

Heritage Statement

Baya-Group

Land To The West of Clatterbury Lane, Clavering

December 2023



View looking south towards the Site from junction of Clatterbury Lane and Stickling Green.

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Project

Land to the west of Clatterbury Lane, Clavering

Client

Baya-Group

Job Number

4050

Date

December 2023

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View taken north of the junction between Clatterbury Lane and Stickling Green looking south-east towards the Site..

1. Introduction

- 1.1 This Heritage Statement has been prepared by Smith Jenkins in support of a planning application by BAYA Group on behalf of E&A Securities for the proposed development, comprising an 'Outline application with all matters reserved except access for up to 28 dwellings (Class C3) including public open space, sustainable drainage systems, landscaping and associated infrastructure and development' on land to the west of Clatterbury Lane, Clavering, Essex (hereafter referred to as the 'Site').
- 1.2 The Site is located within the parish of Clavering and within the administrative jurisdiction of Uttlesford District Council. The Site comprises of a parcel of land, formerly used for agricultural purposes, bound by Stickling Green to the north and sitting west of Clatterbury Lane. The Site has a mature boundary treatment of trees and shrubs, limiting any outside views into it and preventing public access.
- 1.3 The Site is approximately 1.26ha bounded to the north by commercial area known as Jubilee and Britannica Works, an area of car parking to the east, and modern warehouse unit to the south-east and open farmland to the south and west.
- 1.4 Two applications were submitted in 2012 and 2013 (ref: UTT/0507/12/OP and UTT/13/2228/OP) for outline planning permission for the Site which were both refused. On neither occasion was heritage raised as an issue.
- 1.5 Paragraph 194 of the National Planning Policy Framework (NPPF) 2023 sets out the information requirements for determining applications and 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. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance'.¹

- 4.1 Historic England's 'GPA 3: The Setting of Heritage Assets' (March 2015, revised 2017)) provides a five step process to assess the impact of development within the setting of heritage assets. These steps are outlined below:
- Step 1: identify which heritage assets and their settings are affected;
 - Step 2: assess whether, how and to what degree these settings make a contribution to the significance of the heritage asset(s);
 - Step 3: assess the effects of the proposed development, whether

beneficial or harmful, on that significance;

- Step 4: explore the way to maximise enhancement and avoid or minimise harm; and
- Step 5: make and document the decision and monitor outcomes.

- 1.6 In response to the NPPF, Section 2 of this report uses the methodology in Historic England's GPA 3 to identify the heritage assets which may be affected by the application proposals, Section 3 outlines the historic development of the Site and its surrounding context.
- 1.7 Section 4 provides proportionate statements of significance for the heritage assets identified. These are relative to the scale, nature and effect of the proposals.
- 1.8 Section 5 provides an assessment of the application proposals on the significance of the identified heritage assets based on national, regional and local policy and guidance. The Heritage Planning Policy context for the consideration of these proposals is set out in Appendix A. This includes the statutory duties as set out in the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF, regional and local planning policy.



Figure 1.1 - Aerial view of Clavering. Site outlined in red.

¹ NPPF (2023)



The Cricketers Public House.

2. The Heritage Assets

2.1 The purpose of this section is to identify and assess heritage assets in the surrounding area whose significance and/or setting may be affected by proposed development within the Site.

Scope of assessment and selection criteria

2.2 The assessment process follows the five step process in GPA3, as referenced earlier in the report, and in accordance with the NPPF.

2.3 Smith Jenkins have undertaken a scoping study, consisting of desk-based research and a site visit, which assessed the individual settings and inter-visibility between heritage assets and the Site. This has informed the scoping exercise where a 500m radius of the Site was deemed appropriate to identify those heritage assets the significance of which may be impacted by the proposed development of the Site. This identified 22 heritage assets within the search area as laid out in Table 2.1 and 2.2 along with the Heritage Asset Plan of figure 2.1 on the following page.

Designated Heritage Assets

2.4 A Designated Heritage Asset is described by the NPPF (2023) as:

'A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation'.¹

2.5 Such assets are statutorily identified as having a level of heritage (architectural and/or historic) interest to justify designation. There are then particular procedures in planning decisions to ensure that their special interest is preserved or enhanced.

Listed Buildings

2.6 There are 16 listed buildings within a 500m radius of the Site, all listed grade II. Of these 16 buildings, 3 have been scoped in for further assessment and 1 conservation area due to their proximity and potential to be impacted by the proposed development.

2.7 However, due to an absence of inter-visibility owing to vegetation/tree cover, intervening built form and lack of historic functional links and ownership relationship, the remaining assets have been taken out of the scope of further assessment. These buildings have been included in the assessment of the conservation area as a whole for the purposes of this assessment as key contributors to its significance.

Conservation Areas

2.8 The Site is not within the Clavering Conservation Area but is situated north of Character Area 3: Hill Green of the Clavering Conservation Area, which was designated in 1977. A plan of its location can be found within the heritage asset plan in figure 2.1.

2.9 At the outset it must be noted that the setting of conservation areas is not statutorily recognised, and it is only the contribution that the surrounding area makes to the special character and appearance of an area that should be considered.

Non-Designated Heritage Assets

2.10 The NPPF identifies that heritage assets not only include those which are designated (often with statutory protection), but also those assets identified by the local planning authority which could include local listing or buildings of townscape merit. Any such designation, for the purposes

Table 2.1 Designated heritage assets within the study area of 500m potentially affected by the proposals.

Key	Name, Address	Grade	Scoping
1	Old Home	II	OUT
2	Peacocks	II	IN
3	Lantern Thatch	II	IN
4	The Cricketers	II	IN
5	K6 Kiosk	II	OUT
6	Saddlers	II	OUT
7	Old Forge Cottage	II	OUT
8	Ivy Cottage	II	OUT
9	Copthall	II	OUT
10	Wakefares	II	OUT
11	Sunnyside	II	OUT
12	Hill Green Cottage	II	OUT
13	Clavering Court Lodge	II	OUT
14	Court Cottage	II	OUT
15	Horseshoes	II	OUT
16	Cottage Adjoining Thatch End	II	OUT
A	Clavering Conservation Area	-	IN

of the NPPF, are considered to constitute non-designated heritage assets.

2.11 Uttlesford District Council published a local heritage list of non-designated heritage assets, with part one published in 2018 and part two in 2021. There is a selection criteria provided by the Local Authority which outlines the relevant criteria needed for the asset to warrant inclusion on the list, with a list description identifying the degree of local architectural and historic interest.

2.12 Those assets on the local list which fall within the study area are identified in table 2.2 and their location marked on the heritage asset plan at figure 2.1. Hill Green Farm and Farmhouse standing to the south of the Site boundary is the only non-designated asset scoped in for further assessment due to its proximity to the Site and holding the same historic ownership as the Site which will be shown later in Section 3.

2.13 In accordance with the requirements for a proportionate assessment and due to its proximity to the Site, it is considered that new development at the Site, of the scale proposed, would have no impact on the setting or significance of the remaining non-designated heritage assets and hence they will not be taken forward for detailed assessment.

2.14 Those assets which fall within the study area are identified in table 2.2, with only one asset scoped in for further assessment due to the potential to be impacted by the proposed developments. The remainder of the locally listed buildings will be referred to as part of the conservation area character assessment. The location of the locally listed buildings are marked on the heritage asset plan in figure 2.1.

Table 2.2 Identified non-designated heritage assets within the study area of 500m potentially affected by the proposals.

Key	Name, Address	Scoping
a	The Chapel School (Former Methodist Church), Hill Green	OUT
b	Cricket Pavilion, Hill Green	OUT
c	The Views, Hill Green	OUT
d	Hill Green Farm and Farmhouse	IN
e	Village Water Pump	OUT

¹ NPPF (2023) Annex 2: Glossary (p.66)

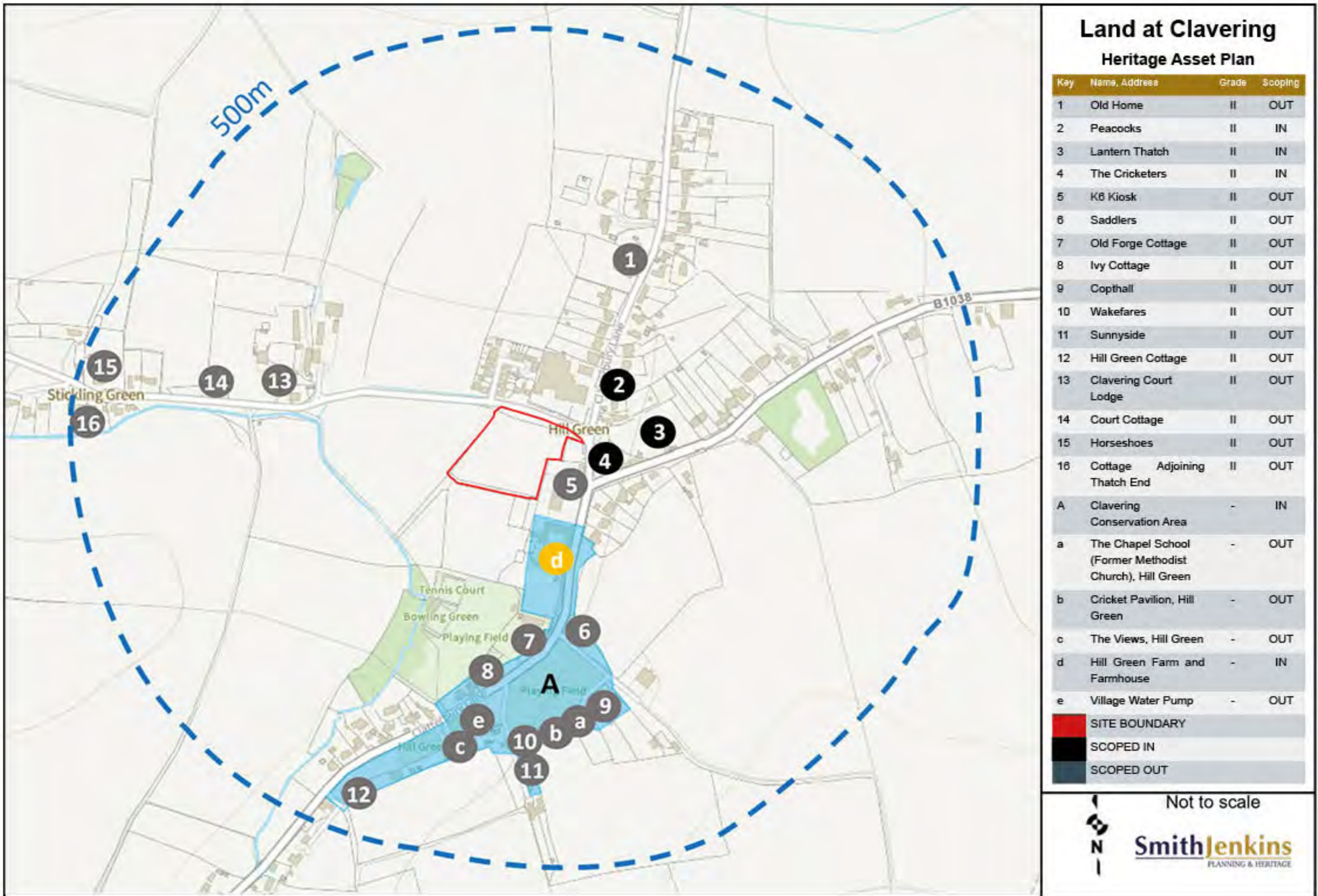


Figure 2.1 - Heritage Asset Plan

3. Historic Development

A Brief History

- 3.1 Clavering is a village located in north-west Essex in the district of Uttlesford. It is situated about 20 miles from the south of Cambridge and 6 miles south west of Saffron Walden. Evidence of early settlement in the vicinity includes the discovery of a late Bronze Age hoard around the Bury. The north west boundary of Clavering parish follows the line of the Roman road which runs between Braughing and Chesterford.
- 3.2 It is a small village developed on the high ground near to the River Stort and the Kings Water Stream in the early Saxon period, which became known as 'Claefring' by the beginning of the 11th century. The village is mentioned in the Domesday Book of 1086 as 'Clauelinga' which translates to 'the place where the clover grows'. Henry III visited Clavering in 1251 when he ordered the Miracles of the Ring to be commemorated in the chapel to St John the Evangelist. The current church of St Mary and St Clement dates from the late 14th century to the early 15th century, and is situated on the site of an earlier church that was established by Robert Fitz Sweyn.
- 3.3 In 1304 the Bury was constructed as a manorial centre, taking the place of Clavering Castle, which is no longer present except for the remaining earthworks and ringworks. Following its construction, a small amount of building occurred around the Bury and further development took place to the east, the west and to the south of the church.
- 3.4 The village continued to grow, including the construction of buildings which border the main road, now known as the B1038. During the 16th century, The Cricketers was constructed and was one of the first developments in the village. It was used as a public house and has been used within the local community as such to the present day.
- 3.5 In 1783, a survey revealed that there were 125 houses in Clavering and at this time the village was recorded as consisting of mainly houses with a couple of shops. This changed in the 19th century, when Clavering became a place which housed many tradesmen including blacksmiths, wheelwrights, shoemakers, bricklayers and carpenters. Although, the majority of people still worked on the farms. The farm workers wages were amongst the lowest in the entirety of Essex and the community was largely poor at this time. The population of Clavering reached 1,172 by 1841, with 245 houses which were inhabited, as well as 8 unoccupied houses and another property which was in the process of being built. By the end of the 19th century the village remained largely self-sufficient with tradesmen continuing to conduct their business, despite a slight decrease in the population. There were 7 beer retailers recorded, along with the two public houses known as The White Horse and The Fox & Hounds.
- 3.6 In the early 20th century the population continued to decline as more of the local villagers left, which was not aided by the agricultural depression,

as many of the villagers worked on the farmland.

The Site

- 3.7 The Tithe Apportionment map of approximately 1839 (figure 3.1) shows the Site consisted of open agricultural plots of land, which were owned by Baron Dimsdale and occupied by Joshua Pilgrim. The same men also owned and occupied multiple other parcels of nearby land, including Hill Green Farm. The village development was mainly focussed along the main road, now Clatterbury Lane, and properties had different landowners and occupiers at this time. Buildings on both sides of Hill Green were built by this time, including Ivy Cottage and Old Forge Cottage. Lantern Thatch and Peacocks were also already constructed by this time and are present on the 1839 map to the north-east of the Site.
- 3.8 Figure 3.2 shows an Ordnance Survey of 1881 which depicts the Site and surrounding area have changed little since 1839, with open plots of land and development still spread along the main road. The Methodist Chapel is clearly labelled on the map at this time.
- 3.9 Figure 3.3 indicates that the Hill Green area and north of the village remained largely the same in the early 20th century. Development remained focused along Clatterbury Lane, with a new development to the east side of Hill Green and additional buildings in the north of the village along the B1038.
- 3.10 The Site continued to be open plots of land in connection with Hill Green Farm and Farmhouse. Hill Green Farm and Farmhouse is a non-designated heritage asset that no longer has a relationship to the Site as the land no longer has a shared ownership and does not perform an agricultural function as it did in the 19th century.
- 3.11 This remained the same in the mid-20th century (figure 3.4). New developments and gradual infilling have since been built within the village, with key examples including Jubilee and Britannica Works to the north of the Site.
- 3.12 A comparison of figures 3.4 and 3.5, OS Map of 1950 and OS Map of 1982 shows that between 1950 and 1982 that a notable amount of development took place to the north and east of the Site. The commercial units of Jubilee and Britannica Works to the north of the Site had been constructed, demonstrating the changing surrounding context of the Site. This additional development altered the traditional experience of the area, which has changed from agricultural open plots of land to a more industrial and commercial feel.

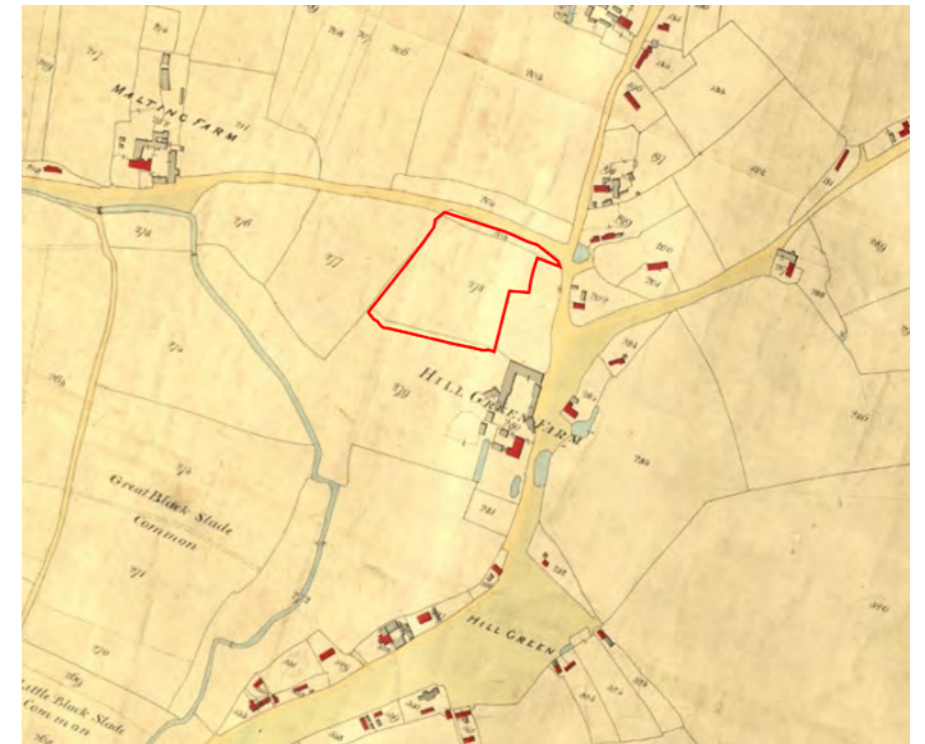


Figure 3.1. Tithe Apportionment Map c.1839 (The Genealogist).

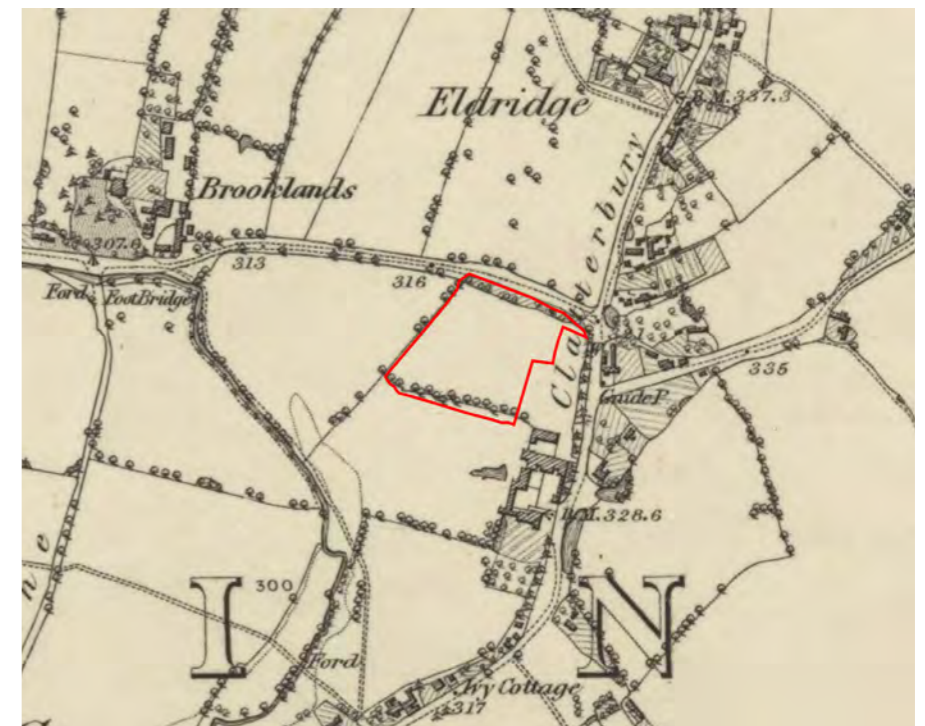


Figure 3.2. Ordnance Survey Map c.1881 (National Library of Scotland).

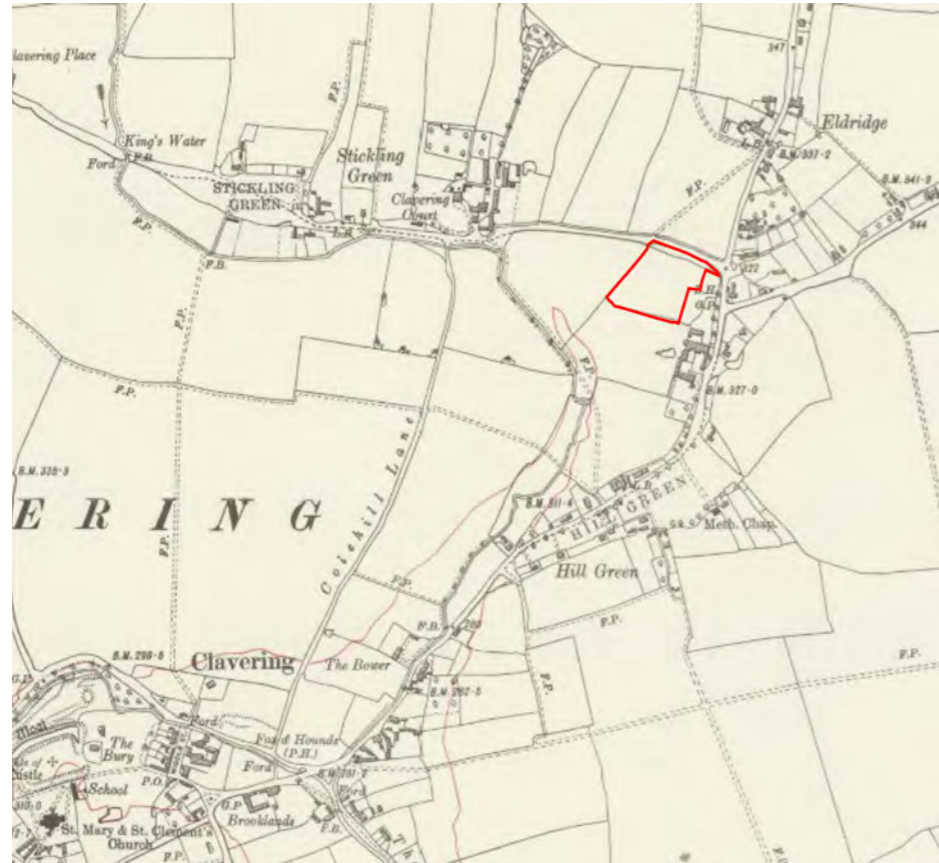


Figure 3.3. Ordnance Survey Map c.1923 (National Library of Scotland).

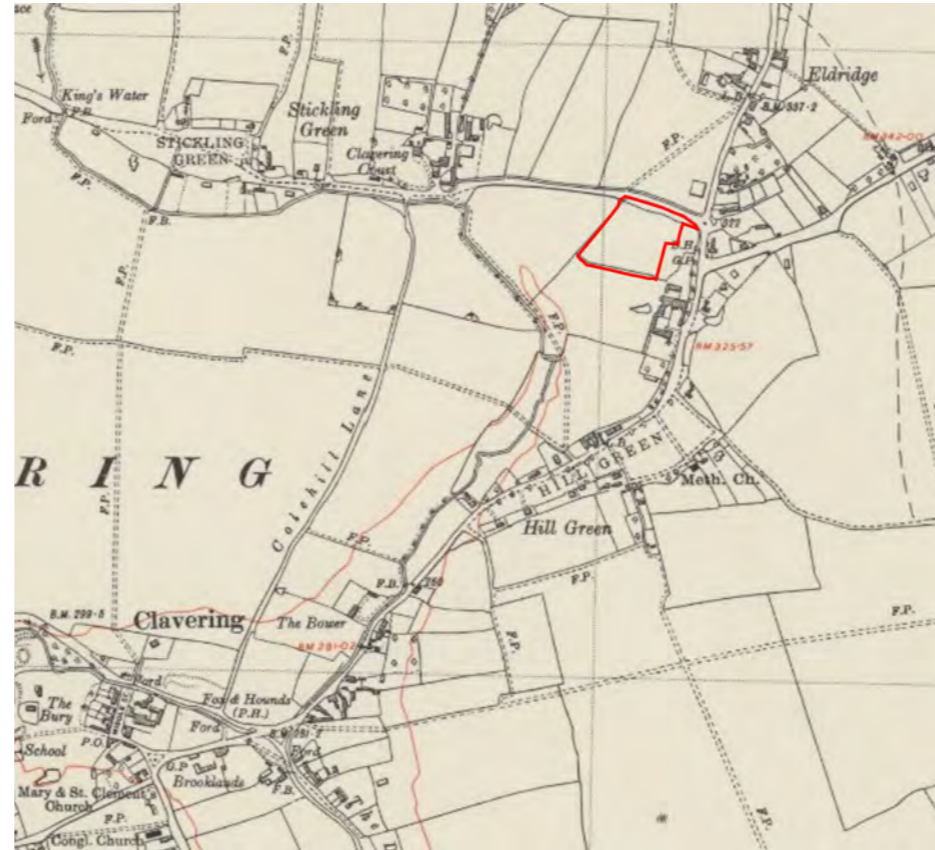


Figure 3.4. Ordnance Survey Map c.1950 (National Library of Scotland).



Figure 3.5. Ordnance Survey Map c.1982 (Promap).

4. Significance

4.1 The significance of a heritage asset is defined within the glossary of 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'.¹

4.2 Listed buildings are statutorily designated and, for the purposes of the NPPF, are designated heritage assets. Recognising this statutory designation, buildings must hold special architectural or historic interest. The Department of Culture, Media and Sport publish the 'Principles of Selection for Listed Buildings (2010)' which is supported by thematic papers, 'Listing Selection Guides', based on building type, which give more detailed guidance.

4.3 Conservation Areas are identified if they are of special architectural or historic interest, the character or appearance of which should be preserved or enhanced. Historic England has published guidance on the designation of Conservation Areas which provides a framework for the identification of those features that form the character and appearance.

4.4 The Planning Practice Guidance (PPG) has been adopted 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.

4.5 The PPG defines the different heritage interests as follows:

- archaeological interest: As defined in the Glossary to the National Planning Policy Framework, 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).

4.6 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.

4.7 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. It also states 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.

4.8 Historic England has also published Good Practice Advice Notes on the 'Setting of Heritage Assets' (2nd Edition, 2017) and 'Statements of Heritage Significance' (October 2019) which are used to understand the surroundings of a heritage asset which may contribute to the significance of a heritage asset and explore the assessment of significance of heritage assets as part of a staged approach to decision-making in which assessing significance precedes the design of proposals.

Assessment

4.9 The following summary statements of significance provide an overview of the identified designated and non-designated heritage assets set out in Section 2, which may be affected by the application proposals. These are proportionate to the importance of the asset and the likely impacts of the proposals.

¹ NPPF (2023) Annex 2: Glossary (p.71)

Peacocks - Grade II (Listed Building)

4.10 Peacocks was included on the statutory list of buildings of special architectural or historic interest at grade II on the 22nd February 1980 (list entry no. 1322475).

Architectural Interest

4.11 Peacocks is a cottage situated on the eastern side of Clatterbury Lane just after the junction to Stickling Green. It is of architectural significance due to its age constructed in the 17th or 18th century and stands as a unique surviving cottage in vernacular style contributing to the character of the village. It is of two storeys and five bays; the principal elevation, standing at a diagonal to Clatterbury Lane, exhibits a regular composition. The materiality of the cottage is timber-frame structure and plastered with a distinct half-hipped thatched roof and a central chimney stack which contributes to its architectural interest. Whilst it retains a high proportion of its original design and fabric including timber-frame and thatch, the building has seen renovation work over the years.

4.12 The front elevation is regular, with a window range of modern casements all in various sizes. The gabled porch projects from the front has a single wooden door which provides the primary entrance to the building, constructed of modern tiles. To the side elevation facing onto Clatterbury Lane there is a modern casement window at ground floor and a single bay window at first floor. The rear elevation has seen significant modern intervention by way of projected extensions and alterations which has reduced the ability to appreciate its original design.

Historic Interest

4.13 The historic interest of Peacocks lies in its age as a 17th or 18th century vernacular cottage and its role in the initial development of Clavering. Situated at a distance from the parish core, Peacocks would have been one of many scattered developments as part of the growth and establishment of the village and demonstrates the initial expansion of the settlement. It also holds a historic connection to nearby listed cottages constructed at a similar time.

Setting

4.14 The immediate setting of Peacocks cottage comprises of its own plot accessed via a drive and enclosed by a wooden entrance gate and low-rise hedging (figure 4.1). In the front plot there is a modern garage, annex to the east and an area of hardstanding used for car parking. To the rear, a garden plot comprising of several short trees lining the edges is enclosed by a mid-rise modern brick wall to the west and timber fencing to the north.

4.15 The exposed position of Peacocks standing on the eastern edge of Clatterbury Lane means that the road forms both its immediate and wider

setting. There is a small buffer of a green lawn that stretches southwards from the property extending north which acts as a physical separation from the road (figure 4.1). Its exposed principle elevation, featuring only three small planted trees to its front plot, means that the property can be seen to its full extent affording key views when travelling north along Clatterbury Lane, contributing to its overall significance. The rear is mostly obscured by trees rising above the fencing boundary preventing views when travelling south along Clatterbury Lane.

4.16 There is a certain intactness to the immediate setting which contributes to its overall significance. Its wider setting has been eroded by the addition of commercial units, Jubilee and Britannica Works in the latter half of the 20th century; the entrance of the industrial estate faces directly onto Clatterbury Lane and the units are viewed in conjunction with Peacocks cottage (figure 4.2). In this way, the wider setting has a negative contribution to the significance of setting, altering the historic rural setting of open farmland and reducing the ability to appreciate the cottage without the development key views along Clatterbury Lane.

4.17 Therefore the significance of setting for the cottage primarily derives from its immediate setting given the erosion of its wider rural setting by the 20th century commercial development located opposite.

Contribution of Site to Significance

4.18 The Site does not contribute to the significance of Peacocks due to the distance and absence of a visual and historic functional relationship between the asset and Site, as seen in the tithe apportionment map of figure 3.1 of Section 3.

4.19 Summary

4.20 Peacocks is of architectural and historic significance as a surviving vernacular cottage dating to the 17th/18th centuries. The house retains its original timber-frame structure, with modern plastering and windows, and historic thatch roof which highly contribute to its architectural interest. It also stands as a good example of the earliest phases of development of Clavering. Its immediate setting remains intact, however the addition of the industrial estate of Jubilee and Britannica Works opposite negatively contributes to its setting.



Figure 4.1. Front elevation of Peacocks.



Figure 4.2. View looking north along Clatterbury Lane of Peacocks and the modern commercial units, Jubilee and Britannica Works, in conjunction with each other.

Lantern Thatch - Grade II (Listed Building)

4.21 Lantern Thatch was included on the statutory list of buildings of special architectural or historic interest at grade II on the 22nd February 1980 (list entry no. 1170805).

Architectural Interest

4.22 The architectural interest of Lantern Thatch is derived from its standing as a 17th century cottage in vernacular style. It is of one storey plus attic, constructed of timber-frame and plaster with a half-hipped thatch roof, retaining its historic style and form. The traditional design has been retained, despite modern renovation work, as well as original timber-framing and thatch roof which contributes greatly to its overall aesthetic and significance.

4.23 The principal elevation exhibits a simple design and regular composition comprising of five bays with a projecting porch to third bay with a sloping tiled roof. At ground floor level, each bay features a modern lattice leaded casement window of four lights with the porch bay featuring a modern single light lattice leaded casement window and wooden door. There are three dormer windows to middle bays with modern lattice leaded casements. Internally, the interior features exposed timber-framing with timber ceiling beams and joists.

Historic Interest

4.24 The historic interest of Lantern Thatch cottage is derived from its age and role in the initial growth and expansion of the village. The cottage would have been one of the earliest developments as demonstrated by the historic map regression in Section 3 and therefore is a key contributor to the domestic historic character and appearance of the village.

Setting

4.25 The setting of Lantern Thatch is predominantly composed of its own plot with a well-defined boundary of hedging and mature trees. To the front, there is a square lawn bisected by a footpath and a gravel driveway providing vehicular access to the property. The lawn is enclosed by a boundary of hedging, separating the property from the vehicular thoroughfare of the B1038 and evoking a more insular setting to the property. Its principle elevation therefore can only be viewed in the small gap of the driveway which breaks the mature boundary treatment. To the rear, there is a large open garden plot with a dense hedgerow boundary treatment providing significant screening from outside views. There is a clear retention of the historic setting of the building which contributes to the significance of setting.

4.26 The wider setting has seen the addition of modern development within the surroundings of Lantern Thatch particularly to the south-west and on the

opposite side of the B1038 in the form of 20th century weather-boarded and rendered detached bungalows. To the east along both sides of the B1038 there are detached residential dwellings of 2-storeys which have recently been completed or are undergoing the final stages of construction. This demonstrates the changing context of Lantern Thatch, eroding the intactness of setting and detracting from the significance of setting.

4.27 Despite changes to its wider setting by way of modern development to the east, the insular setting of the building means that there is no visual connection to its surroundings due to the mature boundary treatment. It does however hold group value to nearby listed buildings dating to the same period.

Contribution of Site to Significance

4.28 The Site does not contribute to the significance or setting of the building due to the distance and lack of any historic or visual connection to the asset.

4.29 Summary

4.30 Lantern Thatch is of significance as a good example of a 17th century cottage in vernacular style. The house has seen renovation work to its exterior but still retains its original timber-frame structure, style and form. It was likely one of the first developments as part of the phased development of the village as referenced in the historic map regression of Section 3. It draws significance from its immediate setting where it is best appreciated.

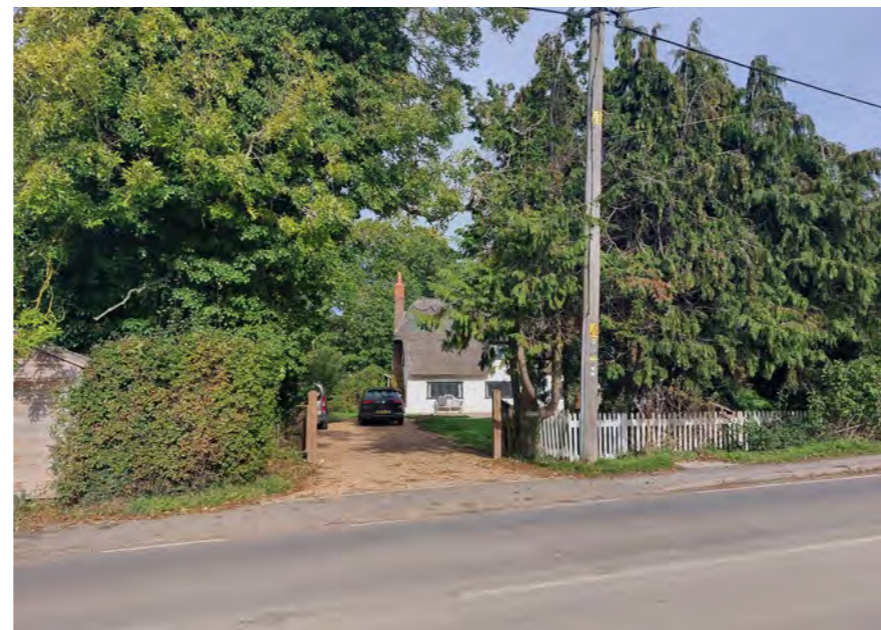


Figure 4.3. View looking north towards the entrance of Lantern Thatch cottage from the southern side of the B1038.



Figure 4.4. Front elevation of Lantern Thatch from front entrance.

The Cricketers - Grade II (Listed Building)

4.31 The Cricketers was included on the statutory list of buildings of special architectural or historic interest at grade II on the 17th January 1978 (list entry no. 1306087).

Architectural Interest

4.32 Constructed in the 16th century, The Cricketers is a public house and one of the earliest buildings within the parish. Its architectural interest is derived from its age and vernacular style. However, the building underwent a period of alteration in the 18th and 19th centuries which has altered its external design features. It is of 2-storeys with later additions to its rear include a single storey infill extension, and other alterations, though there is still a legibility of the historic 'T'-shaped plan form to the main building. The materiality is part timber-framed and plastered and part brick with colourwash finish, with a gabled slate tiled roof and brick chimney stack. There is some retention of historic fabric such as timber-framing which contributes to its overall interest.

4.33 The principal elevation is its south face and highly contributes to its significance. It comprises of a 19th century gabled addition projecting in the far left bay with a modern bay window, three window range of double-hung sashes with vertical glazing bars and a small gabled porch with forms the primary entrance into the building. The far right bay is slightly set back featuring double-hung sashes at each floor.

4.34 To the west, the building comprises of a plain elevation of the ancillary service wing therefore holding a minimal contribution to the architectural significance of the building. The elevation faces directly on to Clatterbury Lane and the pub car park; there is timber cladding in the top half of the gable to main building, small casement window and the ghost outline of a hipped roof porch, now infilled. There is a modern bow window connecting the original building to a single storey outbuilding which features a casement. As such, the side elevation has a limited contribution to the architectural significance of the building.

4.35 To the east, the elevation features a similarly plain elevation with a modern appearance comprising of part colourwash and part timber clad materiality with paned modern casements to ground floor and a four window range of casements to timber clad top half. There is a small projecting first floor gable to right end of timber cladding. The rear has a functional appearance comprising of modern ancillary extensions serving the function of the public house.

4.36 Internally, the pub retains historic fabric including timber beams and joists contributing to its historic appearance as a 16th century Tudor building. Other internal features include wood panelling and fireplace, though these have been renovated in later years.

Historic Interest

4.37 The Cricketers is of historic significance due to its served purpose to the local community as a public house as well as its standing as one of the first developments in the village with 16th century origins. Please see Section 3 which outlines the construction of the public house and its role within the parish of Clavering.

4.38 Further interest is derived thanks to its association to popular chef, Jamie Oliver, whose parents bought the pub in 1976 and sold it 44 years later in 2020. Oliver practiced cooking under his parents guidance in the kitchen of The Cricketer.

Setting

4.39 The setting of The Cricketers is defined by its prominent position on the junction between Clatterbury Lane and the B1038, its principal elevation facing onto the junction though slightly set back with a buffer of a beer garden and low rise hedging. Its immediate setting is enclosed by hedging to the north and fencing to the east which joins to a low rise brick wall. This boundary encloses an area of hardstanding used as visitor car parking. There is limited differentiation between the immediate and wider setting of the building to the east due to the building's position located on the boundary line of the vehicular road of Clatterbury Lane. In this way, the historic layout of the immediate setting remains intact contributing to its significance.

4.40 Its wider setting has changed in the latter half of the 20th century as per figure 3.5 in Section 3. This includes the addition of car parking directly opposite and recent modern developments of a warehouse industrial estate south-west plus the Jubilee and Britannica Works north-west which have detracted from the rural character of its wider setting. However, due to the dense vegetation along the western side of Clatterbury Lane, the modern developments are obscured from view of the asset.

4.41 The building is best appreciated within its immediate setting due to the mature boundary to the north and along the B1038. Key views are offered when travelling northwards along the B1038 at the point where the road curves eastwards, allowing an appreciation of the principal elevation. The building holds a historic connection to nearby historic buildings including Peacocks and Lantern Thatch which would together hold group value as the earliest developments within the village, as shown by figure 3.1 as part of the historic map regression in Section 3.

Contribution of Site to Significance

4.42 Although the Site is located opposite the asset, it does not contribute to its significance or setting due to the physical separation of the mature

boundary preventing any visual connection to the Site. There is a clear erosion of historic setting and surrounding context by virtue of the recent 20th century warehouse estate and large car parking area to the east of the Site. This further provides a tangible separation between the asset and Site and therefore the Site does not contribute to the significance of the Cricketers.

Summary

4.43 The Cricketers gains its significance due to its age dating to the 16th century and holding communal value as a public house. It has seen significant modern renovation to its exterior, though it retains a proportion of historic fabric and style. The principal elevation is the main contributor to the significance of the building forming the primary entrance to the property and offering a focal point on the transition northwards through the village.

4.44 There is a distinct historic connection to the chef Jamie Oliver that heightens its overall interest. Its setting is defined by its prominent position at the junction which affords key vistas of the building in its full extent, and the intactness of its own plot.



Figure 4.5. Front elevation of The Cricketers public house.



Figure 4.6. View looking towards The Cricketers from the eastern side of Clatterbury Lane and west of the Site boundary.



Figure 4.7. Car parking located opposite The Cricketers pub to the east. The Site is located behind the car parking.

Clavering Conservation Area

4.45 Clavering Conservation Area was designated by Uttlesford District Council in 1977. The conservation area is divided into three sub-character areas according to their individual characters. As the Site is situated in proximity to Character Area 3: Hill Green, this will be assessed in further detail due to the potential to be impacted by the application proposals.

4.46 As part of this section reference is made to those buildings that contribute to the character and appearance of the character area including Old Forge Cottage and Ivy Cottage, but have been scoped out of this report as referenced in Section 2.

Historic Development

4.47 Please see Section 3 of this report for an account of the historic development of Clavering.

Character and Appearance

4.48 Hill Green boasts a predominantly rural character. It comprises of one primary route B1038 which intersects the area as a through route into the village and beyond. Whilst situated north of the more dense areas of the village, it forms the heart of the village with a regularly used village hall, standing near Old Forge Cottage on the west side of the B1038.

4.49 The layout of the character area extends around the B1038 which stands aligned to the historic route through the village. The boundaries encompass the large cricket ground to south and the built form around it. There is a slight sloping topography heading south to north along the road, lending the name Hill Green to the area.

4.50 Much of the built form exhibits a high architectural quality; featuring traditional building styles and a material palette of timber-framing, brick, tiles, thatch and render. Many of the older buildings in the area date to the 16th to 18th centuries, most of which have gained statutory protection. The ones relevant are referenced in Section 2.

4.51 The area comprises of a mixture of early building interspersed with 20th century housing and light industrial units. The early buildings comprise of a distinct vernacular style, prevalent in the area. However, there is an eclectic mix of architectural styles, materiality and form which adds to its diverse character.

4.52 The built form stands at a similar scale and height of two storeys ensuring the buildings are largely obscured from view when surrounded by large mature trees. Some of the buildings are set back from the main thoroughfare but some abut it, exposed to their full extent, including the grade II listed Old



Figure 4.8. Plan showing the three sub-character areas of Clavering Conservation Area.

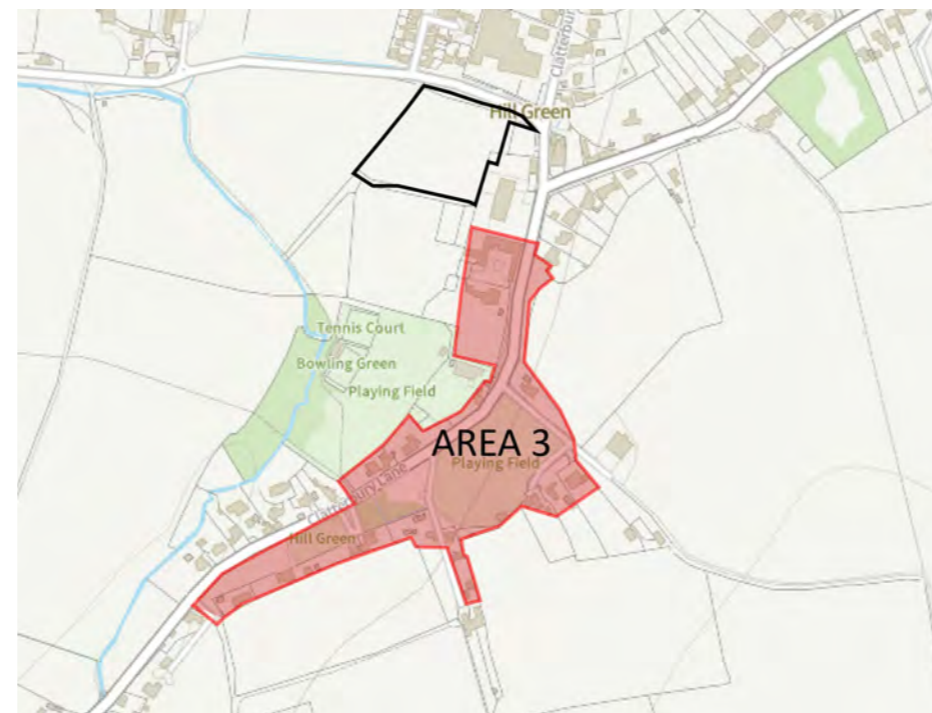


Figure 4.9. Plan showing the Site in relation to Sub-Character Area 3: Hill Green.

Forge Cottage and Ivy Cottage, (figures 4.12 and 4.13) affording key vistas up and down the B1038. Section 2 outlines the reasons for taking these buildings out of the scoping study.

4.53 The large cricket ground on the eastern side of the conservation area, characterises Hill Green. It is laid out in a triangular plan and has a cluster of notable listed and locally listed buildings which encircle the open space. The cricket ground is a key focal point of the area as one of the only public open spaces offering picturesque views and makes a significant contribution to the character and appearance of the conservation area.

4.54 Important features of Hill Green character area are the grade II listed buildings fronting the cricket ground Saddlers, Copthall and Wakefares dating to the late 18th or early 19th century. Although of simple form, the listed buildings feature a colourwash finish or weatherboarding with pantile roofs adding a distinct character to the conservation area. Further to the south of the cricket ground are the locally listed buildings, Methodist Chapel School and thatched Cricket Pavilion sat in the background of the open landscape, and viewed as part of the cluster of buildings encircling the cricket ground.

Listed Buildings

4.55 Old Forge Cottage and Ivy Cottage (figures 4.12 and 4.13) are two notable buildings fronting the B1038 and on the northern side of the cricket ground, both statutorily protected at grade II. Whilst both date to the 18th/19th centuries, Old Forge features a more distinct style with a thatched roof in-keeping with other cottages of an earlier date and Ivy Cottage is constructed of brick and a pantile roof and different in size and character. The contrast between the adjacent buildings contributes to the diverse character and eclectic mix of architectural styles throughout the area.

4.56 Other buildings of note include the grade II listed Hill Green Cottage at the southern end of the conservation area with late 16th century origins, and a building identified as holding local importance, The Views. Both these buildings are set back by tree-lined verges.

4.57 At the northern end is the large farm complex the non-designated, Hill Green Farm, which contrasts to the residential character of the south. The large Flemish barns occupy a large plot and exhibit a dominant presence on the western side of B1038. The buildings reflect the former agricultural nature of Clavering, further contributing to its diverse character and varied style.

Setting

4.58 Hill Green character area is surrounded by open countryside which contributes to its rather tranquil atmosphere. The area is defined by a cricket

ground at the heart of this character area. On the southern approach, the primary thoroughfare is flanked by tree-lined verges and hedgerows with breaks in the vegetation to provide access into properties. The private feel then opens onto the large space of the cricket ground, comprising of scattered mature trees to its edges and providing a picturesque backdrop and landscape setting. However, there are limited views outside of the conservation area due to the flat topography, existing built form, mature vegetation. This is shown by figure 4.10.

- 4.59 The northern end of the B1038 (figure 4.11) is lined by mature trees, hedging and vegetation which evokes an insular setting to the area. The heavily treed road provides significant coverage of the surrounding built form, affording only short visual sightlines and an enclosed feel around the area. As a result, the area is best experienced from within.
- 4.60 Whilst the B1038 bisects the area, traffic is limited and does not detract from the rural and quiet setting of the area. There has been significant change to the setting of the area by way of the modern commercial units, Jubilee and Britannica Works to the north near Peacocks, as well as Eldrige Close housing estate which has contributed to the influx of vehicular noise and a semi-urban environment.

Contribution of Site to Significance

- 4.61 The Site is situated outside the conservation area. The Site is further enclosed by a mature boundary treatment of trees preventing any views in and out. As the historic rural setting of the character area is less appreciable today due to its enclosed and insular nature, the Site does not hold a visual connection to the Hill Green character area nor does it contribute to the character and appearance of the conservation area as a linear rural hamlet.

Summary

- 4.62 Hill Green character area forms part of the wider Clavering Conservation Area. The area is defined by the cricket green which sits at the heart of Hill Green and affords picturesque views across the cricket ground. There is a varied architectural style which contributes to the domestic historic appearance. The historic street pattern is retained, the buildings scattered around the cricket ground and the primary thoroughfare of the B1038. There is also distinct natural character owing to the greenery integrated throughout the area by way of trees, hedges, planting and grass verges, further contributing to its tranquil and secluded nature. There have been later developments to the north of the character area, the Jubilee and Britannica Works, these are set to the north outside the conservation area, changing the context and rural setting to a semi-urban environment.



Figure 4.10. Looking south across the cricket ground. The Site is located behind circa 250m.



Figure 4.11. Looking north-east along the B1038. The road is lined with mature trees and vegetation evoking a heavy natural character. The Site is located circa 350m north.



Figure 4.12. Old Forge Cottage



Figure 4.14. The southern end of the character area.



Figure 4.13. Ivy Cottage fronting the western side of the B1038.



Figure 4.15. The northern end of the character area.

Hill Green Farmhouse and Barn (Non-Designated Heritage Asset)

4.63 Hill Green Farmhouse and Barn has been identified as a non-designated heritage asset holding a degree of local architectural or historic interest.

Architectural Interest

4.64 Hill Green Farm complex consists of a farmhouse, dating to the 19th century. It is constructed of red brick with a hipped slate roof. There are 2 chimney stacks constructed of brick to the rear of the property and both floors contain timber sash windows. The Flemish barn is in the form of a 'U' shape and the north and east elevations are visible from Clatterbury Lane. The barn was constructed using red brick and the barn to the north has a modern slate tile roof with a rooflight addition. The north elevation has a large entrance opening, as well as a smaller door with shutters above.

Historic Interest

4.65 Hill Green Farm was present in the village from the 19th century and can be seen on the 1839 Tithe Apportionment Map. At this time the farm was owned by Baron Dimsdale and occupied by Joshua Pilgrim, who also owned and occupied the surrounding plots of open land which include the land that encompasses the Site. The village holds a strong connection to the agricultural industry, as the majority of inhabitants worked on the farmland throughout the villages history. Thus, Hill Green Farm played an important role in the village.

Setting

4.66 The immediate setting of Hill Green Farmhouse and Barn complex includes the farmhouse, which is set to the south of the historic barns and there is a modern barn to the north (see figure 4.18). To the west of Hill Green Farmhouse and Barn, there are plots of open land which historically were connected to the farm and held a historic functional relationship under the same ownership. Please see Section 3 of this report.

4.67 The farm is set to the west of Clatterbury Lane and across the road from The Cricketers. The extended setting consists of the wider village and agricultural open fields that surround Clavering. However, much of the wider setting has been eroded by way of modern development including the modern warehouse unit and a large area of car parking to the south-east which has detracted from the ability to appreciate the asset in its historic setting.

Contribution of Site to Significance

4.68 The Site forms part of the agricultural landscape which was historically connected to Hill Green Farm due to them having the same landowner and occupier. In addition, the Site and Hill Green Farm share a functional connection due to the land of the Site being agricultural, therefore, it

would have been used in association with the farm, likely for agricultural purposes. As such, the Site contributes to the significance of Hill Green Farmhouse and Barn due to the historic functional relationship and forming part of its historic setting, however this is less appreciable today.

Summary

4.69 The significance of Hill Green Farm is derived from its historic connection to the village and the agricultural industry. The architecture of the farmhouse and barn also contributes to its significance as they remain largely intact. The historic buildings on the farm hold a group value due to their connection as part of Hill Green Farm historically, although the modern farm building reduces the intactness of the farm. The immediate setting remains largely intact, however the wider setting has seen alteration by way modern development. The immediate setting makes a key contribution to the significance of Hill Green Farmhouse and Barn.



Figure 4.16. Side elevation of Hill Green Barn



Figure 4.17. Front elevation of Hill Green Barn.



Figure 4.18. Modern barn to north of Hill Green Barn.



01 Illustrative Master Plan
1:1000 @ A3 / 1:500 @ A1

Development Summary			
Proposed Development: 2no. 1 Bed Flats (50sqm) 4no. 2 Bed Flats (63sqm) 2no. 1 Bed Bungalows 4no. 2 Bed 9no. 3 Bed 4no. 4 Bed 3no. 5 Bed			
TOTAL: 28no. Units			
Drawing Key			
P1	Issued for Planning	MJP	04.12.23
Rev	Description	By	Date
PLANNING			
Illustrative Master Plan			
Site Land to the West of Clatterbury Lane, Clavering, Essex			
Date	Drawn	Checked	
December 2023	MJP	XXX	
Scale 1:1000 @ A3 / 1:500 @ A1			
Drawing No: BH002_MP-01		Rev: P1	
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5. Impact Assessment of Proposals

- 5.1 The heritage legal and planning policy relevant to the consideration of the application proposals are set out in Appendix A of this report. This legal and policy context includes the statutory duties of the Planning (Listed Buildings and Conservation Areas) Act 1990, national policy set out in the NPPF as well as regional and local policy for the historic environment.
- 5.2 In accordance with paragraph 194 of the NPPF, the significance of the designated and non-designated heritage assets that may be affected by the application proposals have been set out in Section 4 of this report.
- 5.3 The NPPF requires local planning authorities to identify and assess significance of a heritage asset that may be affected by the proposals (paragraph 195). They should take the assessment into account when considering the impact of proposals in order to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposals.
- 5.4 Account should be taken of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation, the positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability, and the desirability of the new development making a positive contribution to local character and distinctiveness (paragraph 190).
- 5.5 When considering the impact of proposals on the significance of designated heritage assets, the NPPF requires (paragraph 199) that great weight should be given to their conservation and the more important the asset, the greater the weight should be. This is consistent with recent high court judgements (Barnwell Manor, Forge Fields) where great weight should be attached to the statutory duty.
- 5.6 Where a development proposal causes harm to the significance of designated heritage assets, this should either be treated as less than substantial (paragraph 202), or substantial (paragraph 201). In determining the level of harm, the relative significance of the element affected should be taken into account (paragraph 199). Furthermore, local planning authorities are also encouraged to look for opportunities for new development within conservation areas and the setting of heritage assets to enhance or better reveal their significance. According to paragraph 206, proposals that preserve those elements of setting the make a positive contribution to or better reveal the significance of a heritage asset should be treated favourably.
- 5.7 Paragraph 203 of the NPPF concerns the effect of an application on the significance of a non-designated heritage asset and should be taken into account when considering development proposals with a balanced judgement being required to have regard to the scale of any harm or loss against the significance of the asset.

The Proposals

- 5.8 The proposed development includes an outline application with all matters reserved except for access, for up to 28 dwellings (Class C) including public open space, sustainable drainage systems, landscaping and associated infrastructure and development.
- 5.9 As shown in the Design & Access Statement and drawings that accompany the application, whilst the scheme is of a modest size, it contains two character areas within the development namely;
- Semi-Urban Character Area –*
- 5.10 A varied mix and offer of housing typologies, inclusive of 1/2 Bedroom Apartments, 2 Bedroom Terraced Housing and 3 Bedroom Semi Detached dwellings. These are a variety of 1 and 2 storey dwellings to create interest and articulation within the street scenes and in line with the wider context. The urban design approach reinforces this tighter grain, with the introduction of informal Urban streets, lined with terraced and semi detached dwellings. Front facing primary elevations, inclusive of residential front doors will provide articulation and animation at street level to promote activity and natural surveillance. Roof orientation and carefully positioned specific plots are introduced to create visual markers, and aid way finding,
- Rural Edge Character Area*
- 5.11 A loosening of grain is proposed towards the western edge of the scheme, where an Arcadian approach, served off shared surface driveways is proposed. This area promotes larger, detached family homes, with greater separation and permeability between plots. Architecturally, it is proposed that this character area would be informed by the local vernacular and materials, with the potential for contemporary interpretations of these to deliver high quality domestic architecture. This character area offers the opportunity to introduce custom build plots as set out within the accompanying planning statement.
- 5.12 More detail relating to the proposed access and amenity space can be found in the Design & Access Statement that accompany the application.

Assessment of Proposals

- 5.13 Two applications were submitted in 2012 and 2013 (ref: UTT/0507/12/OP and UTT/13/2228/OP) for outline planning permission for the Site which were both refused. On neither occasion was heritage raised as an issue.
- 5.14 The proposed scheme has incorporated heritage design advice which was informed by the assessment of the baseline context and significance of the relevant heritage assets as set out in section 4 of this report. Heritage Input was also used to identify the relevant viewpoint locations in the LVIA the findings of which have helped to inform this heritage assessment.
- 5.15 Section 4 of this report has found that in the case of the 22 heritage assets within the search area; only the following required further assessment as the remainder shared no historic or visual connection with the Site:
- Peacocks (Grade II)
 - Lantern Latch (Grade II)
 - The Cricketers (Grade II)
 - Clavering Conservation Area
 - Hill Green Farm and Farmhouse (non-designated)
- 5.16 With regard to the 3 listed buildings, their significance has been found to predominately derive from their historic and architectural interest. They have a relatively enclosed immediate setting within which this significance can be best appreciated however, the wider setting makes more of a limited contribution.

Peacocks

- 5.17 In the case of Peacocks the modern commercial units to the west of the listed building, Jubilee and Britannica Works, erode what would historically have been a rural setting. Whilst the Site forms part of the wider setting of Peacocks cottage, it does not contribute to the significance of this heritage asset due to the distance and absence of any visual or historic relationship between the two.
- 5.18 Viewpoints 12 and 13 in the Landscape and Visual Impact Assessment (LVIA) show the lack of inter-visibility between Peacocks and the Site as well as the proximity of Jubilee and Britannica Works.
- 5.19 The existing mature vegetation that runs along the northern boundary of the Site which restricts any inter-visibility is to be retained. The proposed built form on the north-western side of the Site closest to Peacocks is set back from the boundary and is limited to 1 storey in height.
- 5.20 Although not appreciable from Peacocks, the proposed development will be a high quality addition to the wider setting of Peacocks which already includes the commercial units and development to the west.
- 5.21 The proposed development will cause no harm to the significance of Peacocks cottage.



Figure 5.1. View 12 from LVIA.



Figure 5.2. View 13 from LVIA.

Lantern Latch

- 5.22 As is the case with Peacocks, the significance of Lantern Latch is considered to derive predominately from its historic and architectural interest as a 17th century cottage and one of the earliest in Clavering. There is a lack of any historic or visual connection between this asset and the Site. View 15 in the LVIA shows the view from the B1038 outside the immediate setting of Lantern Latch looking towards the Site. From here the modern commercial unit to the north of Hill Green Barn as well as an ancillary outbuilding are just visible through the dense boundary hedgerows. The Site sits beyond this existing built form and vegetation.
- 5.23 The proposed development includes an additional boundary offset on the eastern edge and the development here is proposed to be of a maximum 2 Storeys. The proposed development will cause no harm to the significance of Lantern Latch.



Figure 5.3. View 15 from LVIA.

The Cricketers

- 5.24 As identified in Section 4, although located to the west of the listed building, the Site is separated from it by the Clatterbury Lane, the existing pub car park and mature boundary planting. The significance of this heritage asset is best appreciated from its principal elevation when approached from the south. There is no co-visibility between the pub and the Site from this southern approach nor from the west along B1038 nor the north along Clatterbury Lane. The wider setting of The Cricketers now includes the modern Jubilee and Britannica Works to the north and the modern residential development along the B1038. Although it is still appreciable as a 'country pub', with no historic, functional or visual relationship with the Site, the latter is not considered to contribute to the significance of the listed building.
- 5.25 View 14 in the LVIA shows the existing view from the western elevation of the Cricketers. Figure 5.4 below shows the wireline of the proposed development and the limited inter-visibility. The scheme has been designed to respond to the relative proximity between the Site and the pub with 1-storey buildings to the eastern edge set back from the existing mature boundary hedgerows.
- 5.26 The proposed development will not affect the ability to appreciate, nor cause harm to, the significance of The Cricketers.



Figure 5.4. View 14 from LVIA.

Clavering Conservation Area

- 5.27 The Site sits to the north of Area 3 of the Conservation Area beyond an existing modern warehouse and mature boundary treatment. Although indicative of what would have been a wider rural setting to the north, this context has now changed with the development of Jubilee and Britannica Works commercial unit and the residential units at Eldridge Close which are visible in view 16.
- 5.28 The character and appearance of this part of the conservation area is relatively enclosed with linear views towards The Cricketers (see figure 4.11). The views open out south towards the cricket pitch but there is no appreciation of the Site from within the conservation area. The mature boundary planting of the Site and the curve in the road also means that there is no inter-visibility between the conservation area and the Site when transitioning from the north along Clatterbury Lane towards the conservation area.
- 5.29 The most relevant view in the LVIA is viewpoint 16. Although this is outside of the conservation area, it is near the boundary on the public right of way. This shows that the Site is screened in views north due to the existing mature boundary hedgerow although there is a glimpsed view of the modern development at Eldridge Close. This view is particularly relevant in the context of Hill Green Farm referenced below.
- 5.30 Despite the Site being assessed as making no contribution to the character and appearance of the conservation area, heritage design input has informed the proposed boundary offset on the southern boundary such that the proposed units are towards the centre of the site with a maximum 2 storey height. As shown in image figure 5.5 if there are any glimpsed views of the proposed development from the south these are outside of the conservation area and of the proposed ridgelines only.
- 5.31 The proposed development will not affect the ability to appreciate nor cause harm to the significance of the conservation area.



Figure 5.5. View 16 from LVIA.

Hill Green Farmhouse and Barn

- 5.32 As referenced in section 4, the non-designated farmhouse and Barn at Hill Green have an historic association with the Site having both been in the same ownership as shown on the 1839 Tithe Map. This association is less appreciable today due to the modern warehouse situated perpendicular to the barn between the Site and the non-designated heritage asset. Whilst it is fair to assume that historically what would have been the surrounding historic rural landscape was associated with Hill Green Farm this is now better evidenced in documentary sources. The setting beyond the domestic courtyard of the Farmhouse now comprises residential development and the Jubilee and Britannica Works commercial units to the north.
- 5.33 Aerial views show the rear of the Farmhouse as an enclosed courtyard which is not appreciable from the public realm. The significance of the Farmhouse is best appreciated from the front elevation. The rear of the Barn forms the northern wall of the internal courtyard. The front of the barn faces the modern warehouse units.
- 5.34 The retention of the existing mature boundary treatment around the Site, as well as the proposed location, density and height of the development means that the scheme will not be appreciable from Hill Green Farmhouse and Barn. Figure 5.5 on the previous page shows the limited inter-visibility.
- 5.35 Whilst the Site forms some part of the historic agricultural landscape of the non-designated heritage asset, the proposed development will not affect the ability to appreciate nor cause harm to the significance of Hill Green Farm and Farmhouse.



Figure 5.6. View of Hill Green Farmhouse from Clatterbury Lane with Hill Green Barn to the right.

6. Conclusions

- 6.1 This Built Heritage Statement has been prepared on behalf of Baya Group, in respect of Land to the West of Clatterbury Lane, Clavering. This report has been prepared to form part of a planning application, and should be read alongside the other drawings and documents that form part of that application.
- 6.2 The site extends to approximately 1.26 hectares and is located adjacent to the Cricketers Pub on the edge of Hill Green, within the parish of Clavering. The site is currently laid to grass and comprises a defined and established tree line to all boundaries. An existing access serves the site to the north east of the parcel.
- 6.3 Two applications were submitted in 2012 and 2013 (ref: UTT/0507/12/OP and UTT/13/2228/OP) for outline planning permission for the Site which were both refused. On neither occasion was heritage raised as an issue.
- 6.4 The proposed development of the Site has been informed by the baseline significance of the relevant heritage assets identified in this report. Ongoing heritage design advice has led to mitigation measures being embedded in the scheme to respond to the heritage context, including in relation to the proposed layout, built hierarchy, retained gaps and views as well as the proposed design and materials of individual buildings. All of which are intended to respect and retain the context of the Site
- 6.5 The site is located outside of the defined conservation area, although given its relatively close proximity, the impact of the proposals have been carefully considered against this context. Section 4 of this report has found that in the case of the 22 heritage assets identified within the search area; the following required further assessment due to their proximity to or potential relationship with the Site:
- Peacocks (Grade II)
 - Lantern Latch (Grade II)
 - The Cricketers (Grade II)
 - Clavering Conservation Area
 - Hill Green Farm and Farmhouse (non-designated)
- 6.6 With regard to the 3 listed buildings, their significance has been found to predominately derive from their historic and architectural interest. They have a relatively enclosed immediate setting within which this significance can be best appreciated, the wider setting makes more of a limited contribution and the Site no contribution. The proposed development will cause no harm to the significance of these heritage assets.
- 6.7 In terms of the Conservation Area, the Site is not visible when transitioning north or south through the area, the proposed development will not impact on the ability to appreciate its character and appearance nor impact upon its significance.
- 6.8 With regard to the non-designated heritage assets at Hill Green Farm. Although the Site has an historic functional relationship with the farm, this is no longer appreciable. A modern warehouse to the north of the farm as well as further modern development in Clavering has separated the farm from what would have been a wider rural landscape. As such the proposed development will cause no harm to the significance of these non-designated heritage assets.
- 6.9 This report is in accordance with paragraph 194 of the National Planning Policy Framework, providing a proportionate assessment of the significance of the relevant heritage assets and the potential impact of the proposals on this significance.

Appendix A: Heritage Planning Policy Context

Legislation

Planning (Listed Building and Conservation Areas) Act 1990

Legislation regarding buildings and areas of special architectural and historic interest is contained within the Planning (Listed Buildings and Conservation Areas) Act 1990.

The relevant legislation in this case extends from Section 16 of the 1990 Act which states that in considering applications for listed building consent, the local planning authority shall have special regard to the desirability of preserving the Listed Building or its setting or any features of special architectural or historic interest which it possesses.

Section 66 further states that special regard must be given by the authority in the exercise of planning functions to the desirability of preserving or enhancing Listed Buildings and their setting.

According to Section 69 of the Act a Conservation Area is an “area of special architectural or historic interest the character and the appearance of which is desirable to preserve or enhance”. It is the duty of Local Authorities to designate such areas and to use their legal powers to safeguard and enhance the special qualities of these areas within the framework of controlled and positive management of change.

Section 69 further states that it shall be the duty of a local planning authority from time to time to review the past exercise of functions under this section and to determine whether any parts or any further parts of their area should be designated as conservation areas; and, if they so determine, they shall designate those parts accordingly. Adding, The Secretary of State may from time to time determine that any part of a local planning authority’s area which is not for the time being designated as a conservation area is an area of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance; and, if he so determines, he may designate that part as a conservation area.

Further to this Section 72 of the 1990 Act states that in exercising all planning functions, local planning authorities must have special regard to the desirability of preserving or enhancing the character and appearance of Conservation Areas. Further provisions are detailed in Section 74 of the Act.

Recent case law¹ has confirmed that Parliament’s intention in enacting Section 66 (1) was that decision-makers should give “considerable importance and weight” to the desirability of preserving the setting of listed buildings, where “preserve” means “to do no harm”. This duty must be borne in mind when considering any harm that may accrue and the balancing of such harm against public benefits

as required by national planning policy. This can also logically be applied to the statutory tests in respect of conservation areas. Similarly, it has also been proven that weight must also be given to heritage benefits.

National Planning Policy

National Planning Policy Framework (NPPF) September 2023

The National Planning Policy Framework (NPPF) was most recently published on the 5th of September 2023 and sets out the Government’s planning policies for England and how these are expected to be applied. It has purposefully been created to provide a framework within which local people and Local Planning Authorities (LPAs) can produce their own distinctive Local and Neighbourhood Plans which reflect the needs and priorities of their communities.

When determining Planning Applications, the NPPF directs LPAs to apply the approach of presumption in favour of sustainable development; the ‘golden thread’ which is expected to run through the plan-making and decision-taking activities. It should be noted however, that this is expected to apply except where this conflicts with other policies combined within the NPPF, inclusive of those covering the protection of designated heritage assets , as set out in paragraph 11 of the NPPF. Within section 12 of the NPPF, ‘Achieving well-designed places’, Paragraphs 126 to 136, reinforce the importance of good design in achieving sustainable development by ensuring the creation of inclusive and high-quality places. This section of the NPPF affirms the need for new design to function well and add to the quality of the area in which it is built; establish a strong sense of place; and respond to local character and history, reflecting the built identity of the surrounding area.

Section 16, ‘Conserving and Enhancing the Historic Environment’, Paragraphs 189-208, relate to developments that have an effect upon the historic environment. These paragraphs provide the guidance to which local authorities need to refer when setting out a strategy for the conservation and enjoyment of the historic environment in their Local Plans. This should be a positive strategy for the conservation and enjoyment of the historic environment and should include heritage assets which are most at risk through neglect, decay or other threats. It is also noted that heritage assets should be conserved in a manner appropriate to their significance .

The NPPF advises local authorities to take into account the following points when drawing up strategies for the conservation and enjoyment of the historic environment. These considerations should be taken into account when determining planning applications:

- The desirability of sustaining and enhancing the significance of heritage assets and preserving them in a viable use consistent with their conservation;
- The wider social, cultural, economic and environmental benefits that the conservation of the historic environment can bring;
- The desirability of new development in making a positive contribution to local

character and distinctiveness;

- Opportunities to draw on the contribution made by the historic environment to the character of a place.

Paragraph 191 of the NPPF states that when considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.

In order to determine applications for development, Paragraph 194 of the NPPF states that LPAs should require applicants to describe the significance of the heritage assets affected and the contribution made by their setting . Adding that the level of detail provided should be proportionate to the significance of the asset and sufficient to understand the impact of the proposal on this significance.

According to Paragraph 195, LPAs should also identify and assess the significance of a heritage asset that may be affected by a proposal and should take this assessment into account when considering the impact upon the heritage asset.

Paragraph 196 adds that where there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision.

Paragraphs 199 to 204 consider the impact of a proposed development upon the significance of a heritage asset . Paragraph 199 emphasises that when a new development is proposed, great weight should be given to the asset’s conservation and that the more important the asset, the greater this weight should be. It is noted within this paragraph that significance can be harmed or lost through the alteration or destruction of the heritage asset or by development within its setting.

Paragraph 202 advises that where a development will cause 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 securing its optimum viable use.

Paragraph 203 notes that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. Adding, that in weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Paragraph 204 stipulates that local planning authorities should not permit loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.

In addition, Paragraph 206 notes that local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their

¹ Barnwell Manor Wind Energy Limited and (1) East Northamptonshire District Council (2) Historic England (3) National Trust (4) The Secretary of State for Communities and Local Governments, Case No: C1/2013/0843, 18th February 2014

significance. Adding, proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

Paragraph 207 importantly clarifies that not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance. Adding, loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 201 or less than substantial harm under paragraph 202, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.

The NPPF therefore continues the philosophy of that upheld in PPS5 in moving away from narrow or prescriptive attitudes towards development within the historic environment, towards intelligent, imaginative and sustainable approaches to managing change. English Heritage (now Historic England) defined this new approach, now reflected in the NPPF, as 'constructive conservation'. This is defined as 'a positive and collaborative approach to conservation that focuses on actively managing change...the aim is to recognise and reinforce the historic significance of places, while accommodating the changes necessary to ensure their continued use and enjoyment.' (Constructive Conservation in Practice, English Heritage, 2009).

National Guidance

Planning Practice Guidance (NPPG) 2019

Planning Practice Guidance (PPG) was introduced by the Government as a web-based resource on 6th March 2014 and is updated regularly, with the most recent update on 23rd July 2019. The PPG is intended to provide more detailed guidance and information with regard to the implementation of national policy set out in the NPPF.

It reiterates that conservation of heritage assets in a manner appropriate to their significance is a core planning principle. It also states, conservation is an active process of maintenance and managing change, requiring a flexible and thoughtful approach. Furthermore, it highlights that neglect and decay of heritage assets is best addressed through ensuring they remain in active use that is consistent with their conservation.

Importantly, the guidance states that if complete, or partial loss of a heritage asset is justified, the aim should then be to capture and record the evidence of the asset's significance and make the interpretation publicly available.

Key elements of the guidance relate to assessing harm. It states, an important consideration should be whether the proposed works adversely affect a key element of the heritage asset's special architectural or historic interest. Adding, it is the degree of harm, rather than the scale of development that is to be assessed. The level of 'substantial harm' is stated to be a high bar that may not arise in many

cases. Essentially, whether a proposal causes substantial harm will be a judgment for the decision taker, having regard to the circumstances of the case and the NPPF.

Importantly, it is stated harm may arise from works to the asset or from development within its setting. Setting is defined as the surroundings in which an asset is experienced and may be more extensive than the curtilage. A thorough assessment of the impact of proposals upon setting needs to take into account, and be proportionate to, the significance of the heritage asset and the degree to which proposed changes enhance or detract from that significance and the ability to appreciate it.

The PPG makes clear that the delivery of development within the setting of heritage assets has the potential to make a positive contribution to, or better reveal, the significance of that asset.

Finally, the PPG provides in depth guidance on the importance of World Heritage Sites, why they are important and the contribution setting makes to their Outstanding Universal Value. The PPG also provides guidance on the approaches that should be taken to assess the impact of development on the Outstanding Universal Value of World Heritage Sites.

Historic England Guidance - Overview

On the 25th March 2015 Historic England (formerly English Heritage) withdrew the PPS5 Practice Guide. This document has been replaced with three Good Practice Advice in Planning Notes (GPAs), 'GPA1: Local Plan Making' (Published 25th March 2015), 'GPA2: Managing significance in Decision-Taking in the historic Environment' (Published 27th March 2015) and 'GPA3: The Setting of Heritage Assets (December 2017).

The GPAs provide supporting guidance relating to good conservation practice. The documents particularly focus on the how good practice can be achieved through the principles included within national policy and guidance. As such, the GPAs provide information on good practice to assist LPAs, planning and other consultants, owners, applicants and other interested parties when implementing policy found within the NPPF and PPG relating to the historic environment.

In addition to these documents, Historic England has published several core Advice Notes (HEAs) which provide detailed and practical advice on how national policy and guidance is implemented. These documents include; 'HEAN1: Conservation Area Appraisal, Designation and Management (Second Edition, February 2019)', 'HEAN2: Making Changes to Heritage Assets' (25th February 2016) and 'HEAN3: The Historic Environment and Site Allocations in Local Plans' (30th October 2015). In addition to these 'HEAN4: Tall Buildings' (December 2015), 'HEA:#N7: Local Heritage Listing: Identifying and Conserving Local Heritage (Second Edition, January 2021), 'HEAN10: Listed Buildings and Curtilage' (21st February 2018) and, 'HEAN12: Statements of Heritage Significance' (October 2019). Collectively, these Advice Notes provide further information and guidance in respect of managing the historic environment and development within it.

Historic England Good Practice Advice Note 1 (GPA1): The Historic Environment in Local Plans (March 2015)

This document stresses the importance of formulating Local Plans that are based on up-to-date and relevant evidence in relation to the economic, social and environmental characteristics and prospects of an area, including the historic environment, as set out by the NPPF. The document provides advice on how information in respect of the local historic environment can be gathered, emphasising the importance of not only setting out known sites, but in understanding their value (i.e. significance). This evidence should be used to define a positive strategy for the historic environment and the formulation of a plan for the maintenance and use of heritage assets and for the delivery of development, including within their setting, that will afford appropriate protection for the asset(s) and make a positive contribution to local character and distinctiveness.

Furthermore, the Local Plan can assist in ensuring that site allocations avoid harming the significance of heritage assets and their settings, whilst providing the opportunity to 'inform the nature of allocations so development responds and reflects local character'.

Further information is given relating to cumulative impact, 106 agreements, stating 'to support the delivery of the Plan's heritage strategy it may be considered appropriate to include reference to the role of Section 106 agreements in relation to heritage assets, particularly those at risk.' It also advises on how the heritage policies within Local Plans should identify areas that are appropriate for development as well as defining specific Development Management Policies for the historic environment. It also suggests that a heritage Supplementary Planning Document (SPD) can be a useful tool to amplify and elaborate on the delivery of the positive heritage strategy in the Local Plan.

Historic England Good Practice Advice Note 2 (GPA2): Managing Significance in Decision-Taking in the Historic Environment (March 2015)

This document provides advice on the numerous ways in which decision-taking in the historic environment can 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 its significance. In line with the NPPF and PPG, this document states that early engagement and expert advice in considering and assessing the significance of heritage assets is encouraged, stating that 'development proposals that affect the historic environment are much more likely to gain the necessary permissions and create successful places if they are designed with the knowledge and understanding of the significance of the heritage assets they may affect.'

The advice suggests a structured staged approach to the assembly and analysis of relevant information, this is as follows:

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 and the need for change; and
6. Offset negative impacts on aspects of significance by enhancing others through recording, disseminating and archiving archaeological and historical interest of the important elements of the heritage assets affected.

The advice reiterates that heritage assets may be affected by direct physical change or by change in their setting. Assessment of the nature, extent and importance of the significance of a heritage asset and the contribution of its setting at an early stage can assist the planning process resulting in informed decision-taking.

This document sets out the recommended steps for assessing significance and the impact of development proposals upon a heritage asset, including examining the asset and its setting and analysing local policies and information sources. In assessing the impact of a development proposal on the significance of a heritage asset the document emphasises that the cumulative impact of incremental small-scale changes may have as great an effect on the significance of a heritage asset as a larger scale change.

Crucially, the nature and importance of the significance that is affected will dictate the proportionate response to assessing that change, its justification, mitigation and any recording which may be necessary. This document also provides guidance in respect of neglect and unauthorised works.

Historic England Good Practice Advice Note (GPA3): The Setting of Heritage Assets (December 2017)

This is used to understand the surroundings of a heritage asset which may contribute to its significance. It aids practitioners with the implementation of national policies and guidance relating to the historic environment found within the NPPF and PPG, once again advocating a stepped approach to assessment.

It amalgamates 'Seeing the History in the View' (2011) and 'Setting of Heritage Assets' (2015) forming one succinct document which focuses on the management of change within the setting of heritage assets.

The guidance is largely a continuation of the philosophy and approach of the previous documents, albeit now with a greater emphasis on the contribution that views to and from heritage assets make to their significance. It reaffirms that setting should be understood as the way in which an asset is experienced.

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. 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, setting, and thus the way in which an asset is experienced, can also be affected by other environmental factors including noise, vibration and odour, while setting may also incorporate perceptual and associational attributes pertaining to the asset's surroundings.

This document provides guidance on practical and proportionate decision making with regards to the management of proposed development and the setting of heritage assets. It identifies 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, as well as further weighing up the potential public benefits associated with the proposals. It clarifies that changes within the setting of a heritage asset may have positive or neutral effects.

It highlights 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 within their settings without harming the significance of the asset and therefore setting should be assessed on a case-by-case basis. Although not prescriptive in setting out how this assessment should be carried out, noting that any approach should be demonstrably compliant with legislation, national policies and objectives, Historic England recommend using a '5-step process' in order to assess the potential impact of a proposed development on the setting and significance of a heritage asset, with this 5-step process similar to that utilised in earlier guidance:

Step 1: Identify which heritage assets and their settings are affected

Step 2: Assess the degree to which these settings make a contribution to the significance of the heritage asset(s) or allow significance to be appreciated

Step 3: Assess the effects of the proposed development, whether beneficial or harmful, on that significance or on the ability to appreciate it

Step 4: Explore ways to maximise enhancement and avoid or minimise harm

Step 5: Make and document the decision and monitor outcomes

Historic England Advice Note 1 (HEAN1): Conservation Area Appraisal, Designation and Management (Second Edition, February 2019)

First published by English Heritage March 2011 as: Understanding Place: Conservation Area Designation, Appraisal and Management and republished as Conservation Area Appraisal, Designation and Management, Historic England Advice Note 1 2016, Historic England Advice Note 1 (HEA): Conservation Area

Appraisal, Designation and Management (Second Edition, February 2019) continues to support the management of change in a way that conserves and enhances the character and appearance of historic areas through conservation area appraisal, designation and management.

This second edition updates the advice in light of the publication of the 2018 National Planning Policy Framework and gives more information on the relationship with local and neighbourhood plans and policies. It is also re-ordered, to underline the staged approach to the appraisal, designation and management of conservation areas, while continuing to offer advice on managing conservation areas so that the potential of historic areas worthy of protection is fully realised. It has also been updated to give more information on innovative ways of handling conservation appraisals, particularly community involvement beyond consultation, character assessment and digital presentation.

This document identifies different types of special architectural and historic interest which contribute to the significance and character of a conservation area, leading to its designation. These include:

- Areas with a high number of nationally designated heritage assets and a variety of architectural styles and historic associations;
- Those linked to a particular industry or individual with a particular local interest;
- Where an earlier, historically significant, layout is visible in the modern street pattern; Where a particular style of architecture or traditional building materials predominate; and
- Areas designated because of the quality of the public realm or a spatial element, such as a design form or settlement pattern, green spaces which are an essential component of a wider historic area, and historic parks and gardens and other designed landscapes, including those included on the Historic England Register of parks and gardens of special historic interest.

Change is inevitable, and often beneficial, and this document provides guidance in respect of managing change in a way that conserves and enhances conservation areas. It also identifies ways in which suitable areas can be identified for designation as new conservation areas or extensions to conservation areas through historic characterisation studies, production of neighbourhood plans, confirmation of special interest and setting out of recommendations.

Historic England Advice Note 2 (HEAN2): Making Changes to Heritage Assets (February 2016)

The purpose of this document is to provide information in respect of the repair, restoration and alterations to heritage assets. It promotes guidance for both LPAs, consultants, owners, applicants and other interested parties in order to promote well-informed and collaborative conservation.

The best way to conserve a building is to keep it in use, or to find an appropriate

new use. This document states that ‘an unreasonable, inflexible approach will prevent action that could give a building new life...A reasonable proportionate approach to owners’ needs is therefore essential’. Whilst this is the case, the limits imposed by the significance of individual elements are an important consideration, especially when considering an asset’s compatibility with Building Regulations and the Equality Act. As such, it is good practice for LPAs to consider imaginative ways of avoiding such conflict.

This document provides information relating to proposed change to a heritage asset, which are characterised as:

- Repair;
- Restoration;
- Addition and alteration, either singly or in combination; and
- Works for research alone.

Historic England Advice Note 3 (HEAN3): The Historic Environment and Site Allocations in Local Plans (October 2015)

This document provides information for those involved in the site allocation process, particularly when implementing historic environment legislation, relevant policy within the NPPF and related guidance found within the Planning Practice Guidance (PPG).

The inclusion of sites within a Local Plan can provide the opportunity to ensure that new development will avoid harming the significance of both designated and non-designated heritage assets, including effects on their setting. Furthermore, this document highlights the ways in which the process of site allocation may present opportunities to better reveal the historic environment. It sets out a five-step methodology which can assist in appropriate site selection:

Step 1: Identify which heritage assets are affected by the potential site allocation;

Step 2: Understand what contribution the site (in its current form) makes to the significance of heritage asset(s);

Step 3: Identify what impacts the allocation might have on that significance;

Step 4: Consider maximising enhancements and avoiding harm; and

Step 5: Determine whether the proposed site allocation is appropriate in light of the NPPF’s tests of soundness.

Historic England Advice Note 4 (HEAN4): Tall Buildings (March 2022)

This document updates and supersedes ‘Historic England Advice Note 4: Tall Buildings, first edition (2015)’, which in turn superseded the ‘Guidance on Tall Buildings’ (2007) previously published by English Heritage and CABE. The 2007

guidance provided an explanation as to the approaches that the two organisations take when evaluating tall buildings proposals.

Due to their size and widespread visibility tall buildings can significantly affect the character, appearance and identity of towns and cities. When positioned within the right locations and designed to a high standard they can provide excellent examples of architecture and make a positive contribution to the townscape and urban life of an area. Tall buildings situated within the wrong area and/or not well-designed, however, can harm the valuable qualities of a place.

Historic England notes that the definition of a ‘tall building’ is informed by the surrounding townscape. For example, a ten-storey structure within neighbourhood of two-storey buildings is thought of as a tall building by comparison, whereas the same building proposed within the built-up city centre may not.

As previously discussed, Paragraph 193 of the NPPF makes clear that ‘great weight’ is attached to the conservation of designated heritage assets, including their settings and, furthermore, the design policies found in Paragraphs 124 to 132 reference the importance of good design which responds to local character and history, as well as the importance of integrating new buildings into the historic environment.

This document endorses the plan-led approach included within the NPPF which encourages LPAs to identify locations where tall buildings could be acceptable and generally consider the scope for tall buildings when producing Local Plans. This document outlines the advantages of including tall building policies within Local Plans.

In terms of planning applications, it advocates discussing proposals with the LPA and Historic England at an early stage, in accordance with Paragraphs 39-46 of the NPPF. Furthermore, a clear and concise checklist of application documents is included.

The following design criterion is provided in order to assist applicants in design development:

- The response to local context;
- The impact on the local environment;
- Architectural quality;
- Functional design;
- Sustainable design and construction;
- A well-designed inclusive environment;

Furthermore, it is essential that a scheme of high quality will have a positive relationship with the following:

- Topography;
- Character of place;
- Heritage assets and their settings;
- Height and scale of development (immediate, intermediate and town-or-city-wide);
- Urban grain and streetscape;
- Skyline;
- Existing prominent or tall buildings of importance or merit;
- Green and blue spaces;
- Important views.

Historic England Advice Note 7 (HEAN7): Local Heritage Listing: Identifying and Conserving Local Heritage (Second Edition, January 2021)

First published by English Heritage in 2012 under the title ‘Good Practice Guide for Local Heritage Listing’, HEA7: Local Heritage Listing: Identifying and Conserving Local Heritage supersedes the first edition of the published guidance; Historic England Advice Note 7: Local Heritage Listing (2016), reflecting the changes made to the Planning Practice Guidance in 2019.

The updated advice seeks to support communities and local authorities in the introduction of a local heritage list in their area or for those wishing to make changes to an existing list which may have already been adopted. It observes the value of a local heritage list and seeks to adopt a consistent and accountable approach to the identification and management of heritage assets at a local level.

Historic England notes that inclusion on a local heritage list based on sound evidence and criteria delivers a consistent and accountable way of recognising non-designated heritage assets, no matter how they are identified, to the benefits of good planning for the area and of owners, developers and others wishing to understand local context fully. By providing clear and up-to-date information, backed by policy set out in the NPPF (2019), a local heritage list which has been available on the website of a local planning authority and via the Historic Environment Record (HER) provides clarity on the location and identification of non-designated heritage assets.

Regarding the identification of non-designated heritage assets, Historic England builds on the guidance set out in Planning Practice Guidance (2019) in defining a non-designated heritage asset, highlighting that they can be identified in several ways, including:

- Local Heritage Lists;

- Local and Neighbourhood Plans;
- Conservation Area Appraisals and Reviews;
- Decision-making on planning applications.

Whilst the advice notes that planning protections for non-designated heritage assets are not as strong as those for designated heritage assets, it highlights that they are still important, referring to the importance of paragraph 197 of the NPPF (2019), which requires local planning authorities to take into account the desirability of sustaining and enhancing the significance of such heritage assets.

This document draws on good practice across the country in developing a new local heritage list or making improvements to an existing one. Importantly, this advice should be seen as a starting point. In order to remain flexible enough to respond to local needs, decisions on the ways in which assets are identified, and the system adopted for managing the local heritage list, are matters for local planning authorities and their communities. This advice does, however, set out methods for setting up and managing a local list to provide ideas on how this might be done, including providing a clear criterion setting commonly applied selection criteria for assessing the suitability of assets for inclusion in a local heritage list.

Historic England Advice Note 10 (HEAN10): Listed Buildings and Curtilage (February 2018)

HE10: Listed Buildings and Curtilage provides advice on assessing whether a building has a curtilage and what that curtilage might/may include. It provides hypothetical examples to assist in that assessment and is based on current legislative provisions in the Planning (Listed Building and Conservation Areas) Act 1990 and consideration of listed buildings and curtilage in legal cases.

In general terms, the guidance defines the curtilage of a building (the principal listed building) as any area of land and other buildings that are around and associated with that principal building. It sets out that the courts have stated that there are three key factors to be taken into account in assessing whether a structure, building or object falls within the curtilage of a listed building:

- The physical layout of the listed building and structure;
- Their ownership, both historically and at the date of listing;
- The use or function of the relevant buildings, again both historically and at the date of listing.

It is important to note that the law (Section 1(5) of the Planning (Listed Buildings and Conservation Areas) Act 1990) states that listed buildings identified on the National Heritage List for England also includes any ancillary objects or structures within the curtilage of the building, which forms part of the land and has done so since before 1st July 1948. Ultimately, it will be for the Local Planning Authority to reach a conclusion as to whether or not buildings are within a particular curtilage,

and ultimately a matter for the courts to determine if that decision is thought unreasonable.

Historic England Advice Note 12 (HEA12): Statements of Heritage Significance (October 2019)

HEA12: Statements of Heritage Significance covers the National Planning Policy Framework requirement for applicants for heritage and other consents to describe heritage significance to help local planning authorities to make decisions on the impact of proposals for change to heritage assets.

The document states that understanding the significance of heritage assets, in advance of developing proposals for their buildings and sites, enables owners and applicants to receive effective, consistent and timely decisions. It explores the assessment of significance of heritage assets as part of a staged approach to decision-making in which assessing significance precedes designing the proposal(s).

Historic England Advice Note 16 (HEAN 16): Listed Building Consent

HE16: Listed Building Consent provides advice on how to judge whether proposals require listed building consent and how to make informed applications for this. It also advises on what works are likely to need listed building consent or not, and provides guidance on submitting successful applications.

The note emphasises the importance of understanding the significance of a listed building and where it gains its special interest, and recommends the assistance of heritage professionals to increase the likelihood of a successful listed building consent application, as well as utilising contractors who have experience with historic buildings to carry out works.

It provides a reminder of the relevant policies that are laid out in the Planning (Listed Buildings and Conservation Areas) Act 1990 (in particular sections 7,8 and 9), the NPPF and the PPG. The note's 'Annex 1' provides examples of common scenarios involving proposals of works to a listed building, and advises as to whether or not these would require listed building consent. Additionally, a table of potential proposed works is laid out with guidance as to what would not require an application for listed building consent and what exceptions there are likely to be.

Conservation Principles, Policies and Guidance (English Heritage, 2008)

Conservation Principles outlines English Heritage's approach to the sustainable management of the historic environment. While primarily intended to ensure consistency in English Heritage's own advice and guidance through the planning process, the document is commended to local authorities to ensure that all decisions about change affecting the historic environment are informed and sustainable.

This document was published in line with the philosophy of PPS5 and is currently in the process of being updated. Nevertheless, it remains relevant to the current policy regime in that emphasis is placed upon the importance of understanding significance as a means to properly assess the effects of change to heritage assets.

The guidance describes a range of heritage values which enable the significance of assets to be established systematically, with the four main 'heritage values' being: evidential, historical, aesthetic and communal. The Principles emphasise that 'considered change offers the potential to enhance and add value to places...it is the means by which each generation aspires to enrich the historic environment' (paragraph 25).

Strategic Policy

Uttlesford District Local Plan 2005

The Uttlesford District Local Plan was adopted in 2005 setting out the spatial strategy and objectives for new development in the District. In 2019, the Council began to draft the emerging New Local Plan, however this was withdrawn in January 2020 due to concerns regarding housing delivery targets. The up to date version of the new Local Plan is set to be published by December 2023.

The relevant Local Plan policies are as follows:

Policy S7 – The Countryside

The countryside to which this policy applies is defined as all those parts of the Plan area beyond the Green Belt that are not within the settlement or other site boundaries. In the countryside, which will be protected for its own sake, planning permission will only be given for development that needs to take place there, or is appropriate to a rural area. This will include infilling in accordance with paragraph 6.13 of the Housing Chapter of the Plan. There will be strict control on new building. Development will only be permitted if its appearance protects or enhances the particular character of the part of the countryside within which it is set or there are special reasons why the development in the form proposed needs to be there.

Policy H3 –New Houses within Development limits

Infilling with new houses will be permitted on land in each of the following settlements if the development would be compatible with the character of the settlement and, depending on the location of the site, its countryside setting. This will be in addition to the sites specifically allocated as urban extensions and settlement expansions. Windfall sites will be permitted if they meet all the following relevant criteria:

- a) The site comprises previously developed land;
- b) The site has reasonable accessibility to jobs, shops and services by modes other than the car, or there is potential for improving such accessibility;
- c) Existing infrastructure has the capacity to absorb further development, or there is potential for its capacity to be increased as necessary;
- d) Development would support local services and facilities; and

e) The site is not a key employment site.

f) Avoid development which makes inefficient use of land.

Policy GEN2 - Design

Development will not be permitted unless its design meets all the following criteria and has regard to adopted Supplementary Design Guidance and Supplementary Planning Documents.

a) It is compatible with the scale, form, layout, appearance and materials of surrounding buildings;

b) It safeguards important environmental features in its setting, enabling their retention and helping to reduce the visual impact of new buildings or structures where appropriate;

c) It provides an environment, which meets the reasonable needs of all potential users.

d) It helps to reduce the potential for crime;

e) It helps to minimise water and energy consumption;

f) It has regard to guidance on layout and design adopted as supplementary planning guidance to the development plan.

g) It helps to reduce waste production and encourages recycling and reuse.

h) It minimises the environmental impact on neighbouring properties by appropriate mitigating measures.

i) It would not have a materially adverse effect on the reasonable occupation and enjoyment of a residential or other sensitive property, as a result of loss of privacy, loss of daylight, overbearing impact or overshadowing.

Clavering Parish Plan

The Clavering Parish Plan was adopted in 2014 and sets out a survey of the Parish in relation to its amenities, culture, nature and communities. It also seeks to highlight areas for improvement and give voice to the community in future plans.

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