

UTT/17/2499/FUL – HATFIELD HEATH

MAJOR

PROPOSAL: Demolition of existing buildings, conversion of water tower to form a dwelling, erection of 25 dwellings, and the retention, renovation and change of use of 6 buildings to form ancillary facilities to the residential development

LOCATION: Land to the West of Mill Lane, Hatfield Heath

APPLICANT: Mr W I Bampton

AGENT: Mr S Bampton

EXPIRY DATE: 6 December 2017 – Extension of Time to 28 February 2019

CASE OFFICER: Karen Denmark

1. NOTATION

- 1.1 Outside Development Limits/Metropolitan Green Belt/Within 2km of SSSI/Public Right of Way.

2. DESCRIPTION OF SITE

- 2.1 The application site is located on the north western edge of Hatfield Heath and comprises two main parcels of land. The northern part of the site is currently used by a company known as Greenway Eggs and comprises a cluster of single storey buildings. The southern part of the site is a wooded site with clusters of single storey buildings of varying states of repair. In addition, there is a water tower of brick construction. The site as a whole is a former Prisoner of War Camp (Camp 116). The southern section, whilst being more rural in character is located between the Greenway Eggs packing plant to the north and existing residential development to the south.

3. PROPOSAL

- 3.1 The proposal relates to the demolition of the egg farm buildings and a number of the buildings on the southern section of the site and the erection of 26 dwellings, including the conversion and extension of the water tower. A cluster of the former buildings are proposed to be retained for ancillary residential purposes. Areas of open space, including a local equipped area of play (LEAP) are also included in the scheme.

4. ENVIRONMENTAL IMPACT ASSESSMENT

- 4.1 Town and Country Planning (Environmental Assessment):
The proposal is not a Schedule 1 development, nor does it exceed the threshold criteria of Schedule 2, and therefore an Environmental Assessment is not required.

5. APPLICANT'S CASE

5.1 The application is accompanied by the following documents:

- Arboricultural Implications Assessment
- Archaeological Assessment
- Contamination Report
- Design and Access Statement
- Ecological Impact Assessment
- Flood Risk Assessment and Drainage Strategy
- Green Belt Assessment
- Landscape and Visual Appraisal
- Site Waste Management Plan
- Statement of Community Involvement
- Transport Assessment
- Planning Statement
- Affordable Housing Statement
- Heritage Assessment

5.2 Conclusions of Planning Statement:

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise. These other considerations may be wide-ranging, and all are to be weighed in the planning balance.

Although the site is within the green belt a large part of it is categorised as “previously developed land”. The National Planning Policy Framework (NPPF) treats such land differently in relation to consideration of what constitutes inappropriate development in the green belt. Principally, the partial or complete redevelopment of previously developed sites, whether redundant or in continuing use, are exceptions to the presumption against development in the green belt. An important element of the planning application is to demonstrate that the proposed development would not have a greater impact on the openness of the green belt and the purpose of including land within it than the existing development.

Policy S6- Metropolitan Green Belt of the ULP is limited in its scope and in consequentially inconsistent with the NPPF in consideration of the site’s previously developed status. Weighing heavily in favour of the proposal are the following factors:

- The site is sustainable located in a ‘Key Villages’, where development is encouraged;
- The site has been promoted through the Call for Sites and was considered to be suitable for development and well related to the village;
- Pre-app has been undertaken, which supported the principle of development;
- The site is previously developed land;
- The Council does not have a five year- supply of housing land and as such paragraph 11 and Footnote 7 7 of the NPPF are engaged: that for decision-taking, the presumption in favour of sustainable development this means “where there are no relevant development plan policies, or the policies which are most important for deeming the application are out of date” approving development proposals unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. It is clear from the

above assessment that no such harm would arise, and certainly no significant harm that would outweigh the benefits of improving the character of the area, providing much-needed affordable and market housing and the renovation of 7 former WWII POW buildings that are of local value;

- The application was submitted with a Landscape and Visual Impact Assessment and a Greenbelt Assessment that confirm that have influenced the design of the scheme and confirm that development can be delivered that will improve the character and transitional environment between the village and the open countryside beyond;
- Redistribution of existing built form to improve the transition between the existing settlement and the Green Belt beyond, ultimately improving the character and openness of the Green Belt;
- delivery of much needed market and affordable/starter housing in a sustainable location;
- provision of a range of house types and tenures to cater for the needs of the existing community as well as new residents;
- financial contributions towards community facilities to support the needs of a growing population;
- a design which integrates new homes within the context of “openness” of green belt;
- a place which has the retention of veteran trees and enhancement of the site’s ecological biodiversity as a key principle;
- a design which respects the character of the village, both in terms of space between and around properties and the style of the homes;
- removal from Mill Lane of lorries and other vehicles associated with Greenways Eggs;
- highways improvements to Mill Lane, including widening and resurfacing;
- A surface water drainage strategy which re-engineers the existing ditches to ensure an adequate and acceptable solution to surface water run-off and a system which can be maintained.

The compliance of the proposals with up-to-date and relevant policies is compelling and the application, therefore, benefits from the presumption in favour of planning permission as detailed in Section 38(6) of the Act.

UDC is required by government to consider the documentation submitted and are respectfully requested to grant planning permission in accordance with the presumptions in favour of development where it complies with up-to-date policy and delivers sustainable development in accordance with the NPPF.

6. RELEVANT SITE HISTORY

- 6.1 UTT/16/3697/FUL: Demolition of existing buildings and the development of 40 new dwellings and associated infrastructure. Withdrawn
- 6.2 There is additional site history in respect of the Greenway Eggs site, but not relevant to the current application for residential development.

7. POLICIES

Uttlesford Local Plan (2005)

Policy S6 – Metropolitan Green Belt

Policy GEN1 – Access

Policy GEN2 – Design

Policy GEN3 – Flood Protection
Policy GEN6 – Infrastructure Provision to Support Development
Policy GEN7 – Nature Conservation
Policy GEN8 – Vehicle Parking Standards
Policy E2 – Safeguarding Employment Land
Policy ENV3 – Open Spaces and Trees
Policy ENV4 – Ancient Monuments and Sites of Archaeological Importance
Policy ENV7 – The Protection of the Natural Environment – Designated Sites
Policy ENV8 – Other Landscape Elements of Importance for Nature Conservation
Policy ENV14 – Contaminated Land
Policy H9 – Affordable Housing
Policy H10 – Housing Mix

Supplementary Planning Documents/Guidance

SPD: Accessible Homes and Playspace (2005)
Parking Standards: Design and Good Practice (2009)
Uttlesford Local Residential Parking Standards (2011)

National Policies

National Planning Policy Framework (NPPF) 2018
Planning Policy Guidance

Other Material Considerations

Emerging Local Plan

Policy SP1 – Presumption in Favour of Sustainable Development
Policy SP2 – The Spatial Strategy 2011-2033
Policy SP10 – Protection of the Countryside
Policy SP12 – Sustainable Development Principles
Policy H1 – Housing Density
Policy H2 – Housing Mix
Policy H6 – Affordable Housing
Policy H10 – Accessible and Adaptable Housing
Policy TA1 – Accessible Development
Policy TA2 – Sustainable Transport
Policy TA2 (duplicate number in LP) – Provision of Electric Charging Points
Policy TA3 – Vehicle Parking Standards
Policy INF1 – Infrastructure Delivery
Policy INF2 – Protection, Enhancement and Provision of Open Space, Sports Facilities and Playing Pitches
Policy INF4 – High Quality Communications Infrastructure and Superfast Broadband
Policy D1 – High Quality Design
Policy D2 – Car Parking Design
Policy D8 – Sustainable Design and Construction
Policy D9 – Minimising Carbon Dioxide Emissions
Policy D10 – Highly Energy Efficient Buildings
Policy EN5 1 – Scheduled Monuments and Sites of Archaeological Importance
Policy EN7 – Protecting and Enhancing the Natural Environment
Policy EN10 – Minimising Flood Risk
Policy EN11 – Surface Water Flooding
Policy EN12 – Protection of Water Resources
Policy EN16 – Contaminated Land

8. PARISH COUNCIL COMMENTS

- 8.1 35 dwelling scheme: The Parish Council objects to the proposed development to the Land to the West of Mill Lane on the following grounds:
1. Mill Lane is totally unsuitable for the increase in traffic caused by this development. At its narrowest point this road is only 3.1m wide which is less than the legal minimum for single carriageway at 3.5m rendering it inappropriate for two-way traffic. We anticipate that the increase in vehicle journeys will be in excess of 200% based on current usage.
 2. The junction with the A1060 has very poor visibility particularly from the west and when emergency vehicles are parked outside Hatfield Haven it is very much more dangerous.
 3. Serious risk to pedestrians as there is no footpath along Mill Lane which is the main route to bus services.
 4. Incorrect classification of the land as brown belt. This land has always been and continues to be agricultural land, previous applications having been refused on these grounds.
 5. The development is in Metropolitan Green Belt protected by the current local plan and is outside the village development envelope.
 6. Infrastructure in the village will become more strained, utilities, doctors and school are already at capacity and an additional 26 properties will significantly increase the demands on these services.
 7. There is lack of clarification in the application of numbers of market share homes versus affordable homes.
 8. An existing bridleway is designated as access to the proposed development.
 9. Serious risk of increased flooding as there is no adequate provision of disposal of surface water from the site.
 10. The application has not been correctly amended from 35 to 26 homes.
 11. Destruction of the POW camp which is an important historical site and should be retained for future generations.
 12. Significant increase in both noise and air pollution from the increased number of vehicle movements. Many existing properties along Mill Lane are listed buildings and as such are unable to reduce the noise with double glazing.
 13. Eradication of wildlife habitat. The site is currently home to bats, owls, badgers and deer that will be seriously affected by the development.
- 8.2 26 dwelling scheme: This proposal is to build 26 new dwellings on a site combining the area presently occupied by Greenways Eggs to the North and a part of the now defunct Little Heath farm to the South. Eight of the proposed 26 dwellings are designated as affordable. The combined site presently contains the remains of a world war 2 camp designated Camp 106. The Hatfield Heath Parish Council strongly object to this development on the following grounds:
- 1 The site is completely within the Metropolitan Green Belt and outside the village envelope.
 - 2 Both parts of the site are designated as agricultural land and are therefore effectively greenfield sites. The claim that the Greenways portion in brownfield is inaccurate since no change of use has been progressed from the designated agricultural use since the land was handed back to the then two farms after the war and the present use does not fit the legal definition of brownfield defined in PPG3.
i.e.
 - a. Previously developed land which is now vacant
 - b. Vacant buildings

c. Derelict land and buildings

d. Other previously developed land or buildings, currently in use, allocated for development in the adopted plan or having planning permission for housing

e. Other previously developed land or buildings where it is known there is potential for redevelopment.

f. Buildings and surrounding land that are currently in use for agricultural or forestry purposes are excluded from the definition set out above.

3 All previous attempts to develop the site have been turned down by the UDC on the basis that it is in fact agricultural land, outside the village envelope and completely within the Metropolitan Green Belt

4 The development would generate an approximate 30% increase in overall traffic flow in the extremely restricted Mill Lane, which has no footway and requires extreme caution for even normal size passenger vehicles to pass since there is a width restriction of 3.1 metres. The claim that the increase would represent only a marginal increase over the legally approved use by Greenways is incorrect. An independent survey carried out by the Parish Council in June showed that translating the present use by the 13 modestly sized houses presently occupied in Mill Lane to the 26 houses proposed would generate a minimum of double the present Greenways use.

5 A survey by the Parish Council as part of the Village Plan in 2016 showed a need for a further 10 affordable (rented) homes in the village with no further requirement for market value housing.

6 26 additional houses is an approximately three and a half percent increase in the village, which has no capacity in the local school, a severely stretched doctor's surgery, stretched electricity, gas, water, telephone and foul water facilities and only a single outlet for surface water down a well-known and documented flood route.

7 Much is made of footpath/cycle path access through Broomfield and Home Pastures relieving traffic congestion, yet the link between the site foot/cycle path and Home Pastures is actually a narrow earthen public footpath with no lighting. Given the observed habits of other recently developed areas within the village envelope, this link would be little used.

8 The 'Heritage Statement' included in the documentation appears to be a privately commissioned study for the applicant by Ian Dieffenthaler of Shaw and Jagger Architects. The conclusions drawn are at odds with other information, but naturally support the proposal. We would like to understand when the proper UDC independent heritage statement will be available and what has happened to the UDC Local Heritage application for the POW Camp that the cabinet meeting in May requested.

9 We also question the 'refurbishment' of some of the POW guard huts and redesignation as 'ancillary buildings'. There are neither assurances that these would be preserved in the longer term nor that they would be available to the general public.

10 In summary, we do not believe that this proposal fits within the spirit or intent of either the present or proposed Uttlesford District plans for Hatfield Heath and is purely speculative.

9. CONSULTATIONS

ECC – Minerals and Waste

- 9.1 The development is located within the Mineral Safeguarding Area, however the site is unlikely to be suitable for mineral extraction due to its size and constraints and therefore no Mineral Resource Assessment is required. The County Council, as Mineral Planning Authority, has no further comments to make.

Environmental Health Officer

- 9.2 Due to the past use as a Prisoner of War Camp and current commercial Greenways Egg facility usage, in accordance with the model procedures for management of land contamination, further on-going investigations may be required to identify the risks to the future users of the site and where necessary remedial measures to ensure that the site is suitable for use. The appropriate recommended conditions should be applied if planning permission is granted.

Essex Police

- 9.3 We would like to have seen the developer seek to achieve a Secured by Design award in respect of this proposed development. From experience pre-planning consultation is always preferable in order that security and lighting considerations for the benefit of the intended residents and those neighbouring the development are met prior to a planning application.

ECC – Specialist Archaeological Advice

- 9.4 The Historic Environment Record and the desk top study submitted with the application indicate that the proposed development lies within a potentially highly sensitive area of heritage assets. The HER shows that the development area contains the site of a World War II prisoner of war camp (EHER 21265). As defined in the desk based assessment many of these buildings survive on the site in various stages of decay and will be demolished if the development proceeds. Some are still in use as commercial properties. The surrounding area contains considerable evidence of occupation potential from the medieval period. Aerial photographic evidence shows an historic route-way lying to the north of the site associated to the moated site identified in the desk based assessment.

The Historic Environment characterisation document shows the extent of archaeological deposits on other sites to the north of Hatfield Heath showing occupation from the Bronze Age through to the modern day.

It should be expected that the initial trial trenching will lead onto large scale open area excavation before any development commences.

ECC Ecology

- 9.5 25 September 2017: The Ecological Impact Assessment (The Ecology Partnership, August 2017) included with the application is thorough and robust and considers all relevant ecological issues for determination. A condition is recommended to ensure compliance with recommendations.

Whilst it is noted a significant proportion of woodland will be removed to accommodate the scheme, I acknowledge the intention to put the remainder of woodland into positive conservation management. This management also address the bat foraging habitat lost to the development. This requires a Landscape and Ecological Management Plan. See condition wording below.

It appears the SuDS drain discharges into the great crested newt pond. The report should make reference to this and how it might impact great crested newt. If impacts are foreseen, the drain should discharge elsewhere. It would be better for the

SUDS design to enhance habitats for GCN, such as form a new pond.

24 March 2018: The number of houses has reduced but this has not altered the ecological impacts of the development, therefore comments remain the same as 25 September 2017 (see above).

24 July 2018: Some of the POW buildings have been retained and two plots moved but this has not altered the ecological impacts of the development, therefore comments remain the same as 25 September 2017 (see above).

London Stansted Airport – Safeguarding

- 9.6 The proposed development has been examined for aerodrome safeguarding; this proposal does not conflict with any safeguarding criteria. Accordingly, Stansted Airport has no safeguarding objections to the proposal.

ECC – Education

- 9.7 The proposed development is located within the Hatfield Heath Ward. According to Essex County Council's childcare sufficiency data, published in July 2017, there are four providers of early years and childcare in the area. Of these, one is a full day care nursery; two are childminders and one is a pre-school. Overall a total of seven unfilled places were recorded. The data shows sufficient unfilled places to meet the demand from this proposal.

This development sits within the priority admissions area of Hatfield Heath Community Primary School, which can accommodate up to 210 pupils. The school is full and currently needs to utilise temporary accommodation to meet demand. According to Essex County Council's document 'Commissioning School Places in Essex', it will require 211 places by the academic year commencing 2020. Forecasts for the area also suggest additional permanent provision will be needed. The proposed development would further add to the pressure to replace temporary accommodation at Hatfield Heath, with a permanent solution. A development of this size can be expected to generate the need for up to 9.9 primary school places. A contribution is sought based on the formula outlined in the Essex County Council Developers' Guide to Infrastructure Contributions.

ECC – Lead Local Flood Authority

- 9.8 9 October 2017: Holding Objection. The Drainage Strategy submitted with this application does not comply with the requirements set out Essex County Council's Full Drainage Checklist. Therefore the submitted drainage strategy does not provide a suitable basis for assessment to be made of the flood risks arising from the proposed development. In particular, the submitted strategy fails to:

- Sufficiently limit discharge rates.

The strategy proposes to reduce the urbanised catchment by 50%, however when aiming to achieve 50% betterment, this should be of existing run off rates. The runoff rates should be calculated based on the area that will be draining via the proposed drainage scheme and this should subsequently be the same area that is used to calculate the required storage.

- Accurately calculate storage volumes.

Storage volumes have been calculated based on the incorrect discharge rates; this should be revised in accordance with the above comments.

It should also be demonstrated that urban creep has been considered when

calculating the proposed storage volumes.

4 December 2017: Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we do not object to the granting of planning permission subject to conditions.

2 May 2018: Thank you for consulting us on the above application. From looking online, it does not appear that additional information in regard to drainage has been provided. Therefore I believe our comments will not have changed from that in the letter of 4-12-17.

ECC Highways

- 9.9 20 December 2017: From a highway and transportation perspective the impact of the proposal is NOT acceptable to the Highway Authority for the following reasons: The application is an intensification of the access onto A1060 via Mill Lane which is adjacent to a bridleway and to the south has deficiencies in geometric layout and visibility which could give rise to conflict between vehicles, or between vehicles and pedestrians and vehicles and other non-motorised users. The proposal is therefore contrary to the Development Management Policies, adopted as County Council Supplementary Guidance in February 2011

27 April 2018: The Transport Assessment and Proposed Site Layout plans accompanying the planning application have been considered in detail and the Highway Authority is satisfied that, whilst this may represent a minor increase at varying peak times, the number of trips generated by the proposed 26 residential development is broadly in line with the traffic expected to be generated by the existing lawful use and will not have a severe impact and can be accommodated safely and efficiently on the local highway network.

Given the existence of two-way traffic flow associated with the Greenway Eggs is likely to be comparable to that associated with the proposed residential trips, and the that proposed mitigation/improvement scheme provides a pedestrian/cycle link to the adjacent residential area and minor improvements are being provided along Mill lane the Highway Authority would not wish to raise an objection to the above application subject to conditions.

Thames Water

- 9.10 Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

Natural England

- 9.11 Statutory nature conservation sites – no objection. Based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites or landscapes.

Historic England

- 9.12 14 June 2018: Thank you for your letter of 24 May 2018 regarding the above application for planning permission. On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

16 July 2018: Thank you for your letter of 10 July 2018 regarding further information

on the above application for planning permission. On the basis of this information, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

Environment Agency

9.13 The Flood Risk Assessment and Drainage Strategy states the following:

FOUL WATER DISPOSAL

10.27. Part H of the Building Regulations (2015) states that “Foul drainage should be connected to a public foul or combined sewer wherever this is reasonably practicable”.

10.28. A public sewer has been identified in Mill Lane.

10.29. Thames Water has been consulted and confirms they have capacity to accept a pumped discharge from the site. See Appendix J for Thames Water’s acceptance letter.

On this basis we’re satisfied that mains foul drainage will be used, so we have no comments to make on this application.

Ancient Monuments Society

9.14 The AMS was recently alerted to the proposal (under Ref UTT/17/2499/FUL) to demolish a World War II Prisoner of War camp in Hatfield Heath (Camp 116) to make way for a new housing development. We have looked at the documents available on your website and wish to express support for the suggestion made in the Heritage Assessment that part of the camp could be retained. We understand that a local group called ‘History not Houses’ has been involved in detailed discussions with your authority and the developer to find a way of preserving part of the site. In our view Camp 116 is of sufficient interest to warrant conservation. We understand that retaining the full site may not be practicable; however we would welcome the retention of the camp’s most interesting features, notably the water tower. We have read English Heritage (now Historic England)’s 2003 report on Prisoner of War camps and note that Camp 116 is a ‘Class 2’ camp - meaning that it is “Near Complete” with a “Majority of features i.e. 50 -80% survival”. In 2003 Camp 116 was one of 7 camps surviving in this condition - there may possibly be even fewer today. It therefore seems important to preserve it, if only partially. We understand the camp has been given local protection and very much welcome this recognition of its rarity and interest. There is no information on your website about the planned retention of some of the buildings - we would be grateful if you could send this to us. We very much welcome any initiative to preserve the camp - even if this can only be partial - and would be happy to offer advice on how the buildings’ long-term conservation might be achieved.

Conservation Officer

9.15 The application in question seeks consent for the demolition of all but 7 no. of the existing structures which form part of the historic World War II Prisoner of War camp (no. 116), and erection of 26 new dwellings on the site. Part of the site and some of the buildings have previously been used for commercial use, for ‘Greenways Eggs Ltd’ with some of the structures having been subject to repair and maintenance. The remaining structures have been left to deteriorate with little to no maintenance. The camp was built 1941/2 as an internment or Prisoner of War Camp for Italian prisoners initially, and later German prisoners from 1943/4. The area to the south (Area 1) was the guard’s compound, and that to the north (Area 2) was the prisoner’s compound: the site includes a drainage ditch and concrete bridge. The site comprises 43 structures, of varying conditions and types including ‘standard’

Ministry of War Production (MoWP) Huts, 'Laing huts, Nissen, British Concrete Foundation (BCF) structures and Orlichuts structures'¹.

A recent site visit revealed that the structures are in varying levels of repair and structural stability, with many appearing relatively sound with walls and roofs intact, and others with the noggin removed and a limited number being partially collapsed.

However a further structural survey would be required to ascertain the structural condition of the individual buildings and capacity for repair, conversion or re-use. The site was surveyed by Historic England in 2003, and was recorded as being 'Condition 2 – near complete'. An excerpt from the report, relating to the Mill Lane camp reads as follows:

'Camp 116 (Mill Lane Camp, Hatfield Heath) conforms to the so-called 'Standard' layout, with the guards' compound consisting of MoWP huts, while the living huts are all timber Laing huts'

The supporting archaeological assessment by Archaeological Solutions Ltd notes that whilst the structures survive in varying condition, the site is a good example of the 'standard' camp layout, that it 'survives in a very good condition for the 'standard' layout of a PoW camp' and that 'the camp is one of the better preserved and more extant examples of its type'. Its 'Class 2' condition rating by H.E. places it in a significant grouping of only 17% of the 'standard' camps that survive' The report identified only one 'standard' type camp listed as 'Class 2' in Essex – Camp 116 and subject of the current application. It is reasonable to assume that since the date of this report, these numbers may have further decreased.

The site was closed in 1955 and the land passed back to the owners, who opted to retain the structures, almost in their entirety with only a few structures being dismantled and relocated, with a small number moved to 'New House Farm to become calf and storage sheds'. Despite the level of dilapidation, some original features to survive, including fixtures and fittings including doors, shower cubicles and graffiti, understood to have been the work of the Italian prisoners.

The huts are constructed in a variety of materials, ranging from timber or concrete framing with hollow clay block, brick, concrete block and timber weatherboarding. The site housed units with a variety of uses, including dormitories, ablution and lavatory blocks, canteens, kitchen and hospital. There is also a prominent water tower, surviving in good condition. It is a key landmark within the site, and is little altered.

In considering the proposed development of the site, the first matter to consider is the principle of proposed demolition of the structures and clearance of the majority of the site (Areas 1 & 2). Having reviewed the information available, I consider that the site and associated structures represents an important non-designated heritage asset, and a tangible reminder of the second world war, and how this affected people at a local level. Furthermore, it is significant to the wider narrative of the Second World War on a national level; representative of a crucial and poignant period in our nation's history as part of a national network of sites, of which over 70% have been lost. The site possesses Evidential, Historic, Aesthetic and Cultural Value by reason of the surviving structures and related infrastructure.

Evidential Value: The structures illustrate the practices associated with C20th military warfare in Britain and the conditions in which PoW's were detained. It is also reflective of the materials and construction techniques used, and availability at the time. The use of blockwork to create patterns is interesting, as it revealing the more

human side of life at the camp, and construction, illustrating perhaps the boredom of the individuals or perhaps a desire to create a pleasing aesthetic. Choices of materials and construction styles used for individual buildings are also reflective of the different functions of the structures, and the hierarchy within the site.

Aesthetic Value: Some of the structures feature decorative patterned blockwork, which results in a whimsical and pleasing aesthetic, even in the context of temporary, war-time structures such as this, which were built cheaply and for function only. The 'graffiti' is also an aesthetically pleasing addition, and attempt at interior decoration.

Historic Value: The individual structures form a grouping that is a tangible reminder of a key phase in our national, and international, history. They are associated with key social political and warfare practices in Britain. The construction and materials are also indicative with historic technological advancements and the shortage of materials available during the war.

Communal Value: The PoW's were employed at local farms, and so the presence of the camp impacted upon local communal and social values. Following the release of the prisoners, many opted to remain and settle locally, in favour of being repatriated, again reflecting the communal impact of the camps presence.

The Local Authority is currently considering the nomination of the site for inclusion on the Local Heritage List. An initial assessment finds that the structures on the site do meet the minimum criteria for inclusion on the list, for selection criteria A – Rarity, B – Aesthetic Value, C – Group Value, D – Archaeological Value and E – Archival Interest, F – Historical Associations and H – Social and Communal Value. As such, the structures would be eligible for inclusion on the LHL and would be considered non-designated heritage assets.

The supporting archaeological assessment also states that the C20th ground disturbance on the site appears to be relatively limited, whereas the archaeological potential on the site is considered moderate for the Medieval period, and very high for the Post-Medieval to Modern period. The impact of the proposed development is described as having a 'very high impact' on the archaeological remains of the site, with the proposal requiring 'complete removal' of the existing structures, and that 'mitigation against their loss may be likely'. Any surviving remains may be truncated or removed in the process of constructing the new houses, thereby leading to a 'permanent loss of these remains and chance to study them'.

As mitigation for the loss of the structures, the applicant originally proposed an information board at the entrance to the site. It was also proposed to ensure a record of the site was made publically available for future reference.

Through further negotiation with the applicant, a revised scheme has been submitted which seeks to retain part of the site, including six huts, considered to be of significance and forming a courtyard-type complex comprising the largest hut in the camp, which features the aforementioned graffiti, in addition to retention of the adjacent water tower. It is now proposed to repair these structures, and retain them in their current location with alterations to change their use, making them ancillary to the proposed new housing units. It is understood that the largest hut is proposed to provide a display or museum of sorts to the history of the camp, and the water tower would become a dwelling (Plot 19).

Conclusion: The following recommendation considers the impact of the proposal to the non-designated heritage assets within the site, and their setting. Paragraph 197

of the NPPF, 2018 requires that 'the effect of an application on the significance of a non-designated heritage asset should be taken into account' and that a 'balanced judgement will be required having regard to the scale of any harm or loss and significance of the asset'.

The scale of harm and loss would be substantial with the majority of the structures on site being lost in their entirety, which would severely compromise the significance of the heritage asset(s) in my view, not to mention archaeological remains referenced in the aforementioned archaeological report.

The structures here were built on a temporary basis and for a specific purpose. Many of the timber Laing huts are in a poor state of repair and one would question how much original fabric would survive as part of future restoration or re-use. Nonetheless, the loss of these structures, and the impact to the significance of the site, its historic layout and wider setting would be wholly regrettable.

In light of the revised plans which seek to retain a small complex of huts, including the largest on the site which features the graffiti art, and the water tower which forms a key landmark in the site, this would to my mind offer a degree of mitigation for the loss of the remaining structures, in that the grouping of assets would ensure that the history of the site can still be interpreted in a very tangible way, and experienced, all be it in a truncated form, whilst the water tower to the west would serve to relate the, now isolated, grouping to the wider setting, thereby alluding to the wider expanse of the site.

Whilst the loss of the wider camp and associated structures would be considered to cause substantial harm to the significance of an important C20th heritage asset, and a good surviving example of a finite resource, it appears unlikely that funding for the repair and maintenance of the structures would be forthcoming without an associated development to facilitate this, as such I accept that a degree of development is necessary on the site. I also accept that the construction of 26 new dwellings, including conversion of the water tower would, not only represent a sizeable public benefit but also result in a viable use for the structures that are to be retained and converted; thereby increasing the likelihood that they will be preserved and maintained in the future, rather than left to deteriorate further and even lost., however, the risk of further neglect and historic lack of maintenance cannot be viewed as justification for the proposed development in itself (NPPF, 2018).

The proposed treatment of the water tower structure is low-impact overall, with its form, character and significance little altered by the proposal. The proposed fenestration is restricted to one discreet elevation, will appear as an honest modern alteration, as will the glazed ground floor extension which is modest in scale and form, whilst the primacy of the structure will be preserved within the development site.

After considering the information available, and the significance of the site and its individual assets, it is my view that should the principle of development be supported on the site, that on balance, the revised scheme represents a unique opportunity to integrate part of our World War II heritage with the current need for housing in a manner which facilitates the preservation of part of this important site so that the structures can be retained in their original context, with a viable use which could sustain their future maintenance and provide a tangible link to the history of the locality during the second world war; thereby ensuring that the significance of the site is recognised and accessible to the wider public, and future generations.

I would stress that appropriate conditions must be applied to any future consent to ensure that the significance of the asset is adequately protected, and that the future scheme delivers on the heritage objectives in tandem with any new building. In addition, specialist advice will be required to sympathetically repair, and reuse the structures in question, and a carefully considered landscaping scheme conditioned also.

On a final note, I would voice concern over the proposed 'vernacular' style of the proposed dwellings overall, and do not consider that this approach is wholly sympathetic to the modern nature of this new proposed development within the historic context of the site. Whilst I appreciate the aims of the applicant, to use a form which relates closely to the wider vernacular in the district, the site has a distinct modern character, with development being regimented and utilitarian in materials and form. Being previously undeveloped land, should the decision be taken to support this scheme, it is my opinion that the new housing should take on a more contemporary form and appearance, to ensure that it continues to be viewed as a new development, on the outskirts of a historic settlement, rather than the retained PoW camp buildings feeling isolated and surrounded in a contrived historically domestic setting which is misleading and undesirable and would be in stark contrast to the modern treatment of the water tower.

10. REPRESENTATIONS

10.1 This application has been advertised and neighbours notified on several occasions. The expiry of the last round of consultation and site notice was 24 July 2018.

First consultation – 35 dwellings:

The following comments have been made in respect of the proposals:

- Overcrowded roads
- Roads and junction won't cope
- Too many houses
- Not enough existing infrastructure
- Doctors at capacity
- School is at capacity
- Not enough parking in village
- Increase in noise
- Increase in pollution
- Impact on privacy
- Proposed park will attract anti-social behaviour
- Impact on wildlife
- Site of historical interest
- Outside permitted development area
- Building in greenbelt
- Traffic increase
- Footpath will be dangerous
- Transport Assessment contains factual errors
- Loss of 'small village feel'
- Village at capacity
- Mill Lane is too narrow for increased traffic
- Flooding

- Houses won't be affordable
- Increases danger for pedestrians
- Not enough existing infrastructure
- Drainage
- Lack of footpaths
- Impact on utilities
- Light pollution
- Opens up opportunity to further development on adjacent land
- Effect on character of the area
- Insufficient recreational areas
- Village to 'Estate'
- Existing sewage system won't cope
- Remove use of Mill Lane for pedestrians
- Part of access road is designated bridleway
- Impact on already poor public transport
- Urbanisation
- Historic site must not be lost
- Overdevelopment

The following comments were made in support of the scheme:

- Restore a site in poor condition and being vandalised
- Helps meet the housing need
- Site is previously developed land
- Perfect layout and scale for the site
- Makes use of the land
- Boost to local economy
- Enhance site and surrounding area
- Well planned layout with sensible landscaping
- Good quality homes
- Removal of large commercial business and related heavy good vehicles
- Not just another 'generic' housing estate

10.2 The following comments were made in respect of the 26 house scheme:

- Overcrowded roads
- Roads and junction won't cope
- Not enough existing infrastructure
- Doctors at capacity
- School is at capacity
- Not enough parking in village
- Increase in noise
- Increase in pollution
- Impact on privacy
- Impact on wildlife
- Site of historical interest
- Outside permitted development area
- Building in greenbelt
- Traffic increase
- Footpath will be dangerous
- Transport Assessment contains factual errors
- Village at capacity

- Mill Lane is too narrow for increased traffic
- Flooding
- Houses won't be affordable
- Increases danger for pedestrians
- Drainage
- Lack of footpaths
- Impact on utilities
- Light pollution
- Opens up opportunity to further development on adjacent land
- Existing sewage system won't cope
- Remove use of Mill Lane for walkers
- Part of access road is designated bridleway
- Urbanisation
- Overdevelopment
- Proposed cycle route is dangerous
- Emergency vehicles struggle with access
- Since first app 4 houses have been built so situation has worsened
- Historic site must not be lost
- Dangerous access

The following comments were made in support of the application:

- Free up larger homes and give people smaller homes to move to

10.3 The following comments were made in respect of the 26 house scheme retaining some of the PoW camp buildings (scheme being considered for determination in this report)

- Overcrowded roads
- Roads and junction won't cope
- Not enough existing infrastructure
- Doctors at capacity
- School is at capacity
- Not enough parking in village
- Increase in noise
- Increase in pollution
- Impact on privacy
- Impact on wildlife
- Site of historical interest
- Outside permitted development area
- Building in greenbelt
- Traffic increase
- Footpath will be dangerous
- Transport Assessment contains factual errors
- Village at capacity
- Mill Lane is too narrow for increased traffic
- Flooding
- Houses won't be affordable
- Increases danger for pedestrians
- Drainage
- Lack of footpaths
- Impact on utilities

- Light pollution
- Opens up opportunity to further development on adjacent land
- Existing sewage system won't cope
- Remove use of Mill Lane for walkers
- Part of access road is designated bridleway
- Urbanisation
- Overdevelopment
- Proposed cycle route is dangerous
- Emergency vehicles struggle with access
- Since first app 4 houses have been built so situation has worsened
- Historic site must not be lost
- Dangerous access

11. APPRAISAL

The issues to consider in the determination of the application are:

- A Principle of development (ULP Policies S6 and E2, NPPF)
- B Housing mix and affordable housing (ULP Policies H9 and H10; NPPF)
- C Design and layout (ULP Policy GEN2; NPPF)
- D Access and car parking (ULP Policies GEN1 and GEN8)
- E Ecology and biodiversity (ULP Policies GEN7, ENV3, ENV7, ENV8; NPPF)
- F Flood risk (ULP Policy GEN3; NPPF)
- G Contaminated land (ULP Policy ENV14; NPPF)
- H Other material considerations (ULP Policies ENV4, GEN6; NPPF)
- I Emerging Local Plan policies

A Principle of development (ULP Policies S6 and E2, NPPF)

- 11.1 The application site lies outside the development limits for Hatfield Heath and within land designated as Metropolitan Green Belt. ULP Policy S6 relates to development proposals within the Green Belt. It states that infilling, limited development or redevelopment compatible with the character of the settlement within the identified development limits of a number of villages, including Hatfield Heath. However, this site does not comply with this element of the policy due to lying outside the development limits.
- 11.2 The NPPF sets out a presumption in favour of sustainable development. This means approving development proposals unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed. Footnote 6 identifies areas that are protected which include sites within areas designated as Green Belt. Therefore, whilst the proposals may make a positive contribution towards housing supply within the district, it has to be considered against the policies within the NPPF relating to protected areas.
- 11.3 The NPPF sets out the national policy in relation to green belt. Paragraph 143 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 145 then goes on to state that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this include limited infilling in villages or the partial or complete redevelopment of previously developed land. This is subject to the proposals not having a greater impact on the openness of the Green Belt than the existing development. In addition, proposals could be

appropriate where they do not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

- 11.4 “Previously developed land” is defined in the NPPF as land which is or was occupied by a permanent structure, including the curtilage of developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.
- 11.5 It is clear that the site does meet the definition of previously developed land. The northern part of the site is used for commercial purposes as an egg packing plant. The southern part of the site has structures within it that are still visible, albeit in various states of disrepair due to lack of maintenance and vandalism. Representations state that the site is classified as agricultural land. However, the egg packing plant falls within Class B2 of the Use Classes Order. From the evidence before the local planning authority it would appear that the last known use of the southern part of the site is as a Prisoner of War Camp. It is believed that there has been adhoc use of the buildings over the years but it is not considered that the site can be described as agricultural. Therefore, the exemption relating to agricultural buildings does not apply to the site.
- 11.6 On the basis of the above, it is considered that the redevelopment of the site meets the criteria of development that is appropriate in the green belt, as set out in paragraph 145(g), subject to the development not having a greater impact on the openness of the green belt than the existing development. As the proposal does not relate to the construction of affordable housing meeting an identified need the second criterion of this paragraph is not relevant.
- 11.7 Turning now to the nature of the development, this constitutes the demolition of the majority of the existing buildings, with the exception of 6 PoW camp buildings and the water tower. It is proposed to convert the latter into a dwelling, with two small modest extensions to provide a dining room and entrance porch.
- 11.8 It is proposed to construct 7 dwellings on the northern part of the site with a mix of styles but introducing open spaces within the site. Each plot would have substantial residential amenity area maintaining a sense of openness to the Green Belt. The southern part of the site is proposed to have 19 dwellings, including the conversion of the water tower, and the retained PoW camp buildings.
- 11.9 In their Green Belt Assessment the applicant has carried out an assessment of current built form, including hardstandings. This is set out in the tables below:

Comparison of building footprints:

Site areas	Existing m2	Proposed m2	Difference m2
PDL (PoW camp)	1640	2018	+378
Greenway Eggs	2349	1723	-626
Total for site	3989	3741	-248

Comparison areas of hardstanding:

Site areas	Existing m2	Proposed m2	Difference m2
PDL (PoW camp)	3593	3586	-7
Greenway Eggs	4436	2068	-2368
Total for site	8029	5654	-2375

- 11.10 Whilst the above indicates that the proposals would have a lower footprint and area of hardstanding in comparison to the current situation, this is not the only assessment required to be undertaken. It is necessary to consider the visual impacts of the proposed development.
- 11.11 Plots 20-26 are more visually prominent within the landscape given the current lack of landscaping particularly along the northern boundary of the site. The existing single storey buildings, whilst having a harsh appearance within the landscape, are not necessarily out of character with the rural area. The proposed dwellings would, by their very nature, have a more domesticated appearance and would be taller structures, being a mix of single and two storey structures. The ridge heights would range from 5.5m to 8.2m.
- 11.12 The southern part of the site would be more densely developed with 19 plots proposed, including the conversion of the existing water tower. These dwellings would be a mix of two storey properties with ridge heights ranging from 6.4m to 8.2m. The existing water tower, proposed to be plot 19, is 13.6m in height, but it is not expected that this building should be an indicator for appropriate ridge heights for the new dwellings.
- 11.13 On balance, it is considered that the proposals would not have a greater impact on the openness of the Green Belt than the existing development, albeit it will have a different impact due to the nature of the development.
- 11.14 The Conservation Officer carried out an assessment as to whether the site and buildings would be suitable for local listing. This assessment considers the evidential, aesthetic, historic and communal value of the buildings. The assessment is set out in paragraph 9.15 above, but concludes that the structures on the site do meet the minimum criteria for inclusion on the Local Heritage List, for selection criteria A – Rarity, B – Aesthetic Value, C – Group Value, D – Archaeological Value, and E – Archival Interest, F – Historical Associations, and H – Social and Communal Value. As such, the structures must be considered as non-designated heritage assets and paragraph 197 of the NPPF requires the effect of the application on the significance of the asset to be taken into account when determining the application. A balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 11.15 Following the assessment of the site by the Council's Conservation Officer, the scheme was revised to retain the water tower and a cluster of six huts, considered to be of significance and forming a courtyard-type complex. This includes a building that has graffiti, understood to be the work of Italian prisoners. The retained buildings are proposed to be converted into a mix of uses, including a gym, office space and a flexible area that can be opened to the public, including a museum relating to the site's history. These buildings would be put under the control of a management company, along with the maintenance of the communal areas of open space.

- 11.16 In terms of impact on the non-designated heritage asset, the Conservation Officer considered that the proposals would result in substantial harm given the loss of the majority of the buildings, which would severely compromise the significance of the heritage asset(s). However, it is also acknowledged that funding for the repair and maintenance of the structures is unlikely to be forthcoming without an associated development to facilitate such works. The development of 26 dwellings, including the conversion of the water tower, is seen as being of significant public benefit. These benefits include the provision of housing, particularly given the fact that the Council does not currently have a 5 year land supply, additional affordable housing, plus the retention and restoration of a cluster of the original buildings. This would increase the likelihood that they will be preserved and maintained in the future, rather than left to deteriorate further and even lost. It is noted that the historic lack of maintenance of the site is not justification for the development itself.
- 11.17 In conclusion, the Conservation Officer was of the view that should the principle of development be supported on the site, that on balance, the revised scheme represents a unique opportunity to integrate part of our World War II heritage with the current need for housing in a manner which facilitates the preservation of part of this important site so that the structures can be retained in their original context, with a viable use which could sustain their future maintenance and provide a tangible link to the history of the locality during the second world war; thereby ensuring that the significance of the site is recognised and accessible to the wider public and future generations.
- 11.18 Given the view that the proposed development would be, on balance, appropriate development within the Green Belt given the fact that it is the redevelopment of previously developed land and would not have a greater impact on the openness, it is considered that the impacts on the non-designated heritage assets would be appropriate.

B Housing mix and affordable housing (ULP Policies H9 and H10; NPPF)

- 11.19 The proposal relates to the erection of 26 dwellings, including the conversion of the former water tower. This would be a mix of 2, 3, 4 and 5 bedroom properties. In terms of market dwellings, this would be 1 x 2 bed, 11 x 3 bed, 3 x 4 bed and 1 x 5 bed. Affordable housing would be provided at 40%, in line with adopted Policy H10. This would be a mix of shared equity dwellings and affordable rent. Eight of the affordable dwellings would be two bedroom and two properties would have 3 bedrooms. Shared equity dwellings would be the 2 x 3 bed properties and one 2 bed property. This is considered to be acceptable and in accordance with the adopted policies.

C Design and layout (ULP Policy GEN2; NPPF)

- 11.20 Policy GEN2 sets out the design criteria for new development. In addition, section 12 of the NPPF sets out the national policy for achieving well-designed places and the need to achieve good design.
- 11.21 In terms of layout and amenity space, the proposals more than adequately meet the space requirements recommended in the Essex Design Guide. Back to back distances and distances to boundaries are more than satisfied.
- 11.22 As set out in 9.15 above, the Conservation Officer's response raised concerns regarding the design of the proposed dwellings. Whilst they appreciated the aim of the applicant to use a form which relates closely to the wider vernacular in the

district, the site has a distinct modern character, with development being regimented and utilitarian in materials and form. It was considered that any new development should take on a more contemporary form and appearance, to ensure that it continues to be viewed as a new development, on the outskirts of a historic settlement, rather than the retained PoW camp buildings feeling isolated and surrounded in a contrived historically domestic setting which is misleading and undesirable and would be in stark contrast to the modern treatment of the water tower.

11.23 Whilst it is agreed that a contemporary approach could be more appropriate, and potentially reduce the visual impacts even further, this is not what the applicant is proposing. Therefore, the scheme must be assessed on the basis of what has been submitted and significant harm must be identified in order to warrant refusal of the scheme.

11.24 The proposed dwellings would be a mix of render, brick and weatherboarding, with tiled roofs. Glazed extensions are proposed to the water tower. Materials are proposed to be agreed prior to the commencement of development. This can be secured by way on a condition if planning permission is granted.

A large area to the south of the site would be retained as open land. Two small areas of open space within the site are also proposed, one opposite the water tower to emphasis the importance of the building within the site, and one adjacent to plot 24. In addition, a LEAP is also proposed adjacent to the retained PoW buildings. These are proposed to be maintained by a management company.

11.25 Whilst the proposed LEAP would not be visible from the residential properties, and therefore wouldn't have natural surveillance, it would be located adjacent to the retained buildings that are proposed to have ancillary use, including a gym. Therefore, the area should benefit from some form of natural surveillance. In addition, a proposed cycle/footpath is located to the east of the play area.

D Access and car parking (ULP Policies GEN1 and GEN8)

The proposed development would utilise an existing access from Mill Lane. All vehicular movements associated with the development would be via the access point at the southern boundary of the site. The development removes the existing commercial activities associated with the egg packing plant and as such all the vehicular movements, including lorries, from Mill Lane.

The proposals have been considered by the Highway Authority who concludes that the number of trips generated by the proposed development is broadly in line with the traffic expected to be generated by the existing lawful use. As such the proposals are not considered to result in a severe impact on the highway network and can be accommodated safely and efficiently.

It is noted a pedestrian/cycle link to the adjacent residential area is proposed. This, together with the minor improvements proposed to Mill Lane is considered acceptable and the Highway Authority does not raise any objections to the proposals. As such the scheme complies with Policy GEN1.

The development includes the appropriate parking provision for the dwellings as required by the adopted parking standards. Five additional spaces are provided adjacent to the retained PoW buildings. These could also be used for visitor parking. The proposals therefore comply with Policy GEN8.

E Ecology and biodiversity (ULP Policies GEN7, ENV7, ENV8; NPPF)

Policy GEN7 seeks to protect biodiversity, protected species and habitats. The application is accompanied by an Ecological Impact Assessment. This has been assessed by the County Ecologist who concludes that the document is a thorough and robust consideration of all the relevant ecological issues. Subject to condition, no objections are raised in respect of ecological issues.

Policies ENV7 and ENV8 seek to protect designated sites for nature conservation and other landscape elements of importance for nature conservation. The site itself does not fall within any designated areas, but does lie within a 2km impact zone for a SSSI and within 250m of a local wildlife site. Given the nature of the proposals and the open space and ecological measures included in the scheme, it is not considered that the proposals would result in any significant adverse harm to these areas. As such the proposals comply with Policies ENV7 and ENV8.

F Flood risk (ULP Policy GEN3; NPPF)

The site is located within Flood Zone 1, the area least likely to flood and most appropriate for development. The application is accompanied by a Flood Risk Assessment and Drainage Strategy. These have been assessed by the Lead Local Flood Authority. Following the submission of additional information relating to discharge rates and storage volumes, the proposals have been considered to be acceptable and no objections are raised, subject to conditions. The proposals therefore comply with Policy GEN3.

G Contaminated land (ULP Policy ENV14; NPPF)

Part of the site has previously been used as a Prisoner of War camp and the remainder currently has commercial activities associated with the egg packing plant. As such, there is a potential for there to be unknown contamination within the site. The Environmental Health Officer has considered the Contamination Report submitted with the application and, subject to conditions being imposed, raises no objections to the proposals.

H Other material considerations (ULP Policies ENV4, GEN6; NPPF)

The site lies within a potentially highly sensitive area of heritage assets, particularly given the historic use of the site. The surrounding area contains considerable evidence of occupation potential from the medieval period. Aerial photographic evidence shows an historic route-way lying to the north of the site associated to the moated site identified in the desk based assessment. In order to comply with the requirements of Policy ENV4 and the NPPF, it is necessary to impose conditions requiring archaeological works to be undertaken on the site prior to development commencing.

ECC Education has identified a shortfall in primary school places and therefore would require a financial contribution in order to offset the impacts of the proposed development. This can be secured by way of a s106 Legal Obligation if planning permission were to be granted.

Given the sensitivity of the site within the Green Belt, and the fact that the proposed dwellings have substantial gardens, it is appropriate to consider the potential impact of permitted development. If unrestricted permitted development rights are retained

for extensions, dormers and outbuildings, then the visual impacts of the proposed development could be significantly increased. Therefore, if planning permission is granted it is considered appropriate to remove permitted development rights in order to protect the openness of the Green Belt. It is recommended that Classes A, B, C, D and E of Schedule 2, Part 1 are removed. In addition, the construction of fences, in particular along the northern boundary, would be harmful to the character of the rural area and the Green Belt. It is therefore also recommended that Schedule 2, Part 1, Class A permitted development rights are also removed.

The Conservation Officer also considered that it would be appropriate to remove the following permitted development rights in order to protect the significance and setting of the non-designated heritage assets:

Part 2 – Class C – Exterior painting
Part 11 – Class B – Demolition of buildings
Part 11 – Class C – Demolition of gates, fences, walls, etc
Part 14 – Classes A to O – Renewable Energy

I Emerging Local Plan policies

Emerging Local Plan policies currently have limited weight. In terms of this site, the land still falls outside the development limits and within the Green Belt. Emerging Policy SP10 refers to national planning policy and an assessment with regards to this has been carried out above.

Policy SP1 relates to a presumption in favour of sustainable development and SP12 relates to sustainable development principles. These are further supported by a raft of policies covering various issues such as electric charging points, high quality, accessible design and superfast broadband. These reflect the aims of national policy and the proposals are generally compliant.

Policies relating to housing mix and affordable housing are updated to reflect current national policy. The proposals comply with the requirements of national policy, and as such with the emerging policy.

Emerging Local Plan Policy INF2 sets out the requirements for the provision of open space. On developments of 10 dwellings or over there is a requirement for 2 square metres per person for playspace and 10 square metres per person amenity space. This proposal contains a site of approximately 400 square metres of playspace, including a LEAP. This development would generate a requirement of around 125 square metres and therefore the proposals would comply. Given the retention of large areas of open space within the site, the proposals would more than comply with the requirement for amenity greenspace as set out in the emerging policy.

Other emerging policies, covering issues such as contamination, flooding, archaeology and heritage assets are in line with national policy and the assessment carried out above indicates that the proposals would comply with emerging policy.

12. CONCLUSION

The following is a summary of the main reasons for the recommendation:

- A** The proposal relates to development within the Green Belt on previously developed land. This is one of the exceptions in national green belt policy where development is considered acceptable, subject to it not impacting on the openness of the green

belt. In this instance, whilst the proposed buildings would be residential in character and taller than the existing buildings, overall the openness of the site would not be adversely affected. Therefore, the proposals are considered acceptable in terms of impact on green belt. The site is considered to be appropriate for local listing and therefore the impacts on a non-designated heritage asset also have to be considered. Whilst the proposals would result in the loss of a substantial part of the asset, the retention of a courtyard of buildings and the conversion of the water tower will enable the long-term preservation of the structures. On balance, the proposals are considered to be appropriate.

- B** The housing mix and affordable housing provision are considered appropriate and in accordance with policy.
- C** The design of the dwellings is considered by the conservation officer to be at odds with the character of the site. Whilst this is agreed, there are insufficient grounds to refuse the application on design grounds.
- D** The impact on highways is considered to be acceptable by the Highway Authority. The parking provision is in accordance with the adopted standards.
- E** There would not be any adverse impacts on biodiversity, subject to implementation of identified mitigation.
- F** There would be no increase in flood risk and the proposals are acceptable.
- G** There are no concerns with regards to contamination, subject to appropriate conditions being imposed.
- H** Potential impacts on archaeology can be mitigated by way of condition. Impacts on education facilities can be mitigated by a s106 Legal Obligation securing funding for additional school places.

Given the sensitive nature of the site it is recommended that permitted development rights across a range of development types are removed.

- I** The proposals comply with the requirements of the emerging local plan, which has limited weight at the present time.

RECOMMENDATION – CONDITIONAL APPROVAL SUBJECT TO S106 LEGAL OBLIGATION:

(I) The applicant be informed that the Planning Committee would be minded to refuse planning permission for the reasons set out in paragraph (III) unless the freehold owner enters into a binding obligation to cover the matters set out below under Section 106 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991, in a form to be prepared by the Head of Legal Services, in which case he shall be authorised to conclude such an obligation to secure the following:

- (i) provision of affordable housing**
- (ii) payment of education contribution for primary school spaces**
- (iii) long-term maintenance arrangements for the open space**
- (iv) long-term maintenance arrangements for the retained Prisoner of War buildings**
- (v) long-term maintenance arrangements for the sustainable drainage system (SuDS)**
- (vi) Improvements to Footpath no.12 (Hatfield Heath), connecting the proposed development to Home Pastures/Broomfields (pedestrian and cycle link)**
- (vii) payment of the Council's reasonable legal costs**
- (viii) payment of monitoring fee**

(II) In the event of such an obligation being made, the Assistant Director Planning shall be authorised to grant permission subject to the conditions set out below

(III) If the freehold owner shall fail to enter into such an obligation by 20 March 2019, the Assistant Director Planning shall be authorised to refuse permission in his discretion anytime thereafter for the following reasons:

- (i) inadequate provision of affordable housing**
- (ii) non-payment of education contribution for primary school spaces**
- (iii) lack of suitable long-term maintenance arrangements for the open space**
- (iv) lack of suitable long-term maintenance arrangements for the retained Prisoner of War buildings**
- (v) lack of suitable long-term maintenance arrangements for the proposed sustainable drainage system (SuDS)**
- (vi) lack of improvements to Footpath no.12 (Hatfield Heath), connecting the proposed development to Home Pastures/Broomfields (pedestrian and cycle link)**

Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Prior to the erection of the development hereby approved samples of the materials to be used in the construction of the external surfaces of the development hereby permitted, and the proposed replacement roofing materials for the buildings to be restored, shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of the appearance of the development in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

3. Prior to the erection of the development hereby approved full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include [for example]:-

- i. proposed finished levels or contours;
- ii. means of enclosure;
- iii. other vehicle and pedestrian access and circulation areas;
- iv. hard surfacing materials;
- v. minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, etc.);

Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme.

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted, in accordance with Policies GEN2, GEN7 and ENV8 of the Uttlesford Local Plan (adopted 2005).

4. All hard and soft landscape works shall be carried out in accordance with the

approved details. The works shall be carried out before any part of the development is occupied or in accordance with the programme agreed with the local planning authority.

REASON: In the interests of the appearance of the site and area in accordance with Policies GEN2, GEN7 and ENV8 of the Uttlesford Local Plan (adopted 2005).

5. Prior to the erection of the development hereby approved cross-sections of the site and adjoining land, including details of existing levels around the building(s) hereby permitted and any changes in level proposed, together with the proposed floor levels within the building(s), shall be submitted to and approved by the local planning authority in writing. The development shall be carried out in accordance with the approved details.

REASON: In the interests of protecting the character of the countryside in this green belt location, in accordance with Policies S6 and GEN2 of the Uttlesford Local Plan (adopted 2005).

6. No development or conversion of any kind shall take place until the applicant has secured the implementation of a programme of historic building recording in accordance with a written scheme of investigation which has been submitted by the applicant, and approved by the planning authority. The entirety of the site, including all structures shall be recorded to Level 3 (Historic England - Understanding Historic Buildings: A Guide to Good Recording Practice, 2016) and details shall be submitted by the applicant, and approved by the planning authority prior to the commencement of works. A copy of this report should be made available to the public within 6 months of the report date.

REASON: To record the significance of the non-designated heritage asset so that this may be properly recorded and accessible to the public, in accordance with the NPPF.

Justification: The Historic Environment Record and the desk top study submitted with the application indicate that the proposed development lies within a potentially highly sensitive area of heritage assets. The HER shows that the development area contains the site of a World War II prisoner of war camp (EHER 21265). As defined in the desk based assessment many of these buildings survive on the site in various stages of decay and will be demolished if the development proceeds. Some are still in use as commercial properties.

7. No development or preliminary groundworks can commence until a programme of archaeological trial trenching has been secured and undertaken in accordance with a written scheme of investigation which has been submitted by the applicant, and approved by the planning authority.

A mitigation strategy detailing the excavation/preservation strategy shall be submitted to the local planning authority following the completion of this work.

No development or preliminary groundworks can commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation strategy, and which has been signed off by the local planning authority through its historic environment advisors.

REASON: In order to protect and record the archaeological assets in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

Justification: The Historic Environment Record and the desk top study submitted with the application indicate that the proposed development lies within a potentially highly sensitive area of heritage assets. The HER shows that the development area contains the site of a World War II prisoner of war camp (EHER 21265). As defined in the desk based assessment many of these buildings survive on the site in various stages of decay and will be demolished if the development proceeds. Some are still in use as commercial properties. The surrounding area contains considerable evidence of occupation potential from the medieval period. Aerial photographic evidence shows an historic route-way lying to the north of the site associated to the moated site identified in the desk based assessment.

The Historic Environment characterisation document shows the extent of archaeological deposits on other sites to the north of Hatfield Heath showing occupation from the Bronze Age through to the modern day.

8. The applicant will submit to the local planning authority a post-excavation assessment (to be submitted within three months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post-excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

REASON: To preserve the significance of the non-designated heritage asset and any archaeological evidence that is available on the site, so that this may be properly recorded and accessible to the public in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

9. Prior to the commencement of the development hereby approved a full schedule for the works to repair and convert the existing structures to be retained on the site (including internal and external works) shall be submitted to and agreed by the Local Authority. This shall include an agreed phased approach clearly setting out how these will be progressed and completed in tandem with the wider development. Where possible these works shall be completed as a priority. The works shall be carried out strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

REASON: In order to preserve the significance of the non-designated heritage assets, in accordance with Paragraph 197 of the NPPF.

10. Prior to the commencement of the development hereby approved details (of a scale not less than 1:20) for new windows and doors, including proposed new openings and rooflights, to the new dwellings and the existing structures to be retained, shall be submitted to, and approved in writing by the Local Authority. Subsequently, the development shall be carried out strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

REASON: To preserve the significance and setting of the non-designated heritage assets, in accordance with Paragraph 197 of the NPPF.

11. Prior to the commencement of the development hereby approved details of proposed rainwater goods to be shall be submitted to and agreed in writing by the Local Authority. Subsequently, the development shall be carried out strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

REASON: To preserve the significance of the non-designated heritage assets in accordance with Paragraph 197 of the NPPF.

12. No development shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include:
- (i) a survey of the extent, scale and nature of contamination;
 - (ii) an assessment of the potential risks to:
human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments.

REASON: In the interests of safety, residential amenity and proper planning of the area, in accordance with Policies GEN2, GEN4 and ENV14 of the Uttlesford Local Plan (adopted 2005).

13. No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The development shall be carried out strictly in accordance with the approved remediation scheme, unless otherwise agreed in writing by the local planning authority.

REASON: In the interests of safety, residential amenity and proper planning of the area, in accordance with Policies GEN2, GEN4 and ENV14 of the Uttlesford Local Plan (adopted 2005).

14. The remediation scheme shall be implemented in accordance with the approved timetable of works. Within 3 months of the completion of measures identified in the approved remediation scheme, a validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to the Local Planning Authority.

REASON: In the interests of safety, residential amenity and proper planning of the area, in accordance with Policies GEN2, GEN4 and ENV14 of the Uttlesford Local Plan (adopted 2005).

15. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 2 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site.

An assessment must be undertaken in accordance with the requirements of condition 12, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of condition 13.

The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority in accordance with condition 14.

REASON: In the interests of safety, residential amenity and proper planning of the area, in accordance with Policies GEN2, GEN4 and ENV14 of the Uttlesford Local Plan (adopted 2005).

16. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.
- a) Risk assessment of potentially damaging construction activities.
 - b) Identification of "biodiversity protection zones".
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs.
- The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

REASON: In order to protect the aquatic and terrestrial habitat of great crested newt (a legally protected species), in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

17. No works shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:
- Limiting discharge rates to the equivalent Greenfield and Brownfield run off rates (1in1, 1in30, 1in100) for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change. It must be ensured that at least 50% betterment is calculated for the Brownfield run off rates.
 - Provide sufficient storage with the inclusion of long to storage ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.
 - 2
 - Final modelling and calculations for all areas of the drainage system.
 - The appropriate level of treatment for all runoff leaving the site, in line with the CIRIA SuDS Manual C753.
 - Detailed engineering drawings of each component of the drainage scheme.
 - A final drainage plan which details exceedance and conveyance routes, FFL

- and ground levels, and location and sizing of any drainage features.
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

The scheme shall subsequently be implemented prior to occupation.

REASON: In order to prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site, to ensure the effective operation of SuDS features over the lifetime of the development, to provide mitigation of any environmental harm which may be caused to the local water environment in accordance with Policy GEN3 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

Justification: Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

18. No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented as approved.

REASON: In order to prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site, to ensure the effective operation of SuDS features over the lifetime of the development, to provide mitigation of any environmental harm which may be caused to the local water environment in accordance with Policy GEN3 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

Justification: The National Planning Policy Framework paragraph 163 states that local planning authorities should ensure development does not increase flood risk elsewhere and does not contribute to water pollution.

Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore the removal of topsoils during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development.

Construction may also lead to polluted water being allowed to leave the site. Methods for preventing or mitigating this should be proposed.

19. No works shall take place until a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority. Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

REASON: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk, in accordance with Policy GEN3 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

Justification: Failure to provide the above required information before commencement of works may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

20. All ecological measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment Report by The Ecology Partnership dated August 2017 as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

REASON: In the interests of conserving biodiversity, in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

Prior to the first occupation of the development hereby permitted the developer shall implement an improvement scheme along Mill Lane from the junction with B1060 (Stortford Road) to Footpath no.12 (Hatfield Heath). All works to be agreed with the Highway Authority prior to their commencement. The improvements shall include but not be limited to alterations to road width/construction/drainage/markings/lining, to tie in with existing highway/carriageway. The improvements shall be carried out strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To provide a safe and convenient access for users of Mil Lane in the interest of highway safety and accessibility in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005) and Policies DM1, 9 and 17 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) no development in the following sections shall be carried out in respect of the dwellings hereby permitted, or the retained structures:

Schedule 2, Part 1, Class A – The enlargement, improvement or other alteration of a dwellinghouse

Schedule 2, Part 1, Class B – additions etc to the roof of a dwellinghouse

Schedule 2, Part 1, Class C – other alterations to the roof of a dwellinghouse

Schedule 2, Part 1, Class D – porches

Schedule 2, Part 1, Class E – buildings etc incidental to the enjoyment of the dwellinghouse

Schedule 2, Part 2, Class A – gates, fences, walls etc

Schedule 2, Part 2, Class C – exterior painting

Schedule 2, Part 11, Class B – demolition of buildings

Schedule 2, Part 11, Class C – demolition of gates, fences, walls etc

Schedule 2, Part 14, Classes A-O – renewable energy

REASON: In order to protect the openness of the green belt and to preserve the significance and setting of the non-designated heritage assets, in accordance with Policy S6 of the Uttlesford Local Plan (adopted 2005) and paragraph 197 of the NPPF.

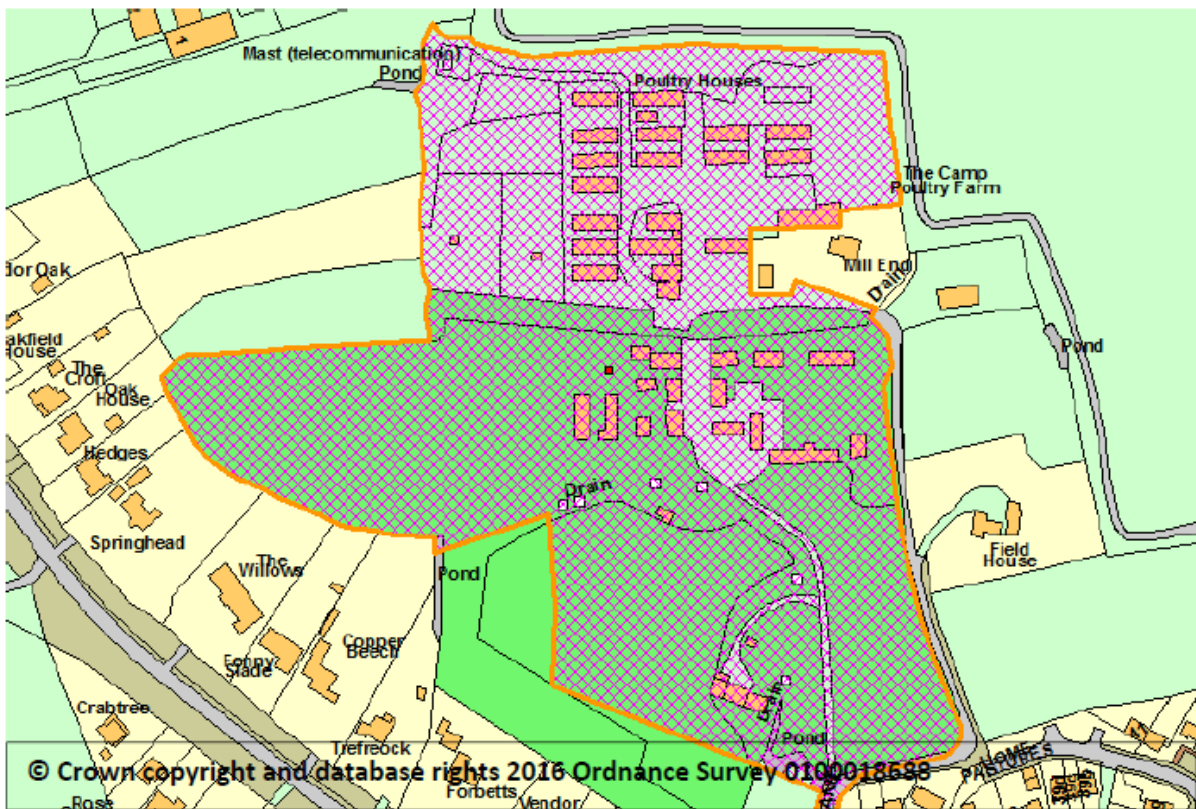
22. Prior to the first occupation of the development hereby permitted full details of the proposed uses for the retained structures on the site, aside from the water tower, shall be submitted to and agreed in writing by the local planning authority.

Subsequently, the development shall be carried out strictly in accordance with the approved details. The alternative uses shall be made available no later than 6 months following the occupation of the final dwelling hereby permitted.

REASON: To preserve the significance of the non-designated heritage assets and to ensure they have an appropriate use to retain the long-term viability in accordance with Paragraph 197 of the NPPF.

23. 5% of the dwellings approved by this permission shall be built to Category 3 (wheelchair user) housing M4(3)(2)(a) wheelchair adaptable. The remaining dwellings approved by this permission shall be built to Category 2: Accessible and adaptable dwellings M4(2) of the Building Regulations 2010 Approved Document M, Volume 1 2015 edition.

Reason : To ensure compliance with Policy GEN2 (c) of the Uttlesford Local Plan 2005 and the subsequent SPD on Accessible Homes and Playspace.



Organisation: Uttlesford District Council

Department: Planning

Date: 05 February 2019