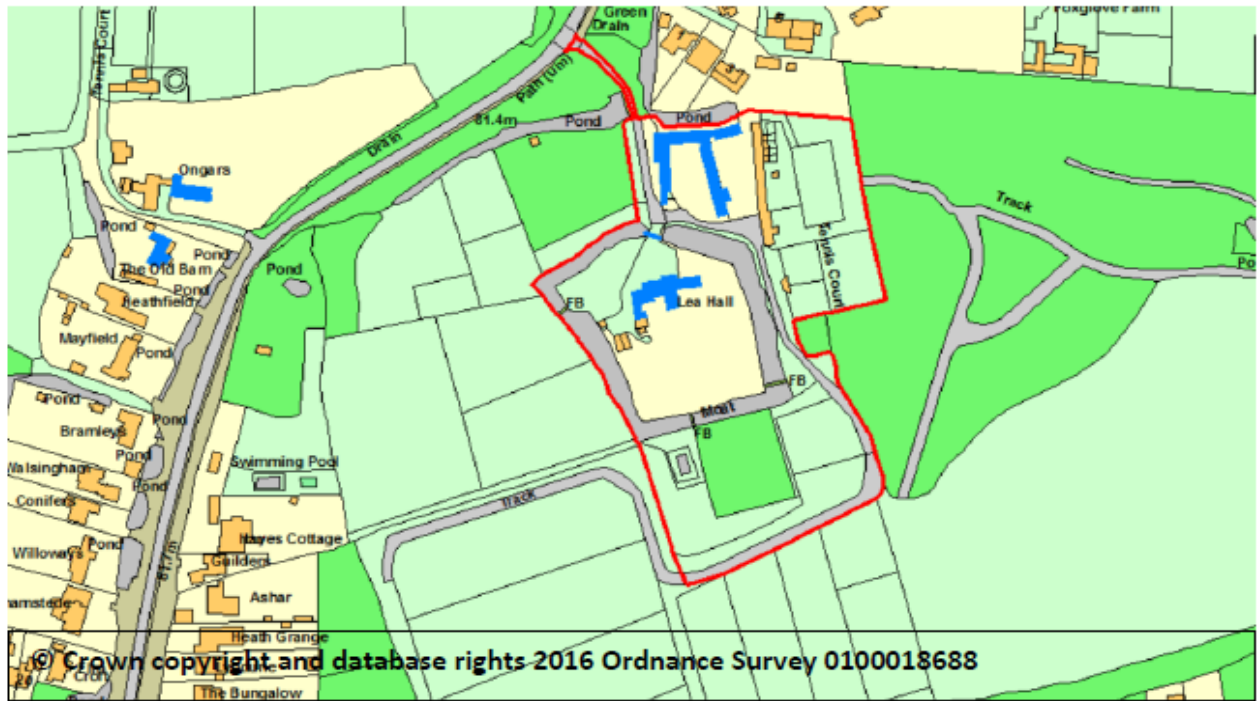


ITEM NUMBER:

REFERENCE NUMBER: UTT/19/3164/LB

LOCATION: Lea Hall, Hatfield Heath, Essex,
CM22 7BL

SITE LOCATION PLAN:



Organisation: Uttlesford District Council

Department: Planning

Date: 24 JANUARY 2022

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Organisation: Uttlesford District Council Date:

PROPOSAL: Proposed renovation works to Lea Hall including the demolition of existing modern extensions, reinstatement of external render to match original, removal of section of ceiling to entry hall, replacement of modern internal floor finishes, minor alterations to internal walls and minor repairs to match existing.

APPLICANT: Mark Jones

AGENT: Stuart Wighton

EXPIRY DATE: Extension of time:25.03.2022

CASE OFFICER: Madeleine jones

NOTATION: Outside Development Limits, Metropolitan Green Belt, Ancient Monument, Grade II* Listed Buildings, Tree Preservation Orders, Archaeological Site, within 2km of SSSI, Within 6km of Stansted Airport

1. RECOMMENDATION: GRANT LISTED BUILDING CONSENT

CONDITIONS:

- 1** The development to which this consent relates shall be begun before the expiration of 3 years from the date of this decision.

Reason: To comply with the requirements of Section 18 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2** A full specification of works and a repairs methodology, to include repairs to the timber frames, external finishes and structural interventions, shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of any repair or refurbishment works

Reason: In the interests of preserving the historic character and appearance of the Listed Buildings and its setting in accordance with policy ENV2 of the Adopted Local Plan and The National Planning Policy Framework.
- 3** Samples of external materials shall be submitted to and agreed in writing by the Local Planning Authority prior to their first use on site.

Reason: In the interests of the character and setting of the Listed buildings in accordance with the adopted Uttlesford Local Plan 2005 - Policy ENV2

4 Section drawings showing the build-up of walls, floors and ceilings, to show insulation and external and internal finishes, shall be submitted to and agreed in writing by the Local Planning Authority prior to the installation of any insulation or finishes.

Reason: In the interests of the character and setting of the Listed building in accordance with the adopted Uttlesford Local Plan 2005 - Policy ENV2

5 Additional drawings of new windows, doors, rooflights, glazed panels, balustrades, cills, eaves and verges, in section and elevation at a scale between 1:1 and 1:20 as appropriate, shall be submitted to and agreed in writing by the Local Planning Authority prior to their construction or installation on site.

Reason: In the interests of preserving the historic character and appearance of the Listed Buildings and its setting in accordance with policy ENV2 of the Adopted Local Plan and The National Planning Policy Framework.

6 No external lighting, meter boxes, alarm boxes, satellite dishes, ventilation grilles or other external fixtures, other than those shown on the approved drawings, shall be fitted without the prior written approval of the Local Planning Authority

Reason: In the interests of the character and setting of the Listed buildings in accordance with the adopted Uttlesford Local Plan 2005 - Policy ENV2

7 Any asbestos removed in relation to this development shall be done in full consultation with the Health & Safety Executive using a licenced contractor. Contractor details and asbestos disposal records (waste transfer notes) should be submitted to the council upon completion.

Reason: To protect human health and the environment in accordance with the adopted Uttlesford Local Plan 2005 – Policy ENV14

2. **DESCRIPTION OF THE SITE :**

2.1 The site is located to the east of Dunmow Road in Hatfield Heath. It is approximately 2.7 hectares in size and is bound to the south and west by agricultural fields and grassland. The surrounding area is predominately rural; however, the site is bounded by housing to the north and linear development along the main roads that lead into Hatfield Heath to the south and west of the site.

2.2 Access to the site is to the east Dunmow Road.

2.3 Lea Hall itself is a Grade II* Listed building (List number (1334062), it is a substantial detached dwelling dating from the 15th century with 17th century additions. It is set within a Scheduled Ancient Monument (SAM) (number 1012093) relating to the moated site, which is likely to pre-date the current Lea Hall. Within the landscaped garden of Lea

Hall are 3 separately designated edifices, each at Grade II. Beyond the moat and the SAM, but within the curtilage of Lea Hall is a range of Grade II Listed farm buildings (List number 1107936), which range in date between the 17th, 18th and 19th centuries.

- 2.4** Within the grounds of Lea Hall (39m north) is an arch which is located over the carriageway of a small bridge over the moat of Lea Hall. This is Grade II Listed. There is a further archway to the rear of Lea Hall that is also Grade II listed. In addition, there is an ornament (former window tracery of the church of St Augustine) which again is Grade II listed
- 2.5** To the north of Lea Hall are a group of Grade II Listed derelict barns.
- 2.6** The farmyard to the north of the moat is split into two distinct areas. The first incorporates the historical buildings in a U-shape arrangement with a low flint wall forming the enclosure to the south. To the east of these buildings are a collection of twentieth century structures
- 2.7** The farmyard comprises five barns, four of which are attached and the fifth is separated due to the collapse of a building.

Building 1: is located on the south-west side of the yard. The single-storey, hipped-roof building was constructed as a stable. The two bays are accessed from a single stable door and double stable door. The structure is half weather boarded with upper exposed timber frame.

Building 2: is the central building on the west side. The narrow range was likely constructed in the nineteenth century and used as a stable. This single-storey building, of three bays, has two entrances in the east elevation and a single door in the west elevation. The building is half weatherboarded on its east elevation, with timber framing above. The west elevation is timber framed throughout. In line with the adjacent building to the south the roof is tiled. The building is in a very poor state of repair, with a significant lean on both the east and west elevations. Stabilisation works have previously been undertaken

Building 3: This is located in the north west corner of the yard. The listing description suggests that the building was constructed in the eighteenth century as a granary barn. The building is two storeys in height with a painted brick lower level and a timber framed upper level. The full height central double doors on the east and west elevations have both been bricked-up internally. On the south-west corner, at the first floor, is a chamfered corner with a door, balcony and pent roof. The barn is adorned with detailed pargetting throughout the plastered in-fill of the timber frame with five distinct patterns. Internally the building has been subject to extensive alteration. An east-west dividing wall has been inserted within the building, dividing a full height squash court in the north bay and a first floor viewing gallery in the south bay.

Building 4: Encloses the north side of the yard. This building was originally constructed, in at least the nineteenth century, as a cart lodge. The individual bays of the lodge are discernible and identified by the external posts. The building was enclosed in the twentieth century and the open south side weather boarded.

Building 5: This is located in the south east corner of the yard. This seventeenth century barn is believed to be the earliest agricultural building within the Site. The structure has a weatherboarded lower half with render above on the east elevation and is timber framed on the west elevation. The barn incorporates a gabled midstrey in the centre of the east elevation. The north and south elevations ends are weather boarded. The barn has a peg tiled, steep pitched roof with single roof light on the western elevation.

2.7 There are further outbuildings including stables and storage buildings.

3 **PROPOSAL**

3.1 Proposed renovation of barns including change of use to 7 no. Dwellings, including the construction of new internal partitions, reconstruction of collapsed barn, replacement of timber weatherboarding, new external openings and repairs to maintain structural integrity.

4. **ENVIRONMENTAL IMPACT ASSESSMENT**

4.1 The development does not constitute 'EIA development' for the purposes of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

5. **APPLICANTS CASE**

5.1 Design and Access Statement
Environmental Statement
Flood Risk Assessment
Heritage Statement
Historic England Pre- application advice
Land contamination Assessment
Non – Technical Ecological Summary
Protected Species survey Report
Place Services Survey Report
Structural survey
Suds Checklist
Surface Water Drainage Strategy
Transport Assessment
Arboricultural Implication Report
Enabling Assessment (updated 20th January 2022)
Built Heritage Statement
Planning Statement
Tree Survey
Phase 1 Habitat Survey
Phase 1 Preliminary Risk Assessment
Herpetofauna Assessment

Bat survey
Great Crested Newt survey
Water vole Survey

6. RELEVANT SITE HISTORY

- 6.1** DUN/0268/61: Additions and alterations. Permitted Development
- 6.2** UTT/0230/84: Outline application for erection of an agricultural dwelling. Refused.
- 6.3** UTT/0700/93/FUL: Renewal of erection of agricultural dwelling and garage (previously approved under UTT/1506/89) Approved with conditions.
- 6.4** UTT/0876/89: Outline application for erection of an agricultural dwelling. Approved with conditions.
- 6.5** UTT/1321/88: Proposed reconstruction of chimney stacks. Approved with conditions.
- 6.6** UTT/1504/88: Proposed conversion and alterations of tack room and cottage. Approved with conditions
- 6.7** UTT/1505/88/LB: Proposed conversion and alterations of tack room and cottage. Approved with conditions.
- 6.8** UTT/1765/87: Proposed conversion of existing tack room and outbuilding to form gardeners/ caretaker's cottage. Refused.
- 6.9** UTT/1766/87/LB: Proposed conversion of existing tack room and outbuilding to form gardeners/ caretaker's cottage. Refused.
- 6.10** UTT/19/3164/LB: Proposed renovation of barns including change of use to 7 no. Dwellings, including the construction of new internal partitions, reconstruction of collapsed barn, replacement of timber weatherboarding, new external openings and repairs to maintain structural integrity. Pending
- 6.11** UTT/18/3379/PA: Refurbishment of Lea Hall and farm cottage. Conversion of existing barns and stables into 7no new dwellings. Construction of 5n new dwellings.
- 6.12** UTT/19/3173/FUL: Proposed refurbishment of Lea Hall including the addition of new detached garage and detached swimming pool building. Conversion of barns and cottage to 8 no. Dwellings. Demolition of existing stables to be replaced by 3 no. Dwellings with cart lodges and associated landscaping. Pending.

7. CONSULTATION RESPONSES:

Hatfield Heath Parish Council

7.1 The Parish Council objects to the change of use from agricultural as part of UTT/19/3173/FUL.

Historic England

7.2 No comment.

Place services- ECC- Built Heritage

7.3 Lea Hall is a Grade II* listed house (list entry no. 1334062) of fifteenth century origin with seventeenth century additions and later alterations. It is positioned in the centre of the Lea Hall Moated Site, a Scheduled Monument (list entry no. 1012093). Within the grounds of the house are three grade II listed garden ornaments: an arch 30 meters north of Lea Hall (list entry no. 1236863); some ornamental window tracery 40 meters west of the house (list entry no. 1325204); and an ornamental spire 35 meters to the south (list entry no. 1325204). To the north of the house, and outside the boundary of the scheduled monument, are a group of farm buildings of various dates (seventeenth through to the nineteenth centuries) which are Grade II listed.

7.4 The proposals have been subject to pre-application advice including a site meeting with Historic England and a letter dated 22/05/2019. The principle of sensitively restoring Lea Hall and converting the dilapidated farm buildings is supported

7.5 The Structural Report provides a thorough assessment of the existing buildings and concludes that the timber frames are in reasonable condition allowing for the retention of the majority of the timber frame elements. Some repair and replacement is required but this is limited to approximately 10-15%. The report notes that the structures have distorted and are no longer vertical, particularly Barn 1, but this can be addressed with the insertion of internal walls. Barn 1, however, requires straightening or rebuilding due to the extent of distortion to the timber frame. There are no objections to the general proposals within the Structural Report and further detail (including a full specification of works) can be reserved by condition

7.6 The proposed conversion, as noted within the Heritage Statement, will result in some 'less than substantial' harm as the buildings will take on a more domestic appearance and will lose some of their intrinsic agricultural character. However, the heritage benefits of the scheme include providing the redundant farm buildings with a long-term, viable future use ensuring their future maintenance and conservation.

7.7 The proposed conversion scheme is largely sympathetic to the existing buildings. An approach of minimal intervention is proposed: reusing existing openings where possible; using existing

divisions within the buildings; retaining historic finishes where they survive; and retaining the internal farmyard as an open space.

- 7.8** Considering the scheme as a whole (application nos. UTT/19/3173/FUL, UTT/19/3164/LB & UTT/19/3163/LB), the proposals will result in some 'less than substantial' harm primarily through the construction of new dwellings (adversely impacting the settings of Lea Hall and the farm buildings) and the conversion of the farm buildings (due to a change in their character and impact on their special interest). Paragraph 196 of the NPPF should therefore be considered. However, there are considered to be heritage benefits to the scheme including securing the long-term viable future of the listed buildings and, in the case of Lea Hall, ensuring it remains in its optimum viable use (as a single dwelling). The need for five new houses is only considered acceptable if they are required to off-set the conservation deficit, however, efforts have been made to mitigate harm through design. Paragraph 193 of the NPPF should also be considered as this affords great weight to the conservation of heritage assets. Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 are also relevant.

Council for British Archaeology

- 7.9** Many aspects of the proposals within these 3 separate applications at Lea Hall will undoubtedly cause harm to the significance and the significance of the setting of Lea Hall and the other designated heritage assets within and adjacent to the proposal site. It is therefore a matter of clear and convincing justification for the degree of harm to significance, which rests on an accurate assessment of the conservation deficit and a reasonable quantum, and no more, of enabling development. The CBA urge your Authority, with the expert support of Historic England, to fully scrutinise and assess whether the quantum of works proposed is indeed justified, as required by paragraph 194 of the NPPF.
- 7.10** Lea Hall itself is a Grade II* Listed building (List number (1334062), dating from the 15th century. It is set within a Scheduled Ancient Monument (SAM) (number 1012093) relating to the moated site, which is likely to pre-date the current Lea Hall. Within the landscaped garden of Lea Hall are 3 separately designated edifices, each at Grade II. Beyond the moat and the SAM, but within the curtilage of Lea Hall is a range of Grade II Listed farm buildings (List number 1107936), which range in date between the 17th, 18th and 19th centuries.
- 7.11** The time depth and continued evolution of Lea Hall and its setting creates complex layers of historical and evidential value and inter-relationships between the different buildings that all contribute to the significance of the overall site. Weighing the harm to significance against conservation works on site, as required by these 3 applications, will be a fine balance
- 7.12** Paragraphs 189 and 190 of the National Planning Policy Framework (NPPF) require that a comprehensive assessment and understanding of the significance of the site must inform any proposals for change.

Beyond this paragraph 194 states that “clear and convincing justification” for any harm to, or loss of significance must be evidenced. Given the enabling development component of this application, much of the justification for development within the sensitive setting of Lea Hall, and its designated agricultural building range, rests on a viability assessment which The Council for British Archaeology are not in a position to scrutinise. We therefore advise your Local Planning Authority to work closely with Historic England to assess whether the number of new domestic units and subdivision and conversion of the Grade II barns is justified by the conservation deficit on site. The CBA defer to the specialist expertise of Historic England on these applications at Lea Hall in order to ensure that the requirements of section 16 of the NPPF are met.

Society for the Protection of Ancient Buildings

7.16 In considering the impact of the proposals we have focussed on those buildings that fall within our date remit (pre-1720). We note that the applications have been the subject of detailed pre-application advice by Historic England and your Conservation Officer and support the advice offered by them. We also note that, for the most part, the proposals have evolved positively in response to pre-application advice

7.17 Nevertheless, we remain extremely concerned about one aspect of the proposals, namely to remove one of the three bays in the entrance hall ceiling to create a double height space at the main entrance. It is clear from the application documentation that this is the original C15 ceiling ‘a double height space ceiling is unlikely to have previously formed part of the entrance hall’. We would therefore **STRONGLY OBJECT** to its removal as this would adversely affect the character and special architectural and historic interest of the listed building.

The applicant has not provided a robust justification for this aspect of the proposals. This is currently limited to a brief reference to the benefit to the occupant in terms of letting in more light, which we would not consider to be sufficient justification for an intervention that would result in the destruction of a significant portion of the historic fabric. It would also compromise both the legibility of the building’s primary 15th century phase and the understanding of the building’s historic plan form, adding to the level of harm caused. In this context we would bring to your attention paragraph 194 of the NPPF which states that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification

7.18 The proposed works by virtue of their detrimental impact and the loss of historic fabric would adversely affect the character and special architectural and historic interest of the listed building. The works would, therefore, cause harm to the significance of the heritage asset contrary to paragraph 195/196 of Chapter 16 of the National Planning Policy Framework 2019.

8. REPRESENTATIONS

Two representations have been received from neighbouring residents:

(Summary)

I write with utter dismay at the prospect of yet another development which will alter not only the character of our village but also irrevocably alter the character and historic value of a group of listed buildings and destroy another swathe of protected environment. My concerns are as follows:

- This proposed development is situated outside the village development area and is in green belt.
- The number of homes proposed is clearly a serious over development of a rural site.
- The impact on what is already a dangerous rural road will be significant
- Lee Hall itself as clearly everyone is aware is a 2* star listed building. Apart from Down Hall which is some way from the village it is the ONLY 2* listed building in Hatfield Heath. The moat surrounding the house is a scheduled ancient monument.
- The group of farm buildings form yet another important listing.
- and in addition some very interesting monuments within the grounds have their own listings.
- This site therefore contains 5 separate listings in a village which in total has a mere 43 .
- Noise issues on site

9. POLICIES

9.1 National Policies

National Planning Policy Framework 2021

9.2 Uttlesford District Local Plan 2005

ULP Policy ENV2 – Listed Buildings

9.3 Supplementary Planning Document/Guidance

9.4 National Planning Policy Guidance (NPPG)

10 CONSIDERATION AND ASSESSMENT:

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

In considering a proposal for listed building consent, the duty imposed by section 16 (2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

- 10.2** The National Planning Policy Framework sets out the desirability of sustaining and enhancing the significance of heritage assets, paragraph 199. It continues that great weight should be given to their conservation and that any harm requires clear and convincing justification, paragraphs 199 and 200. Where a proposal will lead to less than substantial harm, this should be weighed against the public benefits of the proposal, paragraph 202.
- 10.3** The NPPF states that proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably (Paragraph 206). In this instance Paragraph 202 of the NPPF is relevant, which states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use
- 10.4** The moated site is a scheduled monument, the Hall is listed grade II* and the farm buildings listed grade II. A separate Scheduled monument application has been submitted and two further applications for Listed building consent have been submitted for the works to the Listed buildings.
- 10.5** Lea Hall is a Grade II* listed house (list entry no. 1334062) of fifteenth century origin with seventeenth century additions and later alterations. It is positioned in the centre of the Lea Hall Moated Site, a Scheduled Monument (list entry no. 1012093). Within the grounds of the house are three grade II listed garden ornaments: an arch 30 meters north of Lea Hall (list entry no. 1236863); some ornamental window tracery 40 meters west of the house (list entry no. 1325204); and an ornamental spire 35 meters to the south (list entry no. 1325204). To the north of the house, and outside the boundary of the scheduled monument, are a group of farm buildings of various dates (seventeenth through to the nineteenth centuries).
- Policy ENV2 seeks to protect the fabric, character and the setting of listed buildings from development which would adversely affect them. The listed buildings subject of this proposal are redundant and in a poor state of despair. It is clear that because of the historic and architectural importance of this site a new economical viable use has to be found for these structures so their survival is assured.
- This application is supported by an Heritage statement, a detailed analysis and report on the farm buildings and been the subject of pre- application consultation with the specialist conservation officer, Historic England and Planning Officers
- 10.6** The application submitted reflects the advice given and would secure the long term viable future of the listed buildings.
- 10.7** The Structural Report provides a thorough assessment of the existing buildings and concludes that the timber frames are in reasonable condition allowing for the retention of the majority of

the timber frame elements. Some repair and replacement is required but this is limited to approximately 10-15%. The report notes that the structures have distorted and are no longer vertical, particularly Barn 1, but this can be addressed with the insertion of internal walls. Barn 1, however, requires straightening or rebuilding due to the extent of distortion to the timber frame. There are no objections to the general proposals within the Structural Report and further detail (including a full specification of works) can be reserved by condition.

10.8 the overall details of the design and proposed repair would be beneficial to the integrity and longevity of the historic buildings.

10.9 The proposed conversion, as noted within the Heritage Statement, will result in some 'less than substantial' harm as the buildings will take on a more domestic appearance and will lose some of their intrinsic agricultural character. However, the heritage benefits of the scheme include providing the redundant farm buildings with a long-term, viable future use ensuring their future maintenance and conservation.

10.10 The proposed conversion scheme is largely sympathetic to the existing buildings. An approach of minimal intervention is proposed: reusing existing openings where possible; using existing divisions within the buildings; retaining historic finishes where they survive; and retaining the internal farmyard as an open space

10.11 As such the proposal subject to appropriate conditions, is considered to meet the aims of ULP policy ENV2 and the aims of the NPPF and considered to be acceptable.

11 EQUALITIES

11.1 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to:

- (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.[]

12. CONCLUSION

12.1 The proposals have been well designed in order to mitigate their impacts on the listed buildings and their setting and is consistent with policy ENV2 of the ULP and in line with the aims of the NPPF

RECOMMENDATION

12.2 It is therefore recommended that Listed building consent is granted.