of landmark features, buildings and countryside. Again, based on the conclusions of the appraisal, the land does not contribute as a ‘finest view’.
- It is not the place of a Conservation Area Appraisal which assess whether land and buildings that should be included within a conservation area, to then prejudge whether further development would be appropriate without an assessment of the proposals against the proper planning test of whether the proposals ‘preserve or enhance’ in accordance with established planning law, which the appraisal seeks to achieve.

- It is a long-standing planning tenet that planning should not duplicate legislation, and if it is the trees that should be retained, then these can more appropriately be secured by preservation orders, which our client is willing to co-operate with.

- 4.2 The NPPF and Act make clear that appraisals must use up-to-date evidence to assess the significance of heritage assets and the contribution they make. In the case of the consultation document, the appraisal contains many errors, contradictions, and confused assessment criteria. It seeks to include an area of land without specific justification of a clear and positive contribution it has to the HBOCA, why it was not included or even referred to in the previous appraisal, or indeed why this private area of land with very few public views into it makes such a positive contribution. The site is not a 'traditional' open space, does not comprise a countryside view, 'open ground', or a 'finest view'. The appraisal acknowledges only limited glimpses of the land, and the photos appended show only the upper parts of the trees as contributing to the character.
- 4.3 The appraisal and the justification for the extension of the HBOCA is therefore fundamentally flawed, and should be radically rewritten to exclude the land to the rear of Great Chalks.

Appendix 1
Site Plan



Appendix B
Extracts from SHLAA

[attached separately]

Appendix C
Photographs of Site from Public Views

[attached separately]

HBO1

HBO1	Land at rear of Great Chalks, High Street, Hatfield Broad Oak
Surrounding Land uses	North Residential East - residential South - residential West – residential
Current use	Residential garden (Orchard, Paddock, & Lawns)
Status	Promoted through Draft Deposit Local Plan 2001
GR Centre point	547 164
Developable Site Area (Total site area)	1 ha (1.4)



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Potential uses	
Is site suitable for mixture of housing and another use(s) eg housing and employment or retail	No (large detached dwellings and/or bungalows and a sheltered scheme)
Would site be solely for affordable housing provided through a social landlord?	No
Potential Yield based on SHLAA methodology	27-45
Owners/agents estimate of yield	10 and 35/40 unit private sheltered housing

Availability	
Sole owner/ Multiple owners	Sole owner
Ownership issues/ransom strip	None
Legal issues/ covenants	None
Tenancies/operational requirements	None

HBO1

Is there an intention to sell or develop?	Yes
Is site immediately available?	Yes

Achievability	
Marketability – attractiveness of locality; potential market demand	Good
Are there any constraints which need to be overcome which may prejudice availability?	Loss of Undeveloped open space within village Protection of TPO and Conservation area
Specific infrastructure/ planning gain requirements which need to be provided for.	Affordable housing (?)
Is there reasonable prospect that housing would be developed on the site at a particular point in time (subject to planning)?	yes
Time frame for site becoming available for development (years)	Years 1-5
Phasing/Build out rates	1 year

Suitability			
2.1	Brownfield or Greenfield site	R	
2.2	Within/Adj/Separate from VDL	G	
2.3	within MGB	G	
3.1	Within Public Safety zone	G	
3.2	Within Poor air quality zone	G	
3.3	Affected by noise at 35mppa	G	
3.4	Affected by noise at 76mppa	N/A	
4.1	Incl SSSI/NNR	G	
4.2	Affect SSSI/NNR	G	
4.3	Affect LoWS/AW/PL/Hab	O	Within 500m of known Great Crested Newt colony
5.1	Impact on Landscape	O	Important undeveloped open space.
6.1	Include SAM	G	
6.2	Affect SAM	G	
6.3	Affect LB/CA/HP/HL/PL	O	Adj Conservation area
7.1	Within risk zone 3b	G	
7.2	flood risk zone	G	
8.1	Extraction of mineral resources	G	
8.2	Impact on air quality MA	G	
8.3	Within Ground Water Protection Zone	G	
8.4	Loss of High Quality Agri Land	G	
9.1	well related to bus stop/rail station	G	14XDay 6XWeek
9.2	distance to employment	O	
9.3	Distance to Primary School	G	
9.4	Distance to Shop/PO	G	
9.5	Distance to surgery	G	

HBO1

9.6	Distance to Secondary School	R
9.7	Distance to Town centre/supermarket	R
9.8	Distance to hospital	R
10.1	constraints	G
11.2	Loss of recreation	G
12.1	Loss of employment land	G
13.1	Served by Infrastructure	G
14.1	highway access	G

Conclusions 2008					
Site Ref	Comments	Action	Suitable	Available	Achievable
HBO1	Although the site is within the development limits in the adopted local plan it is identified as a protected open space of environmental value and on balance the group felt that this designation should be taken into account in assessing the site's suitability.	Include but identify constraints of important open space and TPO	(Y)	Y	Y

Consultation July – September 2009

Hatfield Broad Oak Parish Council make the following comments

- Proposed access way has insufficient space for road and pedestrian walkway.
- Point of access is at one of the narrowest points of the High Street.
- Area already suffers disruption from parking and heavy traffic
- Would destroy a protected open space.
- Although outside noise contours the village does suffer from aircraft noise.
- Village school is oversubscribed and transport links to Essex secondary schools is more difficult.
- Highways cannot cope with additional traffic
- No local need for additional housing
- Detrimental impact on Utilities – water supply, electricity supply, sewage network.

Local residents signed a petition objecting to the site for the following reason

- Inadequate infrastructure and school capacity.
- B183 and access roads to site unable to cope with increase in traffic and would be dangerous for pedestrians due to lack of pavements
- Protected space and environmental heart of village.

Agents acting for the owner make the following comments

- Not proposing to remove any protected trees and do not consider that

HBO1

- development would detrimentally affect any protected trees.
- Site is bounded by private gardens and does not contribute to wider public scene.
 - Development of this site would avoid the need for development which would encroach into the countryside.
 - Development could include sheltered scheme and possibly bungalows.

Availability Assessment									
	Suitable	Available	Achievable	Deliverable Capacity Prior to 2011 (Prior to year 1)	Deliverable Capacity 2011 - 2016 (Years 1-5)	Developable Capacity 2016 - 2021 (Years 5-10)	Developable Capacity 2021 - 2026 (years 10-15)	Capacity not currently developable	Reason
HBO1	(Y)	Y	Y		27				capacity to take into account open space & TPOs











































Appendices

Appendix 1 – Copy of letter to Hatfield Broad Oak Residents

Hatfield Broad Oak conservation area appraisal and draft management proposals consultation



Dear Hatfield Broad Oak resident

The Government encourages councils to undertake appraisals of Conservation Areas and one has just been completed for your village. We now need your comments on the Conservation Area Appraisal for Hatfield Broad Oak; a consultation on the draft document will be running between **11 February and 24 March**. The document will be available online at <http://www.uttlesford.gov.uk/hbocaa> or, from 11 February, paper copies can be inspected at the Council Offices in Saffron Walden, Great Dunmow Library and the mobile library or from the Hatfield Broad Oak Parish Clerk. There will also be a chance to see details of all the proposed changes and to discuss them with council officers at a public exhibition which will be held at Hatfield Broad Oak Village Hall on **Saturday 2 March 10.00am to 12.30pm**.

Hatfield Broad Oak is a village of importance in historical, visual and archaeological terms. The church is still very visually at the heart of the village, with views of it on both east and west approaches to the centre as well as between buildings on the High Street. The landscape is essential to the setting of the buildings both in terms of the large mature trees in the churchyard and the open ground south of the High Street. The High Street is elevated in its importance as the principal street by the addition of brick fronts to many buildings which provide a contrast to the plastered frontages remaining elsewhere. Garden walls and hedges throughout the Conservation Area contribute to the enclosure of frontages between buildings while gateways provide glimpses of greenery beyond.

In Cage End the more rural character is enhanced by the grass verges and width of the street. The Grade II* Town Farmhouse remains associated with the adjacent timber barns retaining the grouping of buildings within the landscape which contributes to the rural character. Landscaping in the form of grass verges, trees and large front gardens has been critical in minimising the impact of new housing at the south of Cage End on the views from the village centre.

A number of quality non-listed buildings have been identified as worthy of protection, most notably Clarob and Laburnum Cottages, Woodhurst on Feathers Hill and the butchers shop at Cage End.

This Appraisal proposes that the following areas be included within the Conservation Area:

- (a) The car park in front of the Vicarage and the Vicarage site.
- (b) The lower end of Cage End. This area is very important in views from the village centre and for the continuation of the trees and green verges which are part of the character of the Cage End.
- (c) Extend the boundary further east end along the High Street beyond Bury House.
- (d) The open space enclosed by the rear of properties on the south side of the High Street, the east side of Cage End and the north side of Cage End Close and Medlars Mead.
- (e) Consideration should be given to the preservation of the character of the Broad Street Green and the setting of listed buildings around it by possibly designating a separate Conservation Area. This may be the subject of a separate study.

Please let us know what you think and whether we should include all the measures or just a selection of them. If you cannot access our website, please send any comments to the Council Offices, London Road, Saffron Walden, CB11 4ER. For further information please call Bruce Tice, our Project Officer, on 01799 510670 or email btice@uttlesford.gov.uk who will be pleased to assist and answer any of your queries.

**If you require this publication in an alternative format and/or language please
contact us on 01799 510510**

Hatfield Broad Oak conservation area appraisal
and draft management proposals consultation




Important information on the Hatfield Broad Oak
Conservation Area Appraisal

For the attention of the property owner

Musharook Street, Hatfield Broad Oak


**Hatfield Broad Oak
Conservation Area
Appraisal
Public Exhibition**



**Saturday 2 March 10am-12.30pm
Hatfield Broad Oak Village Hall
Hatfield Broad Oak**

**Your chance to have your say on the draft Conservation
Area Appraisal for Hatfield Broad Oak**

**The consultation runs 11 February to 24 March 2013
For more information call 01799 510670 or take part online at
www.uttlesford.gov.uk/hbocaa**



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contact us on 01799 510510

**Uttlesford District Council Hatfield Broad Oak Conservation Area Appraisal
and Management Proposals Consultation**

Appendix 2 – Hatfield Broad Oak consultation form (the council's standard equalities monitoring forms were also made available)

Hatfield Broad Oak Conservation Area Appraisal Consultation

Consultation Feedback Form

Comment here on the character analysis of Area 1 - High Street:

Comment here on the character analysis of Area 2 - Church of St. Mary the Virgin:

Comment here on the character analysis of Area 3 - Feathers Hill:

Comment here on the character analysis of Area 4 - Cage End:

**Uttlesford District Council Hatfield Broad Oak Conservation Area Appraisal
and Management Proposals Consultation**

Comment here on the revised conservation area boundary:

Comment here on the buildings that make an important architectural or historical contribution to the conservation area:

Comment here on the management proposals:

Any other comments:

Please send any comments to the Council Offices, London Road, Saffron Walden, CB11 4ER. For further information please ring Bruce Tice, our Project Officer, on 01799 510670 or email btice@uttlesford.gov.uk who will be pleased to assist and answer any of your queries.

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