

**WEWLYN HATFIELD BOROUGH COUNCIL LOCAL PLAN EXAMINATION
EAST HERTFORDSHIRE DISTRICT COUNCIL DISTRICT PLAN EXAMINATION**

Statement of Common Ground as agreed between:

- 1) Welwyn Hatfield Borough Council
and**
- 2) East Hertfordshire District Council
and**
- 3) Historic England**

Date: November 2017

1. Purpose

To identify areas of common ground and any remaining areas of uncommon ground in relation to the representations made to the Welwyn Hatfield Draft Local Plan Proposed Submission and East Herts Pre-Submission District Plan by Historic England with respect to land to the South East of Welwyn Garden City.

2. Background

Land South East of Welwyn Garden City is proposed by Welwyn Hatfield Borough Council and East Herts District Council for development of 2,550 new homes. The site straddles the administrative boundary between the two authorities. As a consequence it is proposed for allocation in both the Welwyn Hatfield Draft Local Plan Proposed Submission and the East Herts Pre-Submission District Plan. Policy SP19 of the Welwyn Hatfield Draft Local Plan Proposed Submission proposes to allocate 1,200 homes (comprising the southern portion of the site) and Policy EWEL1 of the East Herts Pre-Submission District Plan proposes to allocate 1,350 homes (comprising the northern and eastern portion of the site). Policy SP19 is supported by Strategy Diagram Figure 12 and Policy EWEL1 is supported by Strategy Diagram Figure 13.2. The proposed policies and strategy diagrams have been prepared to be, as far as possible, consistent across the two plans.

There are a number of designated and non-designated heritage assets in and around the site including Holwellhyde Farmhouse and Birchall Farm (grade II) on site, Panshanger Registered Park and Garden (grade II*) to the east and Hatfield House (grade I) and Hatfield House Registered Park and Garden (grade I) to the south west, Essendon Conservation Area to the south and the undesignated former Cole Green Parkland, a Capability Brown designed landscape, on the eastern portion of the site. Development of the site has the potential to affect these assets or their settings.

Historic England submitted representations to the Welwyn Hatfield Draft Local Plan Proposed Submission relating to Policy SP19 and to the East Herts Pre-Submission District Plan relating to Policy EWEL1.

3. Limitations

The Parties to the Statement of Common Ground recognise that there might not always be full agreement with respect to all the issues on which they have agreed to co-operate. For the avoidance of doubt the Statement will not restrict the discretion of any of the Authorities in the determination of any planning application, or in the exercise of any of its statutory powers and duties or in its response to consultations and is not intended to be legally binding.

4. Summary of Agreed Position

This Statement is agreed by the following authorities:

- Welwyn Hatfield Borough Council (Welwyn Hatfield / WHBC)
- East Herts Council (East Herts / EHC)
- Historic England (HE)

This Statement identifies where areas of agreement have been reached, including where relevant, revisions to policies and/or supporting text. It also identifies areas of uncommon ground. This Statement covers specific matters related to the historic environment within and in the vicinity of land to the south east of Welwyn Garden City and will be submitted as part of the evidence base to the Local Plan examinations of WHBC and EHC. This Statement needs to be read alongside Historic England's representations, Hearing Statements and the Memorandum of Understanding with each authority.

5. Statement of Common Ground

In their representation on the WHLP Historic England expressed concerns relating to the proposed development in the part of the South East Welwyn Garden City site falling within Welwyn Hatfield. They stated that careful consideration should be given to the extent of the development and that, in

their view, development extends too far south and would lead to an erosion of the setting of Hatfield House. Historic England proposed that development should be set back from the southern boundary of the site (the A414), that the boundary of the allocation be redrawn to reflect this, and that the indicative capacity of the site be reduced accordingly. Furthermore it was stated that careful masterplanning and appropriate mitigation measures will be required to minimise the impact of the development upon Hatfield House Historic Park and Garden and also to retain the rural feel and important separation between the towns of Welwyn Garden City and Hatfield.

The Panshanger Park and Environs Heritage Impact Assessment (HIA) (July 2016), prepared by Beacon Planning, indicates that the southern extremity of the proposed site allocation within Welwyn Hatfield would start to enclose the eastern views from Hatfield House with development, to the detriment of the Park. However, the HIA also indicated that there is scope for development which will need to be carefully considered and designed to integrate into the landscape. The HIA further mentions that the mitigation required will depend upon the extent and nature of development that comes forward, with the retention of open spaces and landscaping being suggested as a means of mitigating potential impacts.

It is agreed by Historic England that the impact the of the development on the setting of Hatfield House and Hatfield House Registered Park and Garden can in part be mitigated by stepping back development from the southern boundary of the site and providing an enhanced green buffer between the development and the A414. Accordingly a modification has been made to the Birchall Garden Suburb Strategy Diagram in order to increase the extent of the green buffer (revised diagram attached as Appendix 1).

In their representations on the EHLP and in subsequent discussions, Historic England also expressed concerns around proposed development north of the B195 between the woodland of Henry Wood and Panshanger Registered Park and Garden (land falling within East Herts). This parcel of land forms part of the setting of Birchall Farm and Panshanger RPG as well as being part of the former Cole Green Parkland, a Capability Brown designed landscape. There are also views across the valley to Essendon Conservation Area and Church. Historic England's initial position was that they did not support development in the area and therefore that the proposed primary and secondary school site in East Herts should be re-located within the proposed allocation. The HIA found that if Panshanger Registered Park and Garden was to be substantially enclosed by development up to or very close to its boundaries, this would further separate the heritage asset from the context in which it should be experienced and has potential to harm the heritage significance. The HIA recommended that a buffer zone be retained to the west of Panshanger Registered Park and Garden to help mitigate the impact of the development. The Development Concept Diagram in the HIA suggested an area of open space for this parcel of land with no built development.

Whilst it remains the preference of Historic England for no built development in this location, it is acknowledged that the site has many competing land use requirements and that there is scope to mitigate the harm to designated heritage assets through the siting of the school building envelope and careful masterplanning. In order to protect the landscape context of Panshanger Registered Park and Garden and to protect the setting of Birchall Farm, it has been agreed to make a further modification to the Birchall Garden Suburb Strategy Diagram. The revised diagram differentiates between the built envelope of the primary and secondary schools and their playing fields (revised diagram attached as Appendix 1). The built envelope has been located to the south of the primary and secondary school site close to the B195. Configuring the site in this way with the playing fields to the north, will help to provide a stronger heritage buffer to Panshanger Registered Park and Garden and help conserve the setting of the Registered Park and Garden and Birchall Farm through protecting the openness of the surrounding landscape. Careful design of the school buildings and boundary treatment will be needed to help protect the setting of these heritage assets. This will be addressed through the masterplanning process.

Additionally two amendments are proposed to the wording of Policies SP19 and EWEL1 in response to Historic England's representations. The following amendments to the policies are agreed in order to ensure that the potential impacts of proposals on heritage assets are adequately considered during the master planning stage, in line with the NPPF:

Paragraph 3

A masterplan setting out the quantum and distribution of land use, key views to protect heritage assets, access, sustainable design and layout principles will be prepared by Welwyn Hatfield Borough Council and East Herts District Council, working with the landowner and other key stakeholders.

Bullet point 10

Conservation and, where appropriate, Protection and enhancement of heritage assets and their settings, including Panshanger Registered Park and Garden, Hatfield House, Hatfield House Registered Park and Garden, Birchall Farm and Holwellhyde Farmhouse, both on-site and in the wider area, through careful masterplanning and appropriate mitigation measures, having regard to the findings of the Heritage Impact Assessment.

Furthermore, a paragraph of supporting text will be added to both local plans as follows:

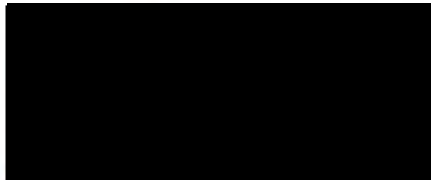
"Given the presence of designated heritage assets in the vicinity of the development a Heritage Impact Assessment has been prepared. The Panshanger Park and Environs Heritage Impact Assessment July 2016, prepared by Beacon Planning Ltd, considered the potential impact of development at Birchall Garden Suburb on heritage assets including Panshanger Registered Park and Garden, Hatfield House, Hatfield House Registered Park and Garden, Birchall Farm and Holwellhyde Farmhouse. The assessment made a number of recommendations to help conserve and enhance heritage assets including the need for an appropriate buffer to protect the setting of Panshanger Registered Park and Garden and the retention of open spaces and use of landscaping to mitigate the potential impact on the wider setting of Hatfield House. The masterplanning and subsequent development of the site will take place having regard to the findings of the heritage impact assessment."

Historic England has attended meetings with both local authorities and the landowner to seek to resolve issues of impact upon the historic environment. At a strategic level, Historic England consider that there will still be a degree of harm to the historic environment by development of this scale in this location. However, the range of mitigation measures now proposed will help to reduce the level of harm caused. Therefore Historic England are now satisfied that, should the inspector find the allocation sound in principle, the agreed revised policy and revised strategy diagram offers greater protection to the historic environment. Historic England will provide further feedback at the masterplanning and planning application stages of the development process.

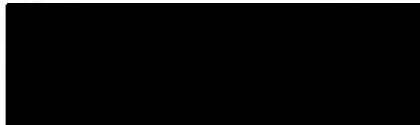
Signatories



Dr Natalie Gates
Principal of Historic Places Team, East of England, Historic England



Cllr Mandy Perkins
Executive Member for Planning, Housing and Community, Welwyn Hatfield Borough Council



Cllr Linda Haysey
Leader of East Hertfordshire District Council,

Appendix 1

Figure 12 **Birchall Garden Suburb**

