



Historic England

Major Casework Team  
Planning Inspectorate  
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Direct Dial: [REDACTED]

Our ref: P01568358

22 November 2023

Dear Major Casework Team

**T&CP (Development Management Procedure) (England) Order 2015  
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**WARISH HALL FARM, SMITHS GREEN LANE, TAKELEY, ESSEX  
Application No. S62A/2023/0027**

Thank you for your letter of 3 November 2023 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

**Historic England Advice**

The submitted scheme represents largely a resubmission of application no. s62A/2023/0016; we made our representations to the Planning Inspectorate in our letter dated 17 May 2023.

Our concerns regarding this application largely related to the intensity of development proposed - 40 dwelling units. This amount would represent a considerable suburban encroachment, negatively impacting attributes that make an important contribution to the setting of surrounding designated and non-designated heritage assets, namely its rural and tranquil character, as well as to the legibility of the historic pattern of settlement, which makes an important contribution to their significance.

The increased traffic along this lane as a result of the proposed intensity of development would erode the tranquil rural character that contributes positively to the wider setting of a number of surrounding designated assets - primarily those to the south along Smiths Green - 10 listed buildings, one of which is listed at grade II\* - but also, to a certain extent, to the wider setting of the scheduled - and grade I listed - Warish Hall. In addition, there is potential for associated light spill to negatively impact on the former attributes of setting.



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Since we issued our letter of advice, Smiths Green has now been adopted as a Conservation Area, requiring additional weight is given to the preservation and enhancement of its special character. The boundary of the conservation area is largely limited to the historic hamlet along Smiths Green, but the appraisal highlights the historic relationship of the settlement with the moated sites, Jacks Green, Parkers Farm and Warish Hall. Although these relations have been partially eroded by infill development along the roads, they are still recognizable and are an important part of the area's significance.

The development site would sit outside the conservation area boundary but between Smiths Green and the linked moated sites. The intensity of development proposed would represent a significant addition when seen against the more discrete infill that has taken place along Jack's Lane or Smiths Green Lane. This would further erode the legibility of historic patterns of development and hierarchies, harming significance.

#### *Planning Policy Considerations*

The statutory requirement to have special regard to the desirability of preserving a listed building, its setting and any features of special interest (s. 16, Planning (Listed Building and Conservation Areas) Act 1990) must be taken into account by your authority when making its decision.

The National Planning Policy Framework (NPPF) reflects this by making the conservation of the historic environment a key element of achieving sustainable development, including, in the case of heritage assets, requiring local planning authorities to look for opportunities to enhance or better reveal their significance - paragraph 206. In turn, paragraph 130 asks that planning policies and decisions should ensure that developments

- (a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development
- (b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping
- (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change

Paragraph 199 requires to place great weight on the conservation of designated heritage assets, the more important the asset, the greater the weight, and irrespective of the level of harm. Paragraph 200 goes on to require a clear and convincing justification for any harm.



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Paragraph 202 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this should be weighed against the public benefits of the proposal.

Paragraph 203 asks to consider the effect of an application on the significance of non-designated heritage assets, requiring a balanced judgement having regard to the scale of any harm or loss and the significance of the asset.

### *Historic England's Position*

Historic England retains their concerns on heritage grounds. The development of this site for this intensity of residential would impact on its tranquil nature and in our ability to understand the historic pattern of settlement and relationship between the different assets. Although these relations have been partially eroded by subsequent changes, they are still recognizable and are an important part of the area's significance.

The harm would be considerable, but less than substantial in heritage terms. When it comes to weighing up this harm to heritage, the Inspector would need to consider whether any public benefits the development delivers outweigh the harm and need to be delivered with this particular intensity.

In heritage terms, there are no benefits that would outweigh the erosion of rural character and loss of legibility of the historic pattern of settlement and therefore, the proposals cannot be supported in their present form.

### **Recommendation**

Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed for the proposals to meet the requirements of paragraphs 130, 199, 200, 202 and 203 of the NPPF.

In determining this application you should bear in mind the statutory duty of section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.



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Yours sincerely

**Rosa Teira Paz**

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