

# BUILT HERITAGE ASSESSMENT

Jacks Land Parcel, Takeley, Essex

JCH01780  
Jacks Land Parcel  
January 2023

[REDACTED]

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Prepared by: Jennifer Cooke BA(Hons) PgDL, MA

Authorised by: Tom Copp BA(Hons), MA AssocIHBC

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## EXECUTIVE SUMMARY

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This report has been prepared to accompany a planning application and should be read in conjunction with the other documents and drawings provided as part of the submission. It follows an application made in June 2021 (UTT/21/1987/FUL) and subsequent appeal in July 2022 (APP/C1570/W/22/3291524) for the development of a wider site that encompassed three land parcels known as; 7 Acres, Bull Field and Jacks land parcel. The latter is now the subject of the current application and this report.

Following the previous appeal (APP/C1570/W/22/3291524), the Inspector found that *'I agree with the appellant that in terms of that part of the appeal site which comprises 7 Acres and Jacks, it is enclosed by mature boundary planting and existing development. This sense of enclosure means that these areas of the appeal site are largely separate from the wider landscape and the LVIA identified visual receptors. Accordingly, I consider the proposal would have minimal effect in terms of landscape character and visual impact in respect of these areas'*.

Although the proposed development of the Jacks land parcel will change its historic use it will not change the experience of the relevant heritage assets. In his appeal decision, where the Inspector found harm to the relevant heritage assets, this was in relation to the development of the Bull Field land parcel only. The Inspector did not identify any impact on the relevant heritage assets as a result of the proposed development of the Jacks land parcel and therefore no harm to their significance. As such, the proposals for the Jacks land parcel, as included in this current planning application, remain largely unchanged to those in application (UTT/21/1987/FUL) submitted in June 2021.

The only difference being a small change to the layout at the northern end to respond to the comments from the council's Urban Design Officer. The proposed layout now makes the most of the existing public right of way and tree belt to the east of the Site and enhances the layout with a new public open space. The previously proposed dividing road has been removed and the play space is more central. The council's conservation team, Place Services, have confirmed that the proposed development of Jacks would cause a low level of less than substantial harm to the significance of the grade II listed Hollow Elm Cottage (consultee response dated 5 January and 26 January 2023) and no harm to the other heritage assets in the vicinity of the site.

In accordance with paragraph 202 of the NPPF, this low level of less than substantial harm to the significance of Hollow Elm Cottage should be weighed against the benefits of the proposed scheme which are set out in the planning statement that accompanies the planning application.

# 1.0 INTRODUCTION

This built heritage assessment has been prepared by RPS Heritage on behalf of Weston Homes in respect of a land parcel located to the north side of Takeley and the south of the A120, known as Jacks (henceforth referred to as 'the Site'). In accordance with paragraph 194 of the National Planning Policy Framework this report assesses the significance of the relevant built heritage assets that may be affected by the proposed development of the Site. It also assesses how, and to what extent, their settings contribute to this significance and the impact of the design proposals on this significance.

The Site is a grassed field to the north and east of Smiths Green with field boundaries dating from the early 19th century. Smiths Green lane runs on the western edge of the Site from Dunmow Road to the south and over the A120 to the north.

There are a number of designated heritage assets within the vicinity of the Site. The Grade I listed Warish Hall and Moat Bridge (NHLE: 1169063) is to the north and sits within the scheduled monument known as Warish Hall moated site and remains of Takeley Priory (NHLE:1007834). There is a collection of Grade II and one Grade II\* (Moat Cottage NHLE:1112211) listed buildings to the south of the Site within the hamlet of Smiths Green. Additional built heritage assets sit beyond the boundary of Smiths Green but within 1500m of the Site, these include the Grade I listed Church of the Holy Trinity (NHLE:1168843).

Smiths Green Lane is identified in the Uttlesford Protected Lanes Assessment (March 2012) as 'Warrish Hall Road' and 'Warrish Hall Road 1' and scored above the threshold of 14 making it worthy of Protected Lane status. As such, section 4.5 of this report assesses the significance of this road as a non-designated heritage asset. Note the spelling of Warrish in the Uttlesford Protected Lanes Assessment is different to that on the NHLE and the historic maps. For the purposes of this report it is spelt in accordance with the context in which it arises.



Figure 1: View into the Site from Smiths Green Lane (RPS photograph)



Figure 2: An aerial view of the Site (Google Earth 2022)

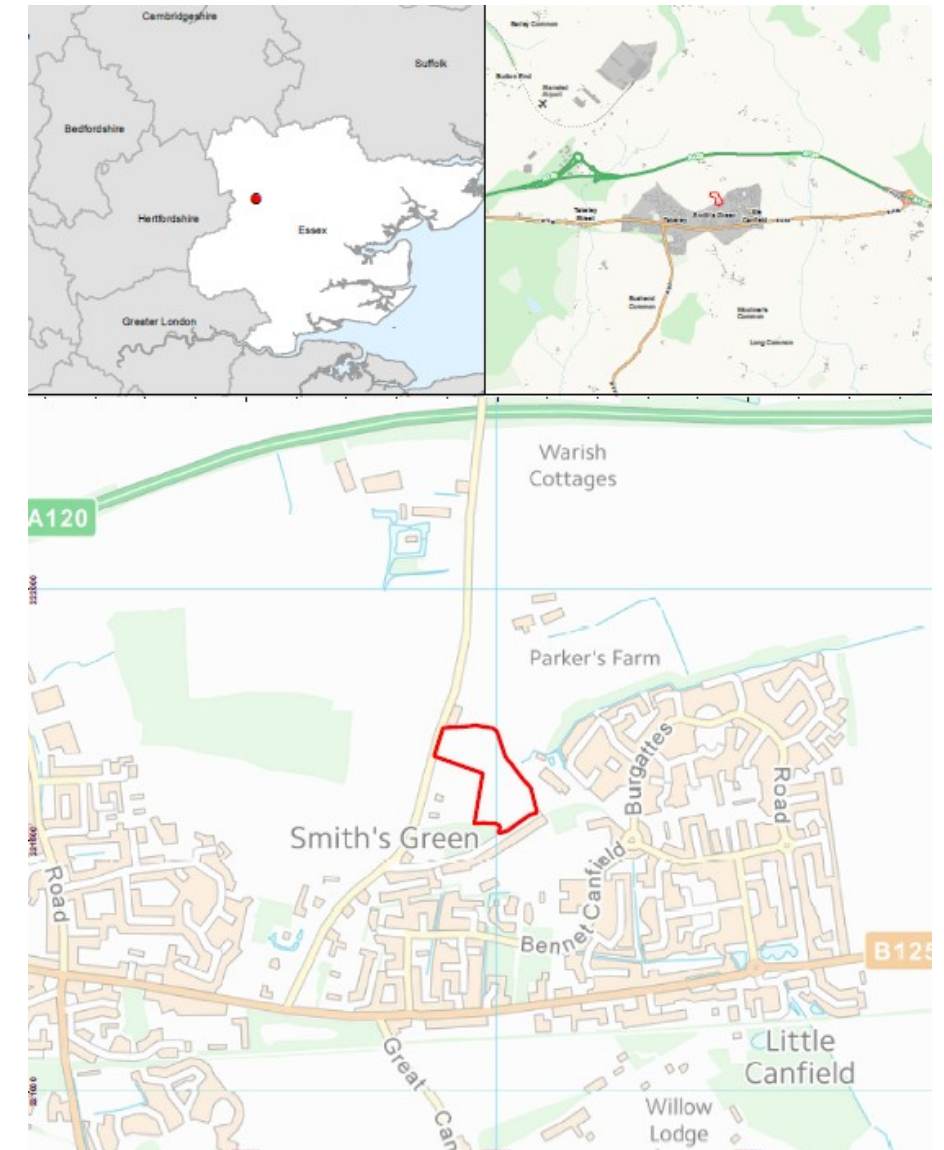


Figure 3: Location of the Site.



## 2.0 LEGISLATIVE & PLANNING POLICY FRAMEWORK

### 2.1 LEGISLATION & NATIONAL PLANNING POLICY

The current national legislative and planning policy system identifies, through the National Planning Policy Framework (NPPF), that applicants should consider the potential impact of development upon 'heritage assets'. This term includes: designated heritage assets which possess a statutory designation (for example listed buildings and conservation areas); and non-designated heritage assets, typically compiled by Local Planning Authorities (LPAs) and incorporated into a Local List or recorded on the Historic Environment Record.

#### Legislation

Where any development may affect certain designated heritage assets, there is a legislative framework to ensure proposed works are developed and considered with due regard to their impact on the historic environment. This extends from primary legislation under the Planning (Listed Buildings and Conservation Areas) Act 1990.

The relevant legislation in this case extends from section 66 of the 1990 Act which states that special regard must be given by the decision maker, in the exercise of planning functions, to the desirability of preserving listed buildings and their setting.

The meaning and effect of these duties have been considered by the courts in recent cases, including the Court of Appeal's decision in relation to Barnwell Manor Wind Energy Ltd v East Northamptonshire District Council [2014] EWCA Civ 137.

The Court agreed within the High Court's judgement that Parliament's intention in enacting section 66(1) was that decision makers should give 'considerable importance and weight' to the desirability of preserving (i.e. keeping from harm) the setting of listed buildings.

Section 69(1) of the Act requires LPAs to 'determine areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance' and to designate them as conservation areas. Section 69(2) requires LPAs to review and, where necessary, amend those areas 'from time to time'.

For development within a conservation area section 72 of the Act requires the decision maker to pay 'special attention [...] to the desirability of preserving or enhancing the character or appearance of that area'. The duty to give special attention is considered commensurate with that under section 66(1) to give special regard, meaning that the decision maker must give considerable importance and weight to any such harm in the planning balance.

#### National Planning Policy

National Planning Policy Framework (Ministry of Housing, Communities and Local Government, February 2019)

The NPPF is the principal document that sets out the Government's planning policies for England and how these are expected to be applied.

It defines a heritage asset as a: 'building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest'. This includes both designated and non-designated heritage assets.

Section 16: Conserving and Enhancing the Historic Environment relates to the conservation of heritage assets in the production of local plans and decision taking. It emphasises that heritage assets are 'an irreplaceable resource, and should be conserved in a manner appropriate to their significance'.

For proposals that have the potential to affect the significance of a heritage asset, paragraph 194 requires applicants to identify and describe the significance of any heritage assets that may be affected, including any contribution made by their significance. The level of detail provided should be proportionate to the significance of the heritage assets affected. This is supported by paragraph 195, which requires LPAs to take this assessment into account when considering applications.

Under 'Considering potential impacts' the paragraph 199 emphasises that 'great weight' should be given to the conservation of designated heritage assets, irrespective of whether any potential impact equates to total loss, substantial harm or less than substantial harm to the significance of the heritage assets.

Paragraph 201 states that where a development will result in substantial harm to, or total loss of, the significance of a designated heritage asset, permission should be refused, unless this harm is necessary to achieve substantial public benefits, or a number of criteria are met. Where less than substantial harm is identified paragraph 202 requires this harm to be weighed against the public benefits of the proposed development.

Paragraph 203 states that where an application will affect the significance of a non-designated heritage asset, a balanced judgement is required, having regard to the scale of harm or loss and the significance of the heritage asset.

Significance is defined in the NPPF as:

*'The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting. For World Heritage Sites, the cultural value described within each site's Statement of Outstanding Universal*

*Value forms part of its significance'.*

## 2.2 NATIONAL PLANNING GUIDANCE

### National Guidance

#### Planning Practice Guidance (MHCLG)

The Planning Practice Guidance (PPG) has been adopted in order to aid the application of the NPPF. It reiterates that conservation of heritage assets in a manner appropriate to their significance is a core planning principle.

Key elements of the guidance relate to assessing harm. It states that substantial harm is a high bar that may not arise in many cases and that while the level of harm will be at the discretion of the decision maker, generally substantial harm is a high test that will only arise where a development seriously affects a key element of an asset's special interest. It is the degree of harm, rather than the scale of development, that is to be assessed.

The PPG provides definitions of different types of heritage interest:

**Archaeological interest:** As defined in the Glossary to the NPPF, there will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.

**Architectural and artistic interest:** These are interests in the design and general aesthetics of a place. They can arise from conscious design or fortuitously from the way the heritage asset has evolved. More specifically, architectural interest is an interest in the art or science of the design, construction, craftsmanship and decoration of buildings and structures of all types. Artistic interest is an interest in other human creative skill, like sculpture.

**Historic interest:** An interest in past lives and events (including pre-historic). Heritage assets can illustrate or be associated with them. Heritage assets with historic interest not only provide a material record of our nation's history, but can also provide meaning for communities derived from their collective experience of a place and can symbolise wider values such as faith and cultural identity.

#### Overview: Historic Environment Good Practice Advice in Planning

The PPS5 Practice Guide was withdrawn in March 2015 and replaced with three Good Practice Advice in Planning Notes (GPAs) published by Historic England. GPA1: The Historic Environment in Local Plans provides guidance to local planning authorities to help them make well informed and effective local plans. GPA2: Managing Significance in Decision-Making includes technical advice on the repair and restoration of historic buildings and alterations to heritage assets to guide local planning authorities, owners, practitioners and other interested parties. GPA 3: The Setting of Heritage Assets replaces guidance published in 2011. These are complemented by the Historic England Advice Notes in Planning which

include HEAN1: Understanding Place: Conservation Area Designation, Appraisal and Management (February 2019, 2nd Edition), HEAN2: Making Changes to Heritage Assets (February 2016), HEAN3: The Historic Environment and Site Allocations in Local Plans (October 2015), and HEAN4: Tall Buildings (December 2015).

#### GPA2: Managing Significance in Decision-Taking in the Historic Environment (March 2015)

This document provides advice on numerous ways in which decision making in the historic environment could be undertaken, emphasising that the first step for all applicants is to understand the significance of any affected heritage asset and the contribution of its setting to that significance. In line with the NPPF and PPG, the document states that early engagement and expert advice in considering and assessing the significance of heritage assets is encouraged. The advice suggests a structured, staged approach to the assembly and analysis of relevant information:

- 1) Understand the significance of the affected assets;
- 2) Understand the impact of the proposal on that significance;
- 3) Avoid, minimise and mitigate impact in a way that meets the objectives of the NPPF;
- 4) Look for opportunities to better reveal or enhance significance;
- 5) Justify any harmful impacts in terms of the sustainable development objective of conserving significance balanced with the need for change; and
- 6) Offset negative impacts to significance by enhancing others through recording, disseminating and archiving archaeological and historical interest of the important elements of the heritage assets affected.

#### GPA3: The Setting of Heritage Assets (Second Edition; December 2017)

This advice note focuses on the management of change within the setting of heritage assets. This document replaces GPA3: The Setting of Heritage Assets (March 2017) and Seeing History in the View (English Heritage, 2011) in order to aid practitioners with the implementation of national legislation, policies and guidance relating to the setting of heritage assets found in the 1990 Act, the NPPF and PPG. The guidance is largely a continuation of the philosophy and approach of the 2011 and 2015 documents and does not present a divergence in either the definition of setting or the way in which it should be assessed.

As with the NPPF the document defines setting as 'the surroundings in

which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve'. Setting is also described as being a separate term to curtilage, character and context. The guidance emphasises that setting is not a heritage asset, nor a heritage designation, and that its importance lies in what it contributes to the significance of the heritage asset, or the ability to appreciate that significance. It also states that elements of setting may make a positive, negative or neutral contribution to the significance of the heritage asset.

While setting is largely a visual term, with views considered to be an important consideration in any assessment of the contribution that setting makes to the significance of an asset, and thus the way in which an asset is experienced, setting also encompasses other environmental factors including noise, vibration and odour. Historical and cultural associations may also form part of the asset's setting, which can inform or enhance the significance of a heritage asset.

This document provides guidance on practical and proportionate decision making with regards to the management of change within the setting of heritage assets. It is stated that the protection of the setting of a heritage asset need not prevent change and that decisions relating to such issues need to be based on the nature, extent and level of the significance of a heritage asset, further weighing up the potential public benefits associated with the proposals. It is further stated that changes within the setting of a heritage asset may have positive or neutral effects.

The document also states that the contribution made to the significance of heritage assets by their settings will vary depending on the nature of the heritage asset and its setting, and that different heritage assets may have different abilities to accommodate change without harming their significance. Setting should, therefore, be assessed on a case-by-case basis.

Historic England recommends using a series of detailed steps in order to assess the potential effects of a proposed development on significance of a heritage asset. The 5-step process is as follows:

- 1) Identify which heritage assets and their settings are affected;
- 2) Assess the degree to which these settings and views make a contribution to the significance of a heritage asset(s) or allow significance to be appreciated;
- 3) Assess the effects of the proposed development, whether beneficial or harmful, on the significance or on the ability to appreciate it;
- 4) Explore ways to maximise enhancement and avoid or minimise harm; and
- 5) Make and document the decision and monitor outcomes.

## 2.2 NATIONAL PLANNING GUIDANCE

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HEAN12: Statements of Heritage Significance: Analysing Significance in Heritage Assets (October 2019)

The purpose of this advice note is to provide information on how to assess the significance of a heritage asset. It also explores how this should be used as part of a staged approach to decision-making in which assessing significance precedes designing the proposal(s).

Historic England notes that the first stage in identifying the significance of a heritage asset is by understanding its form and history. This includes the historical development, an analysis of its surviving fabric and an analysis of the setting, including the contribution setting makes to the significance of a heritage asset.

To assess the significance of the heritage asset, Historic England advise to describe various interests. These follow the heritage interest identified in the NPPF and PPG and are: archaeological interest, architectural interest, artistic interest and historic interest.

To assess the impact to the significance of a heritage asset Historic England state that it is necessary to understand if there will be impacts to built fabric or the setting of a heritage asset and how these contribute to the heritage asset's overall significance. Where the proposal affects the setting, and related views, of a heritage asset, or assets, it is necessary to clarify the contribution of the setting to the significance of the asset, or the way that the setting allows the significance to be appreciated.

This enables an assessment of how proposals will affect significance, whether beneficial or harmful. It also states that efforts should be made to minimise harm to significance through the design process, with justification given to any residual harm.

## 2.3 LOCAL PLANNING POLICY & GUIDANCE

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### Local Planning Policy

#### Uttlesford District

The Uttlesford District Local Plan was adopted in January 2005 and contains the following policies relating to the historic environment:

#### Policy ENV2- Development affecting Listed Buildings

Development affecting a listed building should be in keeping with its scale, character and surroundings. Demolition of a listed building, or development proposals that adversely affect the setting, and alterations that impair the special characteristics of a listed building will not be permitted. In cases where planning permission might not normally be granted for the conversion of listed buildings to alternative uses, favourable consideration may be accorded to schemes which incorporate works that represent the most practical way of preserving the building and its architectural and historic characteristics and its setting

#### Policy ENV4 Ancient Monuments and Sites of Archaeological Importance.

Where nationally important archaeological remains, whether scheduled or not, and their settings, are affected by proposed development there will be a presumption in favour of their physical preservation in situ. The preservation in situ of locally important archaeological remains will be sought unless the need for the development outweighs the importance of the archaeology. In situations where there are grounds for believing that sites, monuments or their settings would be affected developers will be required to arrange for an archaeological field assessment to be carried out before the planning application can be determined thus enabling an informed and reasonable planning decision to be made. In circumstances where preservation is not possible or feasible, then development will not be permitted until satisfactory provision has been made for a programme of archaeological investigation and recording prior to commencement of the development.

#### Policy ENV9

Development proposals likely to harm significant local historic landscapes, historic parks and gardens and protected lanes as defined on the proposals map will not be permitted unless the need for the development outweighs the historic significance of the site.



## 3.0 ARCHITECTURAL & HISTORICAL APPRAISAL

### 3.1 HISTORICAL DEVELOPMENT: TAKELEY

The parish of Takeley lies to the west of Essex towards the north of the county. The old Roman road called Stane Street forms its southern boundary. The River Roding rises to the north of the parish and flows east and then south to form the northern and the eastern boundary. The western boundary is less well-defined, and lies between Broxted and Stansted Mountfitchet. Pincey Brook rises in the west of the parish and flows down towards Harlow to join the River Stort.

The name Takeley is Saxon in origin and by the time of the Domesday Book, Takeley had broken up into three manors. Warish Hall, previously held by Thorkell, a freeman, was awarded by William 1 to the Priory of St Valery in Picardy, France, as a reward for their prayers at the time of the invasion. It became the central manor of the other Essex possessions awarded to St Valery. During the medieval period both Sheering Hall and The Grange belonging to Tilty Abbey emerged from Warish Hall as separate manors. After the suppression of alien priories by Edward III, Warish Hall was bought by William of Wykeham, Bishop of Winchester, who used its revenues to help endow his New College at Oxford where the records still exist.

William's friend, Eudo de Rai called Dapifer, was awarded the land of Wulfmer, a freeman, which lay across the north of Takeley. This manor was to be divided into the two manors of Colchester Hall and Waltham Hall that were formed by a series of grants to St John's Abbey at Colchester, and the Abbey of Waltham Holy Cross. Eudo's successors were to inherit the priest who was recorded at Eudo's manor in the Domesday Book, and they eventually gave the church advowson to the Bishop of London. The church stands isolated on high ground to the north of Stane Street, and may well have originally been a pagan site (figure 5). It is probable that a Saxon church existed under the present church which dates from the 12th century and has been added to over the centuries. The structure contains many Roman roof tiles and a rich Roman find was excavated near the church in 1849.

The third manor became part of the caput of Robert Gernon at Stansted Mountfitchet, and by the end of the 12th Century had taken its name from John de Bassingbourn who held it in the right of his wife Albreda.

Takeley has many beautiful houses still remaining from the Tudor and Elizabethan periods, but it also has several houses which date from the 1300s onwards. LeKnells, Tilty Grange, Sheering Hall, Frogs Hall (Sewers or Mortivals), Fanns and Parkers, Gore Lodge and many others stand in more or less isolated positions, but the greatest concentration of old houses is in Takeley Street. Here are the houses that belonged to the Sharers of Hatfield Forest, a unique group whose Forest rights go back to the early Middle Ages and resemble those of the New Forest Commoners.

Takeley Street has at least three houses that date from 1300 to the 1450s, Taylors, Raleigh Cottage and Josephs. The one house in the village which would have justified the description of a stately home was Bassingbourn

Hall, which was demolished in 1813 after the death of Sir Peter Parker, friend and mentor of Lord Nelson. Many of the owners were London merchants, and there are connections with Lord Byron, Sir Walter Scott, and one of the Regicides who signed Charles I's death warrant. This has now been demolished by the Airport expansion.

Takeley is a village of dispersed settlements. The name Brewers End derives from the activities of the Brewer family who were indeed brewers. Bambers Green gets its name from the Banbury or Benn bury family. Mole Hill Green is believed to have been the site of the early Saxon Manor of Wulfmer, with the River Roding running to its north.

#### Smiths Green

The origin of Smiths Green is rather more controversial, but the general belief is that it was the site of one of Takeley's many early smithies. Another smithy of great antiquity still exists at Mole Hill Green. Jacks Green leading into Jacks Lane takes its name from medieval John le Jekke. Jacks Lane as a name has replaced the earlier Hole Lane and connects Smiths Green with Lower Bambers Green. It is probably of great antiquity.

Modern Takeley has seen the loss of many ancient houses and land to Stansted Airport. The industries of chaff manufacture, the nurseries especially connected with rose growing, milling and the sale of antiques and rare books in the 19th and 20th centuries have also now gone.

#### Little Canfield

Little Canfield is to the east of Smiths Green and is bisected by Stane Street. All Saints Church has some Norman work, a 14th century chancel and screen and a 15th century porch, but it was extensively restored in the 19th century. Little Canfield Hall is 16th century timber-framed, with a 19th century front, and there is a late 14th century aisled barn. Between the church and the hall there are interesting houses such as the 15th century Hall Cottage and 16th century Blatches.

Little Canfield is now linked with Takeley as a benefice and also by the late 20th and early 21st century housing development at Priors Green which spans the boundary between the two parishes. This development has trebled the number of houses in Little Canfield.



Figure 4: Smiths Green 1997 (source: [REDACTED])



Figure 5: Grade I listed Church of the Holy Trinity (NHLE:1168843). (source: RPS photograph)



## 3.2 HISTORICAL DEVELOPMENT: THE SITE

### Site History

The 1839 Takeley Parish Tithe Map (figure 6) is the first survey plan to show the Site in detail. The Site is located across two arable fields. The associated Tithe Award describes those land parcels within the Site as follows:

Study Site Parcel	Tithe Map Land Parcel	Landowner	Occupant	Description	Land Use/Cultivation
Jacks	576	John Barnard	Samuel Scott	Landers Field	Arable
	577	John Barnard	Samuel Scott	Cows Field	Arable

This shows that the Site, land parcels 576 and 577, were owned by John Barnard and occupied by Samuel Scott who also occupied land parcels 574 and 575 on the opposite side of Smiths Green Lane outside of the red line boundary, although Charles Buckthorpe owned the cottage and garden within these parcels.

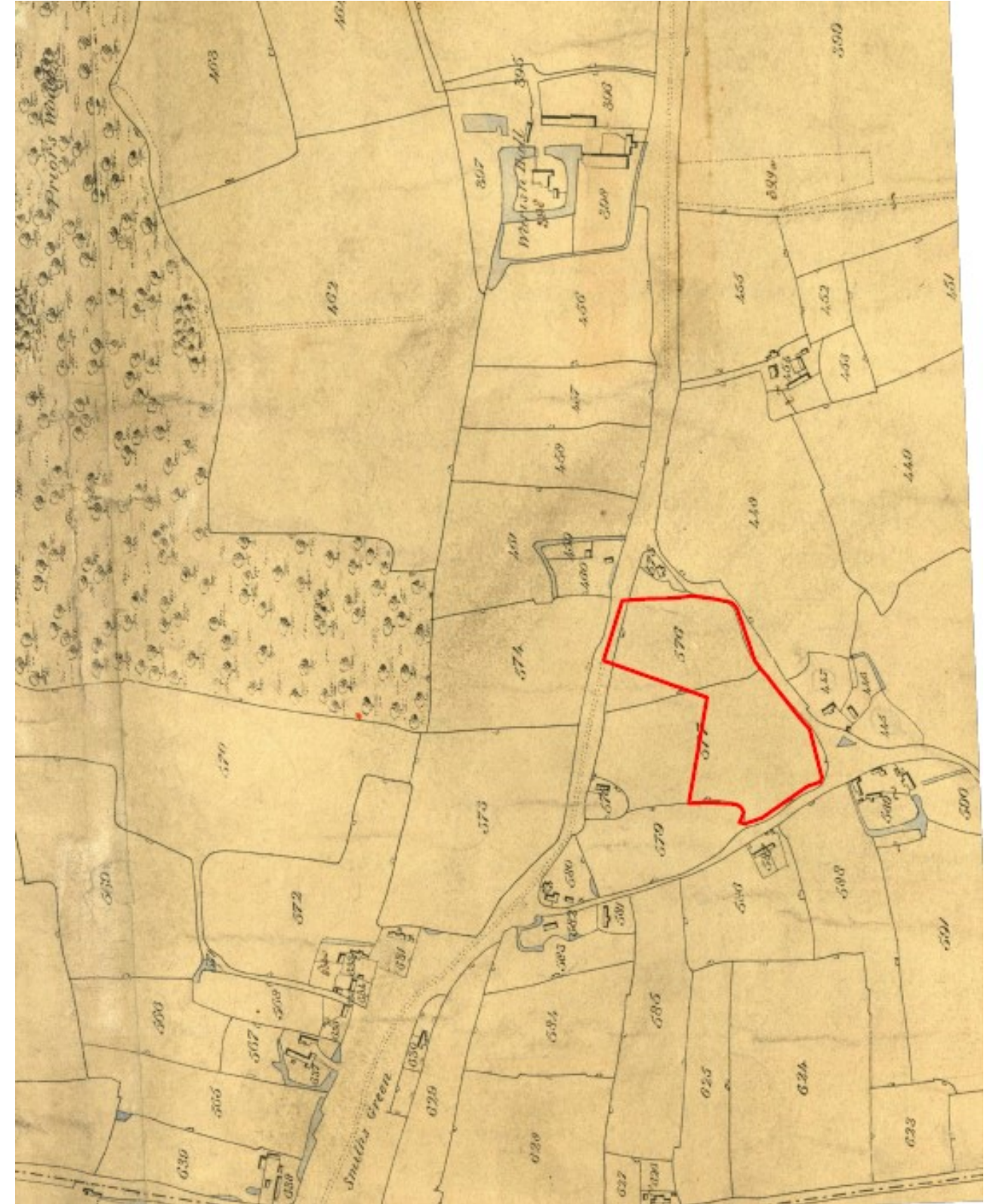


Figure 6: 1839 Tithe Map



### 3.3 HISTORIC MAP PROGRESSION



Figure 7: Ordnance Survey, 1777

1777

The earliest cartographic source which includes the Site is the 1777 Chapman & Andre Map of Essex (figure 7). The Site appears to be located within open land within the immediate area of a series of scattered farmsteads and houses at Takeley along roads now known as, Stortford Road, Smiths Green Lane, Jacks Lane and Parsonage Road. Warish Hall is shown to the north.



Figure 8: Ordnance Survey, 1805

1805

Little change is shown in the 1805 old series Ordnance Survey plan (figure 8) although the pockets of development to the south of the Site and along Smiths Green lane have expanded slightly.

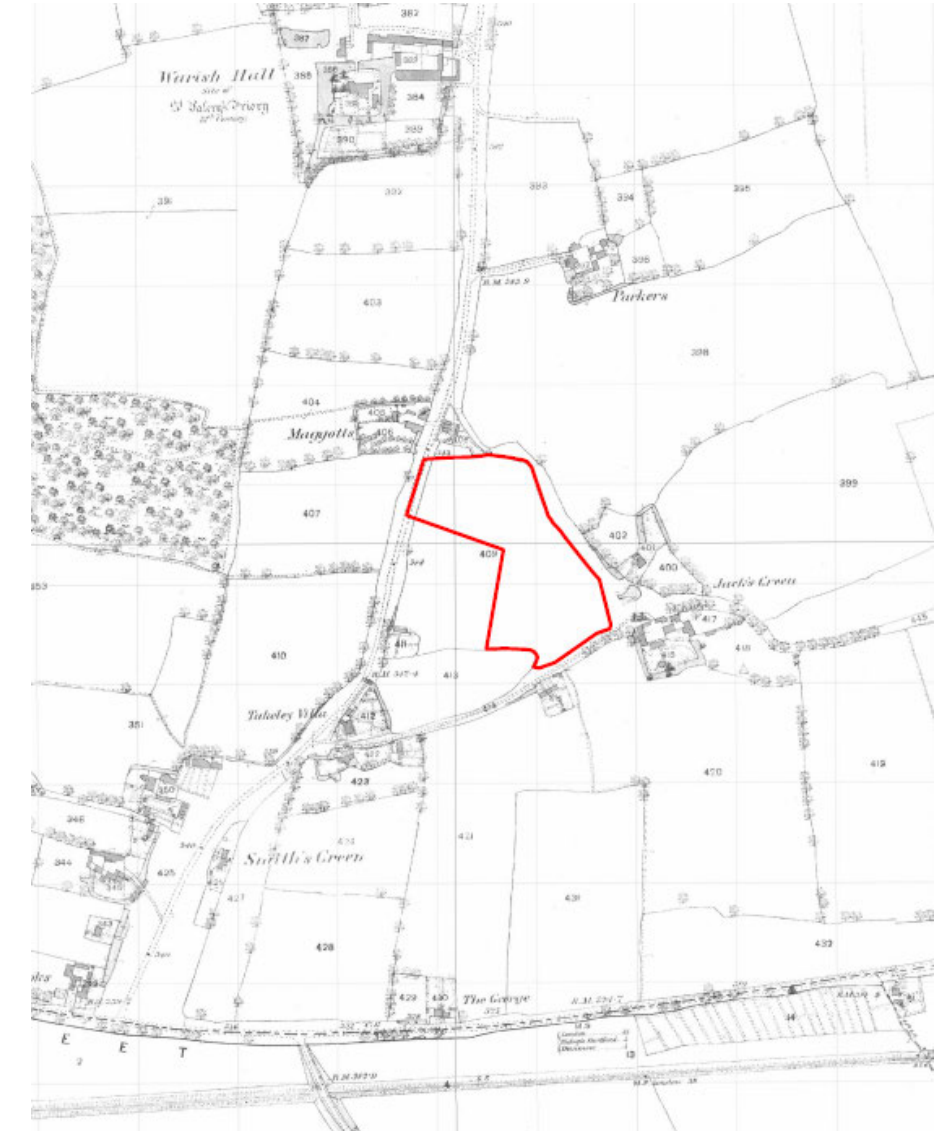


Figure 9: Ordnance Survey, 1876

1876

The 1876 map (figure 9) is more detailed with little change to the land parcels identified in the 1839 Tithe Map shown in figure 6 on the previous page. The only slight variation appears to be that in 1876 the Site is one field whereas previously in 1839 it was separated into two. The Bishops Stortford to Braintree railway line is visible to the south of the Site running parallel to Stane Street.



### 3.3 HISTORIC MAP PROGRESSION

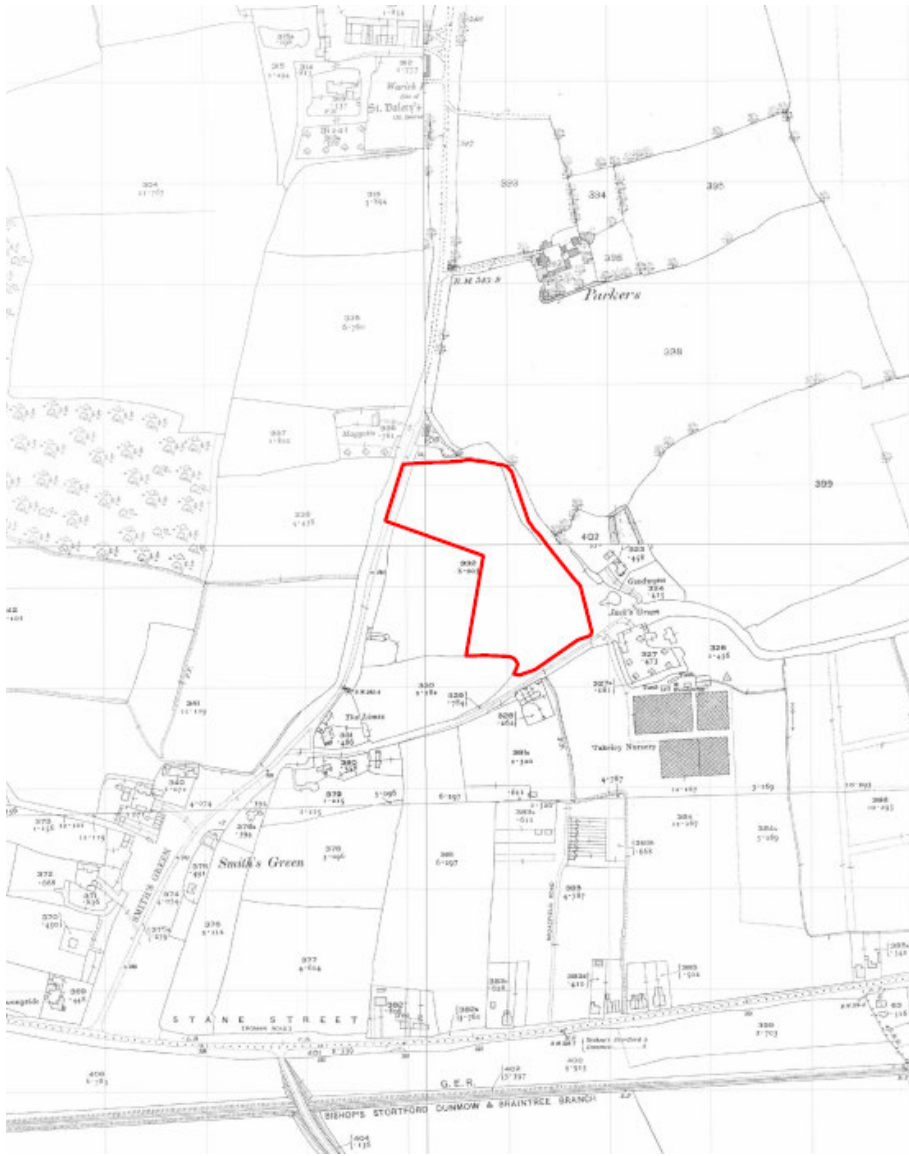


Figure 10: Ordnance Survey, 1920

#### 1920

The 1920 Ordnance Survey Map shows no change to the Site although further development is evident in Smiths Green and Takeley Nursery is evident to the south east of the Site

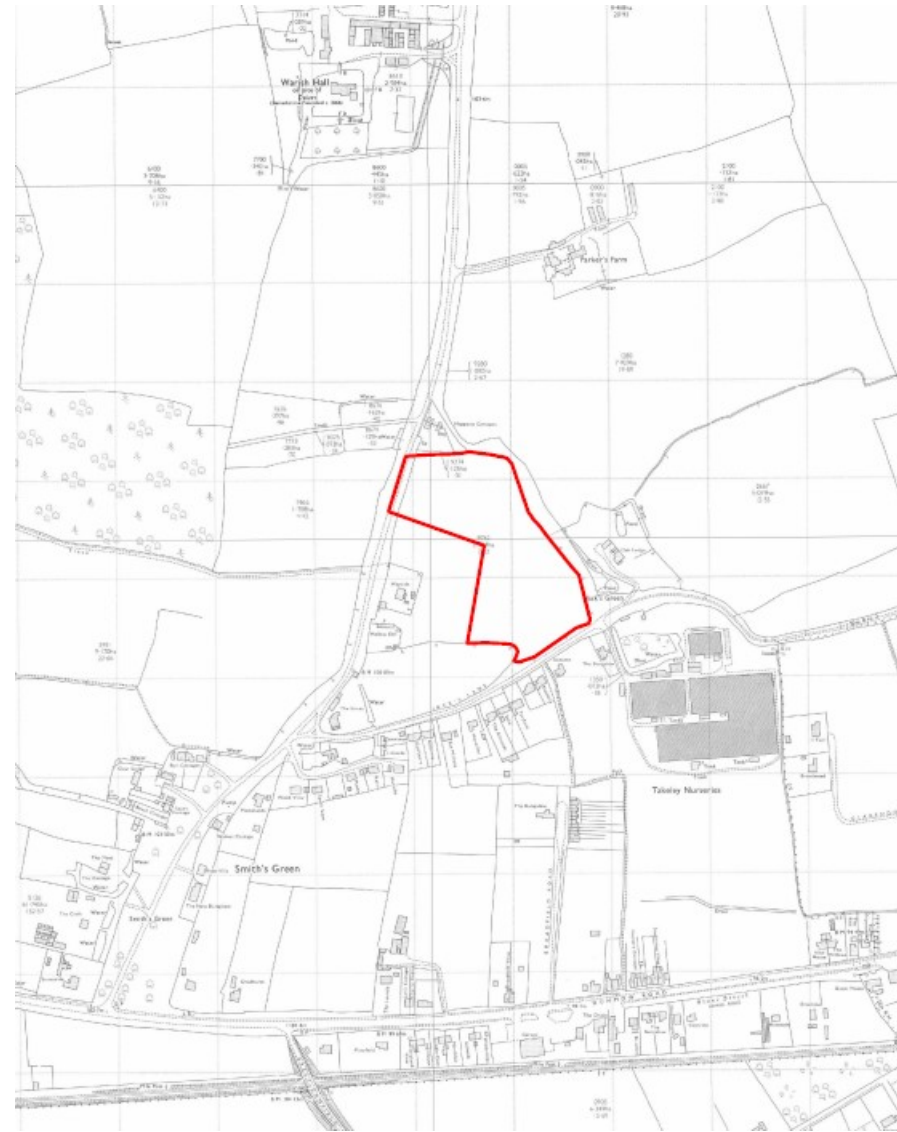


Figure 11: Ordnance Survey, 1969

#### 1969

The 1969 OS map shows further residential development along Jacks Lane to the immediate south of the Site as well as along the Dunmow Road. Not shown in figure 11 is the more extensive development to the south west of the Site along Parsonage Road.

Figures 13 and 14 overleaf show the continued 21st century development of Little Canfield to the east of the Site.



## 4.0 ASSESSMENT OF SIGNIFICANCE

### 4.1 SITE ASSESSMENT

The Site is bounded to the north by fields beyond which is the A120 and to the east by 20<sup>th</sup> century infill development. To the south is Jacks Lane, and the infill 20th and 21st century housing of Little Canfield, that has been expanded since the aerial view was taken in 2000 as evidenced in the 2020 view. To the west is Smiths Green lane and the rear gardens of the houses that line the eastern side of Smiths Green lane.



Figure 12: The Site looking east from Smiths Green lane. (source: RPS photograph)



Figure 13: An aerial view of the Site (Google Earth 2020)



Figure 14: An aerial view of the Site (Google Earth 2022)



## 4.2 IDENTIFICATION OF HERITAGE ASSETS

### Methodology

Following publication of the Uttlesford District consultation draft of the local plan, Donald Insall Associates were appointed by Uttlesford District Council in February 2018 to prepare a number of heritage impact assessments. These assessments were informed by representations made by Historic England on the consultation document and considered the potential impact of proposed development on proximate heritage assets arising from the potential development of a number of sites within the vicinity of Takeley.

Whilst the proposed sites in scope for this previous assessment work did not include the Jacks land parcel that forms the current Site, the assessment of the significance of the heritage assets and the contribution their setting makes to this significance remains relevant and has, in part, been used to inform the content of this report. This report has subsequently been prepared to determine how the Site contributes to the significance of the relevant heritage assets and the impact of the proposed development on this significance.

Historic England's 'GPA 3: *The Setting of Heritage Assets*' (December 2017) provides a five step process to assess the impact of development within the setting of heritage assets, as well as advice on how views contribute to setting. These are outlined within the Policy and Guidance Section of this report. HEAN 3 also provides the correct methodology for site allocations.

The following section describes the significance of relevant heritage assets and addresses Step 2 of the Historic England guidance by describing the setting and the way that it contributes to the relevant significance of each heritage asset.

### Scope of Assessment

A search area of 1500m was used to identify the built heritage assets that may be affected by the proposed redevelopment of the Site (figure 15).

The following designated built heritage assets have been identified and subsequently assessed within section 5.1 of this report:

- Warish Hall and Moat Bridge (Grade 1, NHLE: 1169063)
- Moat Cottage (Grade II\*, NHLE: 1112211)
- Hollow Elm Cottage (Grade II, NHLE: 1112220)
- Goar Lodge (Grade II, NHLE: 1168972)
- Beech Cottage (Grade II, NHLE: 1112212)
- The Croft (Grade II, NHLE: 1168964)
- White House (Grade II, NHLE: 1322592)
- The Cottage (Grade II, NHLE: 1306743)

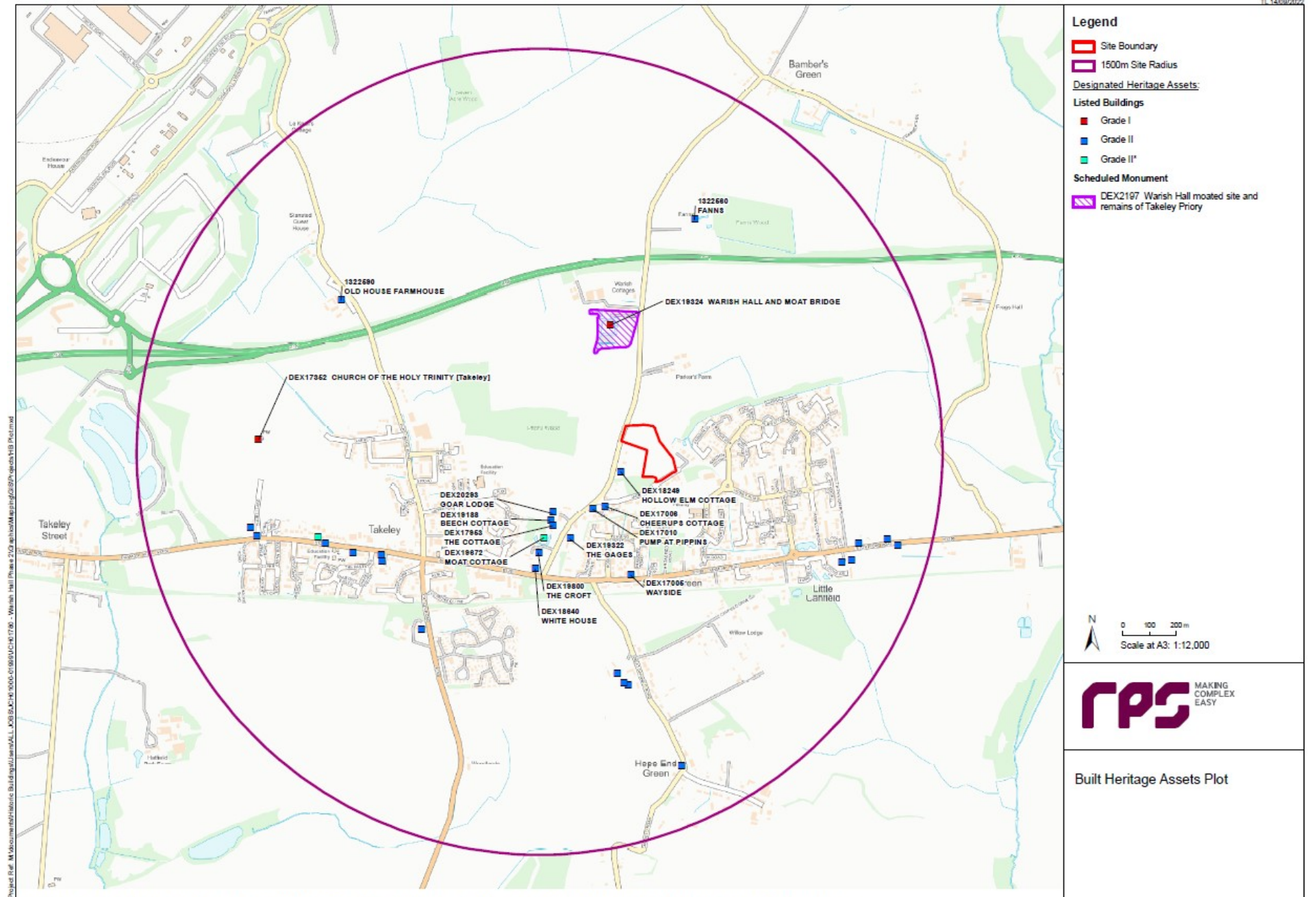


Figure 15: Built Heritage Plot illustrating heritage assets within 1500m of the Site boundary

## 4.2 IDENTIFICATION OF HERITAGE ASSETS

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- The Gages (Grade II, NHLE: 1168954)
- Pump at Pippins (Grade II, NHLE: 1112210)
- Cheerups Cottage (Grade II, NHLE: 1112207)

The designated scheduled monument, Warish Hall moated site and remains of Takeley Priory (NHLE: 1007834), is assessed as part of the separate archaeological desk based assessment produced by RPS.

As illustrated by figure 15, the search area also contains a number of other listed buildings. However, due to interceding built form and a lack of any known historical or functional relationship with the Site, the proposed development will have no impact upon their significance and so they have been taken out of the scope of assessment.

### Protected Lanes

Essex County Council's Historic Environment Branch was commissioned by Uttlesford District Council in 2012 to undertake an assessment of the District's existing Protected Lanes using the new Protected Lanes criteria developed for the County (ECC 2009).

The work was undertaken in two stages, comprising an initial stage of desk based assessment followed by field survey. Criteria and an associated scoring system were developed. Following the assessment, the scores for each Protected Lane were checked against the threshold for determining Protected Lane status. The criterion relevant for this built heritage assessment relate to 'Group Value (Association)', 'Historic Integrity', 'Archaeological Potential' and 'Aesthetic Value'.

Smiths Green Lane is identified in the Uttlesford Protected Lanes Assessment (UPLA, March 2012) as 'Warrish Hall Road' and 'Warrish Hall Road 1' and scored above the threshold of 14 making it worthy of Protected Lane status. As such section 4.5 of this report assesses the significance of this road as a non-designated heritage asset. Note the spelling of Warrish in the Uttlesford Protected Lanes Assessment is different to that on the NHLE and the historic maps. For the purposes of this report it is spelt in accordance with the context in which it arises.



## 4.3 STATUTORILY LISTED BUILDINGS

### Warish Hall and Moat Bridge (Grade 1, NHLE: 1169063)

#### Description and History

Warish Hall is a late 13th century two storey timber framed and plastered aisled hall house with 17th, 18th and 20th century alterations. It has a red plain tile hipped roof and projecting wings at the western end. The eastern end of the roof is lower than the main roof and it has a parallel range to the rear. It has a five window range and 19th century double hung vertical sliding sashes with glazing bars. There is one ground floor bay window with red plain tile hipped roof, two small first floor oriel windows and two hipped gables at the rear. There is a 16th century and 20th century red brick chimney stack. The six panelled door is 18th century and has a small modern plain tiled pedimented porch.

The moated site has a 17th century red brick bridge with 18th century red brick walls and blue brick half round capping. It was formerly the site of a Priory of St Valery in Picardy and the present building is part of the Priory. It is referenced in section 3.1 of this report.

#### Assessment of Significance

The significance of the listed building is derived from its architectural and historic interest as a surviving example of late 13th century design, with architectural features indicative of its age and historic function. Its historic interest is derived from it being the central manor of the other Essex possessions awarded to St Valery from which later emerged The Grange as a separate manor. It is linked with New College Oxford with revenues from Warish Hall going towards funding the college.

#### Setting

The setting comprises the Immediate domestic setting including adjacent outbuildings that form an agricultural complex on a moated site. The wider setting is made up of open fields and arable land which is bisected to the north by the A120.

#### Contribution of Setting to Significance

Both the immediate and wider setting inform the character and historic context of the listed building. However, whilst the immediate setting makes a high contribution to its significance the noisy A120 to the north has an impact on the ability to appreciate the historic isolated setting of the listed building. As such the setting to the north makes a **minor** contribution to the significance of the heritage asset.

The historic maps in section 3.3 demonstrate there has been little change to the southern setting of the listed building. Here the historic context of the designated heritage asset is more appreciable. As such, the southern setting makes a **high** contribution to its significance.



Figure 16 Moat Cottage (source RPS photograph)



Figure 17: The Cottage (source RPS photograph)

#### Contribution of Site to Significance

A Site visit undertaken in October 2020 and again in May 2022 revealed that the immediate setting of the designated heritage asset is very enclosed with mature trees and hedgerows surrounding it. In addition, there appears to be a collection of light industrial buildings to the immediate north beyond which is the busy A120 dual carriageway.

Whilst the wider southern setting of the designated heritage asset makes a high contribution to the significance of Warish Hall, the Site is located beyond this set back to the eastern side of Smiths Green lane behind mature hedgerow and the linear historic development to the north of the hamlet.

Due to the ancillary buildings in the immediate setting of Warish Hall, the distance between the Site and the listed building, the mature hedgerow and intermediate development there is no inter-visibility between the Site and the listed building and thus limited appreciation of their shared rural setting. Although the Site is indicative of the wider historic rural context of Warish Hall, it makes **no** contribution to the significance of the designated heritage asset.

This assessment is supported by the Inspector who stated that:

*'The setting is well contained within the moated site given the sense of enclosure created by the surrounding mature trees. The contribution of setting to its significance is high given it is part of a planned medieval moated complex but the setting is very much confined within the immediate area of the hall and bridge.'* (paragraph 40 Appeal Decision APP/C1570/W/22/3291524)

**Moat Cottage (Grade II\*, NHLE: 1112211), The Cottage (Grade II, NHLE: 1306743), The Croft (Grade II, NHLE: 1168964), White House (Grade II, NHLE: 1322592), The Gages (Grade II, NHLE: 1168954)**

These assets have been grouped together for initial assessment based on their location in relation to the Site. Unless otherwise referenced, their setting, and its contribution to the assets' significance (including any contribution made by the Site to that significance), is considered to be the same.

#### Description and History

Moat Cottage (figure 16) is a two storey mid 16th century timber framed and plastered Wealden house. It has a weatherboarded dado and red plain tile roof. It has a four window range with modern leaded casements. The centre is recessed with jettied end bays. Internally the frame is virtually complete, with arch braced and cambered tie beams, jowled storey posts and halved mid bladed top plate scarfs.



## 4.3 STATUTORILY LISTED BUILDINGS

The Cottage (figure 17) is a one storey (and attics) timber framed and plastered 17th century house with a thatched roof. It has a four window range with modern leaded casements, two dormers and red brick chimney stacks.

The Croft is a two storey early 19th century house with rendered brick and a grey slate hipped roof. It has a two window range with double hung vertical sliding sashes glazed in margins. There is a gabled porch with grey slate roof and bargeboards. It has a square plan with modern extensions at the rear and red brick chimney stacks.

White House is a two storey timber framed and plastered 17th century house with a red plain tile hipped roof and red brick chimney stack. It has a L-shaped plan with a two window range and 18th century double hung vertical sliding sashes with glazing bars. The eastern front has a three window range with modern casements and a modern lean-to extension.

The Gages (figure 18) is a two storey early 19th century house in plastered brick with a grey slate roof. It has a two window range, double hung vertical sliding sashes and two ground floor bay windows with slate roofs. The central doorway has a rectangular fanlight and there are red brick end chimney stacks.

### Assessment of Significance

The significance of these listed buildings is predominately derived from their historic, architectural and artistic interest. Their history dates back as early as the 16th century as evidenced by elements of the surviving historic fabric. They demonstrate the historic living expectations, as well as building methods and materials available at the time of their construction.

### Setting

Each of these listed buildings are within the hamlet of Smiths Green set back from the road that runs north from Dunmow Road to the south and over the A120 to the north. Each sits in a loosely defined residential plot with hedgerow boundaries separated from the road by large open grass verges. With the exception of The Gages, these heritage assets are located on the western side of Smiths Green and they all form part of a modest historic linear settlement.

The wider setting is made up of agricultural fields to the north and partly to the south whereas the listed buildings are encircled to the east and west with late 20th and early 21st century infill development.

### Contribution of Setting to Significance

The immediate setting informs the character and historic context of these heritage assets and makes a **high** contribution to their significance. This includes the large open grassed areas and verges which contribute to



Figure 18 The Gages (source: RPS photograph)



Figure 19: Hollow Elm Cottage (source: RPS photograph)

Smiths Green's rural character. The interrelationship between the buildings also demonstrates the development of Smiths Green and contributes to the respective significance of each of the buildings.

When travelling south through Smiths Green the transition from the wider agricultural setting to the historic hamlet allows for appreciation of the historic context of these listed buildings. As such this wider setting to the north makes a **moderate** contribution to the significance of these heritage assets.

The wider setting to the east and west is made up of modern residential development and is not appreciable from within Smiths Green. Whilst it may be visible from within the rear domestic setting of each heritage asset any historic rural context has been lost. As such the wider setting to the east and west is not considered to contribute to the significance of these designated heritage assets.

### Contribution of Site to Significance

The Site lies to the north east of these listed buildings. The Cottage is the closest in proximity and White House is the furthest to the south on the junction of Smiths Green and Dunmow Road. The intervening built form, including Goar Lodge and Beech Cottage (discussed further below) as well as numerous properties on the western side of Smiths Green Lane and southern side of Jacks Lane that make up the northern element of Smiths Green hamlet as well as mature trees and hedgerows, prevent any intervisibility between the Site and the listed buildings on the western side of Smiths Green lane. The existing curve in the road, as well as intervening built form and mature hedgerows provide a similar screen between The Gages on the eastern side of Smiths Green and the Site.

Although there is no co-visibility or in fact inter-visibility between these listed buildings and the Site, the latter is indicative of the wider historic rural setting to the north of the listed buildings. However, this context is less appreciable with only glimpsed views from Smiths Green and Jacks Lane and the previous heritage assessment that accompanied application UTT/21/1987/FUL in June 2021 considered the Site to make a **minor** contribution to the significance of the listed buildings.

Conversely, following the previous appeal (APP/C1570/W/22/3291524), the Inspector found that:

*'I agree with the appellant that in terms of that part of the appeal site which comprises 7 Acres and Jacks, it is enclosed by mature boundary planting and existing development. This sense of enclosure means that these areas of the appeal site are largely separate from the wider landscape and the LVIA identified visual receptors'. Accordingly, I consider the proposal would have minimal effect in terms of landscape character and visual impact in respect of these areas'. (paragraph 22).*



## 4.3 STATUTORILY LISTED BUILDINGS

### Hollow Elm Cottage (Grade II, NHLE: 1112220)

#### Description and History

Hollow Elm Cottage (figure 19) is a one storey (plus attic) timber framed and plastered 17th century (or earlier) house. It has a thatched roof and a five window range which has 19th century casements.

#### Assessment of Significance

The significance of Hollow Elm Cottage is predominately derived from its historic, architectural and artistic interest. It is one of the earliest buildings in Smiths Green as evidenced in some of the surviving historic fabric. It demonstrates the historic living expectations, as well as building methods and materials available at the time of construction.

#### Setting

The listed building is at the northern end of the hamlet of Smiths Green. Its immediate domestic setting contains an ancillary building and is enclosed by mature trees and hedgerow.

The wider setting to the east includes a mature spinney beyond which the Site and beyond that the late 20th century infill development of Little Canfield. The wider setting to the north and west is comprised of open fields with mature hedgerow boundaries and Prior's Wood. To the south is Jacks Lane and the linear historic settlement of Smiths Green.

#### Contribution of Setting to Significance

The immediate domestic setting as well as the wider rural setting are indicative of the historic sporadic development pattern and open countryside of Smiths Green. Sitting on the northern edge of Smiths Green, any modern infill development is not evident and its rural context is more readily appreciable. As such both the immediate and wider setting make a **high** contribution to significance of the listed building.

#### Contribution of Site to Significance

Although the Site is in proximity to the cottage to the east it is less appreciable. The dense boundary hedgerows of the Site as well as the spinney behind Hollow Elm Cottage mean that the Site is only visible in glimpsed views and the previous heritage assessment that accompanied application UTT/21/1987/FUL in June 2021 considered the Site to make a **moderate** contribution to the significance of the listed building.

Conversely, following the previous appeal (APP/C1570/W/22/3291524), the Inspector found that:

*'I agree with the appellant that in terms of that part of the appeal site which comprises 7 Acres and Jacks, it is enclosed by mature boundary planting and existing development. This sense of enclosure means that these areas of the appeal site are largely separate from the wider landscape and the*



Figure 20: Goar Lodge (source: RPS photograph)

*L VIA identified visual receptors. Accordingly, I consider the proposal would have minimal effect in terms of landscape character and visual impact in respect of these areas'. (paragraph 22).*

Whilst the Inspector has found that the Site makes up part of the cottage's setting he does not find that it contributes to the significance of the listed building instead referencing *'Bull Field, Maggots Field and Prior's Wood, serve to give the setting of this designated heritage asset a sense of tranquillity which overall makes a positive contribution to its significance.'* (paragraph 44 of Appeal Decision APP/C1570/W/22/3291524).

### Goar Lodge (Grade II, NHLE: 1168972) and Beech Cottage (Grade II, NHLE: 1112212)

These assets have been grouped together for initial assessment based on their location in relation to the Site. Unless otherwise referenced, their setting, and its contribution to the assets' significance (including any contribution made by the Site to that significance), is considered to be the same.

#### Description and History

Goar Lodge (figure 20) is a two storey timber framed and weatherboarded late 16th or early 17th century house with a half hipped red plain tile roof. It has a four window range with modern casements, three bays, chimney bays and a 17th century red brick chimney stack. It has a modern gabled porch.

Beech Cottage is a one storey (with attics) timber framed and plastered 16th or early 17th century house. It has a two window range with modern casements and two gabled dormers.

#### Assessment of Significance

The significance of these heritage assets is predominately derived from their historic, architectural and artistic interest as evidenced in some of the surviving historic fabric. They demonstrate the historic living expectations, as well as building methods and materials available at the time of construction.

#### Setting

Goar Lodge and Beech Cottage are set back on the western side of Smiths Green Road. Each of these designated assets sits in a loosely defined residential plot with hedgerow boundaries separated from the road by large open grass verges. They form part of the modest historic linear settlement pattern.

The wider setting is made up of agricultural fields to the north and the linear development of Smiths Green to the south. To the east and west beyond the boundary of Smiths Green is late 20th century infill development.

## 4.3 STATUTORILY LISTED BUILDINGS

### Contribution of Setting to Significance

The immediate setting informs the character and historic context of these heritage assets and makes a **high** contribution to their significance. This includes the large open grassed areas and verges which contribute to Smiths Green's rural character.

When travelling south through Smiths Green the transition from the wider agricultural setting to the historic hamlet allows for appreciation of the historic context of these listed buildings. As such this wider setting to the north makes a **moderate** contribution to the significance of these heritage assets.

The wider setting to the east and west is made up of modern residential development and is not appreciable from within Smiths Green. Whilst it may be visible from within the rear domestic setting of each heritage asset any historic rural context has been lost. As such the wider setting to the east and west is not considered to contribute to the significance of these designated heritage assets.

Following the previous appeal (APP/C1570/W/22/3291524), the Inspector found that:

*'I agree with the appellant that in terms of that part of the appeal site which comprises 7 Acres and Jacks, it is enclosed by mature boundary planting and existing development. This sense of enclosure means that these areas of the appeal site are largely separate from the wider landscape and the LVIA identified visual receptors. Accordingly, I consider the proposal would have minimal effect in terms of landscape character and visual impact in respect of these areas.'*

### Contribution of Site to Significance

Although the Site is in the wider rural context of these heritage assets to the east it is less appreciable. The dense boundary hedgerows of the Site as well as the intervening built development between Goar Lodge and Beech Cottage mean that the Site is not visible from the listed buildings and, in fact, is only visible in glimpsed views from Jacks lane and Smiths Green lane. The previous heritage assessment that accompanied application UTT/21/1987/FUL in June 2021 considered the Site to make a **minor** contribution to the significance of the listed buildings.

However, the Inspector identified the rear of these listed buildings rather than the Site as contributors to significance stating that:

*'it is possible to appreciate the historic rural context to [the rear of these listed buildings which] makes a high contribution to their significance.'* (paragraph 46 of Appeal Decision APP/C1570/W/22/3291524) but does not extend this to include the Site.



Figure 21 Cheerups Cottage (source: RPS photograph)

### Cheerups Cottage (Grade II, NHLE: 1112207)

#### Description and History

Cheerups Cottage (figure 21) is a one storey (and attics) timber framed and plastered 17th century house with a red plain tile roof. It has a two window range with modern leaded casements. It has a L-shaped plan, two catslide dormers, a modern lean-to porch and red brick chimney stacks.

#### Assessment of Significance

Its significance is predominately derived from its historic, architectural and artistic interest as evidenced in some of the surviving historic fabric. It demonstrates the historic living expectations, as well as building methods and materials available at the time of construction.

#### Setting

The listed building is at the northern end of the hamlet of Smiths Green on the junction of Smiths Green and Jacks Lane. The immediate domestic setting of the cottage contains ancillary buildings and is enclosed by mature trees and hedgerow.

The wider setting to the east comprises the linear development along Jacks Lane beyond which is the late 20th century infill development of Little Canfield. The wider setting to the north and west is comprised of open fields with mature hedgerow boundaries and Prior's Wood. To the south is the early 21st century development on Speller Way and Fleming Road.

#### Contribution of Setting to Significance

The immediate domestic setting is indicative of the historic sporadic development pattern and Jacks Lane is considered to be of great antiquity (see section 3.1). This part of the setting makes a **high** contribution to the significance of the cottage.

The open countryside to the north and west also demonstrates the historic rural context of this heritage asset which remains appreciable. As such this part of the wider setting also makes a **high** contribution to the significance of these heritage assets.

The wider setting to the east and south is made up of modern residential development and is not appreciable from within Smiths Green. Whilst it may be visible from within the rear domestic setting of Cherrups Cottage any historic rural context has been lost. As such the wider setting to the east is not considered to contribute to the significance of these designated heritage assets.

#### Contribution of Site to Significance

Although the Site is proximate to the cottage to the east it is less appreciable. The dense boundary hedgerows of the Site as well as the



## 4.3 STATUTORILY LISTED BUILDINGS

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spinney behind Hollow Elm Cottage which sits between Cheerups Cottage and the Site mean that it is only visible in glimpsed views. The previous heritage assessment that accompanied application UTT/21/1987/FUL, in June 2021 considered the Site to make a **moderate** contribution to the significance of the listed building.

However, whilst the Inspector has found that the Site makes up part of the cottage's setting he does not find that it contributes to the significance of the listed building instead referencing that the field to the west of the listed building 'Bull Field' *'...forms the majority of the building's setting, adding a sense of tranquillity and making a very positive contribution to the significance of this designated heritage asset'* (paragraph 48 of Appeal Decision APP/C1570/W/22/3291524)

### Pump at Pippins (Grade II, NHLE: 1112210)

#### Description and History

Pump at Pippins is a 19th century cast iron pump with decorative top and finial.

#### Assessment of Significance

The significance of the heritage asset is predominately derived from its historic, architectural and artistic interest as evidenced in some of the surviving historic fabric.

#### Setting

The pump is at the northern end of the hamlet of Smiths Green but to the south of the junction of Smiths Green and Jacks Lane. It sits on the grass verge to the eastern side of Smiths Green lane opposite Beech Cottage however, it is somewhat subsumed by a dense hedgerow and a substantial telegraph pole and associated wiring.

The wider setting to the north comprises the linear development along Jacks Lane beyond which is late 20th century infill development. The wider setting to the north and west is comprised of open fields with mature hedgerow boundaries and Prior's Wood. To the south is the early 21st century development on Speller Way and Fleming Road.

#### Contribution of Setting to Significance

The immediate setting is indicative of the historic sporadic development pattern and Jacks Lane is considered to be of great antiquity (see section 3.1). This part of the setting makes a **high** contribution to the significance of the pump and the cottage.

The open countryside to the north and west also demonstrates the historic rural context of these heritage assets which remains appreciable. As such this part of the wider setting also makes a **high** contribution to the

significance of these heritage assets.

The wider setting to the east and south is made up of modern residential development and the historic rural context has been lost. As such the wider setting to the east is not considered to contribute to the significance of these designated heritage assets.

#### Contribution of Site to Significance

Although the Site is proximate to the pump to the east it is less appreciable. The dense boundary hedgerows of the Site as well as the spinney behind Hollow Elm Cottage which sits between Cheerups Cottage and the Site mean that it is not visible from the pump and, in fact, is only visible in glimpsed views from Jacks lane and Smiths Green lane. The previous heritage assessment that accompanied application UTT/21/1987/FUL in June 2021 considered the Site to make a **minor** contribution to the significance of the listed buildings.

However, the Inspector found that:

*'I agree with the appellant that in terms of that part of the appeal site which comprises 7 Acres and Jacks, it is enclosed by mature boundary planting and existing development. This sense of enclosure means that these areas of the appeal site are largely separate from the wider landscape and the LVIA identified visual receptors'* (paragraph 22).



## 4.4 NON-DESIGNATED HERITAGE ASSET— PROTECTED LANE

### Historic Lanes in Essex

The greater part of the road network in the Essex countryside derives from at least as far back as the medieval period. Much of it existed in Saxon times and it is likely that many roads and lanes were formed long before that. These lanes are part of what was once an immense mileage of minor roads and track-ways connecting villages, hamlets and scattered farms and cottages. Many were used for agricultural purposes, linking settlements to arable fields, grazing on pasture, heaths and greens; and other resources such as woodland and coastal marsh. Generally these roads were not deliberately designed and constructed; written records of the establishment of roads during the medieval period are rare (Rackham, 1986, 264). Instead they would have started life as track-ways without a bearing surface, although often with defined boundaries including hedgerows, ditches and banks.

Local Plan Policy ENV9 identifies “Protected Lanes” as part of the local historic landscape. Thus, they falls within the NPPF definition of a “heritage asset” as they are *“identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest”*.

### Warrish Hall Road/Warrish Hall Road 1

#### Description and History

The Uttlesford Protected Lanes Assessment (UPLA) identifies Warrish Hall Road and Warrish Hall Road 1 as connected and running from the junction of Jacks Lane over the A120 to the north. They are more commonly referenced (including on the OS maps) as Smiths Green Lane, and most of the properties along them appear to reference the lane as their address. For the purposes of this report the collective name of Warrish Hall Road will be used. The historic mapping in section 3.3 of this report shows that the road is of notable antiquity as it is evidenced as early as 1777.

At paragraph 58 of appeal decision APP/C1570/W/22/3291524, the Inspector stated that *“in my judgement, it encompasses the verges (which are registered as a village green), hedgerows and other features as identified in the evaluation criteria for the Protected Lanes contained in the UPLA. Features such as verges (including those that form part of the village green), hedgerows and ditches/ponds are an intrinsic part of the historical make-up of the Protected Lane and contribute to its significance as a non-designated heritage asset”*.

#### Assessment of Significance

Warrish Hall Road is an historic lane which provides part of the historic context of the hamlet of Smiths Green. Although the road has been resurfaced it is identified as retaining some historic fabric with much of the

historic hedgerow having been retained and has been identified as including components which have the potential to contain archaeological evidence. It provides an insight into past communities and their activities through direct experience of the lane’s layout and route. It also retains a wide variety of aesthetic features, notably the wide grassed verges.

The northern section of the road beyond the A120, scores a total of 15 against all of the relevant criterion. Whereas the southern section of the road that runs from Jacks Lane northwards to the A120 is one of the highest scoring roads in the assessment with a total of 24. It is considered a non-designated heritage asset.

#### Setting

The grass verges on the immediate eastern and western boundary of the protected lane are bisected by the driveways to the properties to the east including Hollow Elm Cottage and to the west by the access to Warish Hall and associated buildings. It is lined by relatively dense hedgerow with open fields beyond. At its most northern point the road rises over the A120.

#### Setting’s Contribution to Significance

Warrish Hall Road is identified in the Protected Lanes Assessment as having a strong association with historic landscape features and the designated heritage assets of broadly the same date in its vicinity. These include the listed buildings within Smiths Green, which are assessed above.

#### Site’s Contribution to Significance

Although the Site is proximate to the road, the dense boundary hedgerows and the intervening properties and their private gardens, mean it is less appreciable. In fact, it is only visible in glimpsed views from a small section of the road. As such the heritage assessment that accompanied application UTT/21/1987/FUL in June 2021 considered the Site to make a **moderate** contribution to the significance of the road.

However, the Inspector did not reference it in his decision. Instead at paragraph 59 of the appeal decision (APP/C1570/W/22/3291524), the Inspector stated that:

*‘In the wider sense, the lane has a strong visual and functional relationship with the countryside through which it passes, including Bull Field and Maggots Field making it of historic interest to the local scene and imbuing it with a high level of significance. This countryside environment forms its setting and makes a positive contribution to its significance’.*

# 5.0 PROPOSALS & ASSESSMENT OF IMPACT

## 5.1 DEVELOPMENT PROPOSALS

The design proposals have evolved through extensive consultation with the local planning authority in relation to the planning application submitted in June 2021 (UTT/21/1987/FUL) as well as a design review panel session.

The proposals include development with a garden village character that provides a medium density residential development save for the two dwellings on the western boundary of the Site which front Smiths Green lane which are larger and of a lower density.

This character was informed by an architectural analysis of the existing surrounding context as more fully described in the design and access statement that has been submitted as part of the planning application. It is intended to be an extension of the established settlement of Little Canfield to the immediate east of the Site. The proposed dwellings are to be arranged as village streets and face a village green and will be a variety of 1, 2, 3 and 4 bedroom dwellings to be delivered as bungalow, terrace, semi-detached and detached dwellings.



Note:  
 FOR MASTER PLAN - GENERAL ARRANGEMENTS PLEASE REFER TO DRAWING 10000001 P1 22/04/21, 10/01/2021  
 FOR ALL MASTER PLAN - STAFFORDS DEVELOPMENT PLEASE REFER TO DRAWING 10000001 P1 22/04/21, 10/01/2021 TO 15/01/2021  
 FOR STREET SCENES PLEASE REFER TO DRAWING 10000001 P1 22/04/21, 10/01/2021 TO 15/01/2021

Rev A - 20/11/21 - PMG  
 See Report of Panel to East Cheshire Council

Scale:  
 1:1000  
 0m 10m 20m  
 NORTH

**PLANNING**  
 Title: MASTER PLAN - JACOB PARCEL, COXWOLD  
 Site: JACOB GREEN, TAMELEY  
 Date: 10/01/2021  
 Drawn: PMG  
 Checked: PMG  
 Scale: 1:1000  
 Drawing No.: 10000001 P1 22/04/21, 10/01/2021  
 Rev: A

**Weston Homes**  
 General Notes:  
 The drawings are issued as part of a planning application and are not to be used for any other purpose without the written consent of Weston Homes. The drawings are issued on the basis that the user will be responsible for checking the accuracy of the information and for ensuring that the drawings are used in accordance with the relevant legislation and regulations. Weston Homes does not accept any liability for any loss or damage arising from the use of the drawings.

If you have any queries, please contact:  
 Head Office: Weston Homes, 10000001 P1 22/04/21, 10/01/2021  
 Local Office: Weston Homes, 10000001 P1 22/04/21, 10/01/2021

Figure 22: Proposed development of the Site



## 5.2 ASSESSMENT OF IMPACT

### Warish Hall and Moat Bridge (Grade 1, NHLE: 169063)

The significance of the listed building is derived from its architectural and historic interest as a surviving example of late 13th century design, with architectural features indicative of its age and historic function. The mature trees and hedgerows surrounding it enclose its immediate setting and make a high contribution to its significance. So too does the wider southern setting. However, the Site is set back to the eastern side of Smiths Green lane behind mature hedgerow and the linear historic development to the north of the hamlet.

Due to the ancillary buildings in the immediate setting of Warish Hall and the distance between the Site and the listed building there is limited inter-visibility between the two and thus limited appreciation of their shared rural setting. Although the Site is indicative of the wider historic rural context of Warish Hall, it makes **no contribution** to the significance of the designated heritage asset. As such the proposed development of the Site will have **no impact** on the significance of Warish Hall and Moat Bridge or the ability to appreciate this significance.

At paragraph 40 of the Appeal Decision (APP/C1570/W/22/3291524), the Inspector has come to the same conclusion that *'The setting is well contained within the moated site given the sense of enclosure created by the surrounding mature trees. The contribution of setting to its significance is high given it is part of a planned medieval moated complex but the setting is very much confined within the immediate area of the hall and bridge. In this regard, I consider that the proposal would have no effect on the significance of this designated heritage asset'*.

### Moat Cottage (Grade II\*, NHLE: 1112211), The Cottage (Grade II, NHLE: 1306743), The Croft (Grade II, NHLE: 1168964), White House (Grade II, NHLE: 1322592), The Gages (Grade II, NHLE: 1168954)

The significance of these listed buildings is predominately derived from their historic, architectural and artistic interest.

The Site lies to the north of these listed buildings. The Cottage is the closest in proximity and White House is the furthest to the south on the junction of Smiths Green and Dunmow Road. The intervening built form, including Goar Lodge and Beech Cottage (discussed further below) and mature trees and hedgerows, prevent any inter-visibility between the Site and the listed buildings on the western side of Smiths Green lane. The existing curve in the road, as well as intervening built form and mature hedgerows provide a similar screen between The Gages on the eastern side of Smiths Green and the Site.

Although there is no co-visibility or in fact inter-visibility the Site is indicative

of the wider historic rural setting to the north of the listed buildings. However, this is only appreciable in glimpsed views from Smiths Green and Jacks Lane. As such, it makes a **minor** contribution to the significance of these heritage assets.

These designated heritage assets sit to the south of Smiths Green hamlet and neither their immediate domestic setting nor the views to and from them will be impacted by the proposed development.

Existing mature trees and hedgerows enclose the Site which will be augmented as part of the design proposals. This, combined with, the distance between these designated heritage assets and the Site, the curve in Smiths Green lane as well as existing development and mature landscaping means the proposals will not be appreciable from these designated heritage assets. This includes the two new dwellings proposed at the entrance to the Site that front Smiths Green lane.

Although the proposed development of the Site will change the historic use of this land parcel this will not change the experience of these designated heritage assets. The Inspector in Appeal Decision (APP/C1570/W/22/3291524) only identified harm from the proposed development of Bull Field and not the Site which is the subject of this application.

As such the current proposed development of the Site as set out in this report and the documents that accompany the application is considered to cause **no harm** to the significance of the relevant heritage assets.

### Hollow Elm Cottage (Grade II, NHLE: 1112220)

The significance of Hollow Elm Cottage is predominately derived from its historic, architectural and artistic interest.

Although the Site is in proximity to the cottage to the east it is less appreciable. The dense boundary hedgerows of the Site as well as the spinney behind Hollow Elm Cottage mean that it is not visible from the listed building and, in fact, is only visible in glimpsed views from Jacks lane and Smiths Green lane. As such it makes a **moderate** contribution to the significance of the listed building.

Design mitigation has been embedded within the proposed development in the form of both the design and location of the dwellings. The character of the development is proposed to be that of a garden village and is made up of proposed dwellings that are arranged as village streets which face a village green. There is a variety of 1, 2, 3 and 4 bedroom dwellings to be delivered as bungalow, terrace, semi-detached and detached dwellings.

Augmented landscaping will be used to increase the buffer between the Site and Hollow Elm Cottage. The two new dwellings proposed at the entrance to the Site that front Smiths Green lane are set back from the

lane maintaining the existing linear building line that Hollow Elm Cottage is part of.

The heritage assessment submitted with planning application UTT/21/1987/FUL in June 2021 concluded that the development will result in a loss of the historic setting to the rear of the cottage and unlike the designated heritage assets to the south of Smiths Green hamlet, Hollow Elm Cottage, may be potentially impacted by an increase in noise and light pollution. However, the design mitigation referenced above means that the harm to its significance will be minor and at the low end of the spectrum of less than substantial harm.

The council's conservation team, Place Services, have confirmed that the proposed development of the Site would cause a low level of less than substantial harm to the significance of the grade II listed Hollow Elm Cottage (consultee response dated 5 January and 26 January 2023) and no harm to the other heritage assets in the vicinity of the site.

Conversely, the Inspector in Appeal Decision (APP/C1570/W/22/3291524) only identified harm arising from the proposed development of Bull Field and not the Site which is the subject of the current application.

As such the current proposed development of the Site as set out in this report and the documents that accompany the application is considered to cause **no harm** to the significance of Hollow Elm Cottage.

### Cheerups Cottage (Grade II, NHLE: 1112207)

The significance of this listed building is predominately derived from its historic, architectural and artistic interest as evidenced in some of the surviving historic fabric. It demonstrates the historic living expectations, as well as building methods and materials available at the time of construction.

Although the Site is proximate to the cottage to the east it is less appreciable. The dense boundary hedgerows of the Site as well as the spinney behind Hollow Elm Cottage which sits between Cheerups Cottage and the Site mean that it is not visible from the heritage asset and, in fact, is only visible in glimpsed views from Jacks lane and Smiths Green lane. As such it makes a **moderate** contribution to the significance of the listed building.

Although the proposed development of the Site will change the historic use of this land parcel this will not change the experience of the designated heritage asset. However, unlike the designated heritage assets to the south of Smiths Green hamlet, Cheerups Cottage is closer to the Site and therefore, may be potentially impacted by an increase in noise and light pollution. The heritage assessment submitted with planning application UTT/21/1987/FUL in June 2021 concluded that the proposed development will cause minor harm on the spectrum of less than substantial harm to the significance of the cottage.

## 5.2 ASSESSMENT OF IMPACT

Conversely, the Inspector in Appeal Decision (APP/C1570/W/22/3291524) only identified harm arising from the proposed development of Bull Field and not the Site which is the subject of the current application. The council's conservation team, Place Services, have also confirmed that the proposed development of the Site would cause no harm to Cheerups Cottage (consultee response dated 5 January and 26 January 2023).

As such the current proposed development of the Site as set out in this report and the documents that accompany the application is considered to cause **no harm** to the significance of Cheerups Cottage.

### Goar Lodge (Grade II, NHLE: 1168972) and Beech Cottage (Grade II, NHLE: 1112212)

The significance of these heritage assets is predominately derived from their historic, architectural and artistic interest as evidenced in some of the surviving historic fabric.

Although the Site forms part of the wider rural setting of these heritage assets to the east it is less appreciable. The dense boundary hedgerows of the Site as well as the intervening built development between Goar Lodge and Beech Cottage mean that it is not visible from the listed buildings and, in fact, is only visible in glimpsed views from Jacks lane and Smiths Green lane. As such it only makes a **minor** contribution to the significance of the listed building.

Existing mature trees and hedgerows enclose the Site which will be augmented as part of the design proposals. This, combined with the distance between these designated heritage assets and the Site, the curve in Smiths Green lane as well as existing development and mature landscaping means the proposals will not be appreciable from these designated heritage assets. This includes the two new dwellings proposed at the entrance to Jacks that front Smiths Green lane.

Although the proposed development of the Site will change the historic use of this land parcel this will not change the experience of these designated heritage assets. The Inspector in Appeal Decision APP/C1570/W/22/3291524) only identified harm arising from the proposed development of Bull Field and not the Site which is the subject of the current application.

As such the current proposed development of the Site as set out in this report and the documents that accompany the application is considered to cause **no harm** to the significance of these listed buildings.

### Pump at Pippins (Grade II, NHLE: 1112210) and Cheerups Cottage (Grade II, NHLE: 1112207)

#### Assessment of Significance

The significance of the pump is predominately derived from its historic, architectural and artistic interest as evidenced in some of the surviving historic fabric.

Although the Site is proximate to the pump to the north east it is less appreciable. The dense boundary hedgerows of the Site as well as the spinney behind Hollow Elm Cottage which sits between Cheerups Cottage and the Site mean that it is not visible from the heritage asset and, in fact, is only visible in glimpsed views from Jacks lane and Smiths Green lane. As such it makes a **moderate** contribution to the significance of the listed building.

Although the proposed development of the Site will change the historic use of the Site this will not change the experience of the pump. As a 19th century example of its type, the pump derives its significance from its historic fabric and its location on the lane. The Inspector in Appeal Decision (APP/C1570/W/22/3291524), did not identify any impact on the pump arising from the proposed development of the Site and therefore it is considered to cause **no harm** to its significance.

### Warrish Hall Road/Warrish Hall Road 1

#### Assessment of Significance

Warrish Hall Road is a historic lane which provides part of the historic context of the hamlet of Smiths Green. It is considered a non-designated heritage asset.

Although the Site is proximate to the road, the dense boundary hedgerows of the Site and the intervening properties and their private gardens, mean it is less appreciable. In fact, it is only visible in glimpsed views from a small section of the road. As such it makes a **moderate** contribution to the significance of the road.

The design proposals include the retention of the vast majority of the mature hedgerow and wide grass verges that run parallel to the lane. Whilst there will be one additional driveway into the Site this has been designed to echo the historic driveways in the hamlet to the south. The two proposed buildings on the western edge of the Site fronting the road have been set back to mirror the existing building line.

The heritage assessment submitted with planning application UTT/21/1987/FUL in June 2021 concluded that the proposed development will cause minor harm on the spectrum of less than substantial harm to the significance of the protected lane.

Conversely, the Inspector in Appeal Decision (APP/C1570/W/22/3291524) only identified harm arising from the proposed development of Bull Field

and not the Site which is the subject of the current application. The council's conservation team, Place Services, have also confirmed that the proposed development of the Site would cause no harm to Warrish Hall Road (consultee response dated 5 January and 26 January 2023).

As such the current proposed development of the Site as set out in this report and the documents that accompany the application is considered to cause **no harm** to the significance of the non-designated heritage asset.



## 6.0 CONCLUSIONS

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This built heritage assessment has been prepared by RPS Heritage on behalf of Weston Homes in respect of a land parcel known as Jacks which is located to the north side of Takeley and the south of the A120. It has been prepared to accompany a planning application and should be read in conjunction with the other documents and drawings provided as part of the submission, specifically the Landscape and Visual Impact Assessment. It follows an application made in June 2021 (UTT/21/1987/FUL) and subsequent appeal in July 2022 (APP/C1570/W/22/3291524) for a wider site that encompassed three land parcels; 7 Acres, Bull Field and Jacks land parcel. The latter is now the subject of the current application and this report.

Following extensive pre-application discussions during 2021, including dedicated heritage pre-application meetings with Place Services, the design proposals evolved and were informed by the significance of the relevant built heritage assets. Subsequent design mitigation has been embedded within the proposed development in the form of both the design and location of the dwellings and the development of the character area. This character area is intended to specifically respond to the context of the Site in terms of density, orientation and materials. The materials palette is grounded in textures and tones that are common to the Takeley area and is intended to provide a strong design foundation that will enable the scheme to be distinctively local.

The proposed layout has also been designed to respond to comments from the council's Urban Design Officer. It makes the most of the existing public right of way and tree belt to the east of the Site and enhances the layout with a new public open space. The previously proposed dividing road has been removed and the play space is more central.

Following the previous appeal (APP/C1570/W/22/3291524), the Inspector found that *'I agree with the appellant that in terms of that part of the appeal site which comprises 7 Acres and Jacks, it is enclosed by mature boundary planting and existing development. This sense of enclosure means that these areas of the appeal site are largely separate from the wider landscape and the LVIA identified visual receptors. Accordingly, I consider the proposal would have minimal effect in terms of landscape character and visual impact in respect of these areas'*.

Although the proposed development of the Site will change the historic use of this land parcel this will not change the experience of the relevant heritage assets. The Inspector in Appeal Decision APP/C1570/W/22/3291524) only identified harm arising from the proposed development of Bull Field and not the Site which is the subject of the current application.

The council's conservation team, Place Services, have confirmed that the proposed development of Jacks would cause a low level of less than substantial harm to the significance of the grade II listed Hollow Elm Cottage (consultee response dated 5 January and 26 January 2023) and

no harm to the other heritage assets in the vicinity of the site. In accordance with paragraph 202 of the NPPF, this low level of less than substantial harm to the significance of Hollow Elm Cottage should be weighed against the benefits of the proposed scheme which are set out in the planning statement that accompanies the planning application.

The NPPF states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. In accordance with paragraph 194 of the NPPF, this built heritage statement has presented a review of pertinent planning legislation, policy and guidance at national and local levels. Particular consideration has been paid to policies and guidance concerning development affecting listed buildings and their settings.

## APPENDIX A: REFERENCES

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### General

British Library

Historic Environment Record

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### Internet

British History Online – [REDACTED]

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Geograph – [REDACTED]

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For more information contact:  
Veronica Cassin  
Deputy Operational Director

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