

# HERITAGE STATEMENT

---

December 2023 // FOXDALE, WYATTS GREEN ROAD, WYATTS GREEN, CM15 0PT

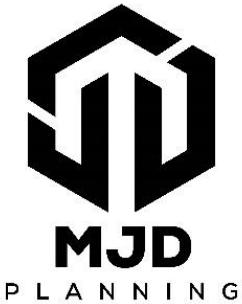
**Site Address:** Foxdale, Wyatts Green Road, Wyatts Green, CM15 0PT

**Date:** 8<sup>th</sup> December 2023

**Version:** 01

**Reference:** MJD106

**Author:** Matthew Driscoll MRTPI



MJD Planning Ltd  
325 Central Avenue  
Southend-on-Sea  
SS2 4EF  
[matt@mjdplanning.com](mailto:matt@mjdplanning.com)

# CONTENTS

SITE CONTEXT .....	1
LEGISLATIVE FRAMEWORK .....	3
PLANNING HISTORY .....	5
HERITAGE CONTEXT – LISTED BUILDINGS .....	6
DESK BASED ASSESSMENT .....	8
DOCUMENTARY EVIDENCE .....	9
SUMMARY OF HERITAGE ASSETS .....	11
SIGNIFICANCE OF THE HERITAGE ASSET .....	13
THE PROPOSALS .....	15
IMPACT OF PROPOSALS .....	16

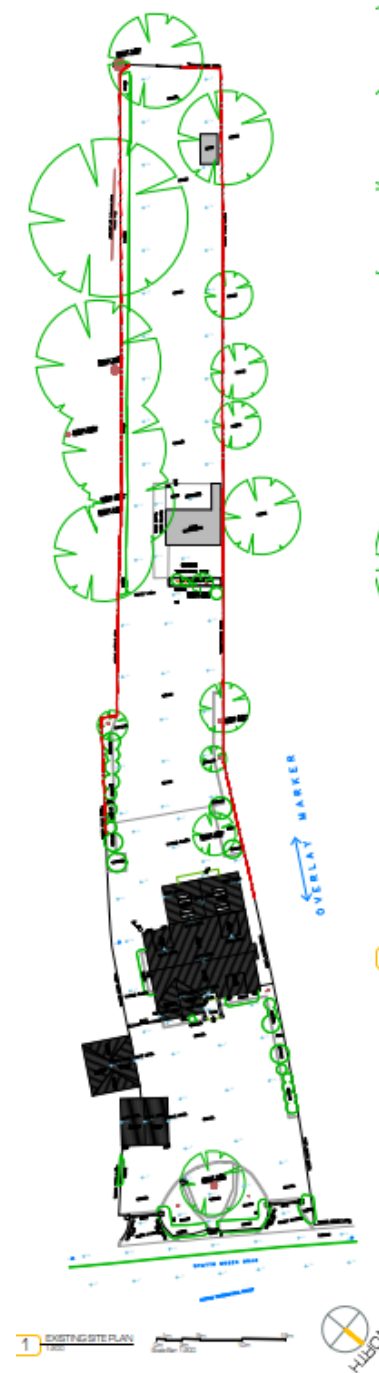
# SITE CONTEXT

Foxdale is a two-storey detached dwelling located on the southwestern side of Wyatts Green Road. The property has a large gravel driveway to the front of the property, with a detached garage forward of the principal elevation. The rear garden extends circa 95m from the rear elevation, with existing outbuildings (to be demolished) located towards the centre and rear of this garden.

The main dwelling has a single storey rear extension, consented in July 2013 under 13/00590/FUL.

The property sits within a ribbon of development along Wyatts Green Road, within the village of Wyatts Green. It has an extensive rear garden, some 95m in length from the back of the house. The Site in total is close to 140m in length. Other properties within the street scene typically have shorter garden lengths, with the exception of The Cottage to the north. Backland development has also occurred in areas, particularly to the north of The Cottage, where a detached dwelling and outbuilding, known as Amalis are located.

To the north of the Site is the dwelling of The Cottage, a 16<sup>th</sup>/17<sup>th</sup> century dwelling, with later additions. The plot of The Cottage is approximately twice the width of Foxdale, with the dwelling located towards the northwestern boundary. A detached single storey garage building and several smaller outbuildings are located on the southeastern boundary, adjacent the boundary with Foxdale. Dwellings to the southeast of Foxdale are much closer together, albeit still detached, with plot depths of circa 60m.





# LEGISLATIVE FRAMEWORK

Where a development may affect designated, or undesignated, heritage assets, due regard must be had for potential impacts on the historic environment.

Heritage assets are defined, in the National Planning Policy Framework (NPPF), as 'a building, monument, site, place, area or landscape, identified as having a degree of significance meriting consideration in planning decisions'. Heritage assets include designated heritage assets (World Heritage Sites, Scheduled Monuments, Listed Buildings, Protected Wreck Sites, Registered Parks and Gardens, Registered Battlefields and Conservation Areas) and also other historical assets identified by a local planning authority, such as locally listed buildings.

Foxdale is not listed, nor does the property fall within a conservation area. It is not a heritage asset in itself. It is however, adjacent to the Grade II Listed property and curtilage of The Cottage, immediately to the north.

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that:

*"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".*

## Good Practice

This part of the Statement follows the guidance set out in Chapter 16 of the NPPF - Conserving and Enhancing the Historic Environment - as supplemented by the National Planning Practice Guide (NPPG). Regard has also been paid to Historic England Advice Note 3, 10 and 12, published in December 2017, February 2018 and October 2019 respectively. The Advice Notes are entitled:

- The Setting of Heritage Assets
- Listed Buildings and Curtilage
- Statements of Heritage Significance: Analysing Significance in Heritage Assets

They are not mandatory policies, but they do set out good practice advice.

NPPF Paragraph 194 provides that, when determining applications, local planning authorities should require applicants to describe the significance of the heritage assets affected and the contribution made by their setting.

*"The level of detail provided should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact of the proposal on their significance".*

This is supported by Paragraph 195, which requires local planning authorities to identify and assess the significance of any heritage assets, which may be affected by proposals, and to consider this assessment when considering applications.

In this case, in the validation process of the application, it was raised by the Council that "the neighbouring property is a Listed Building". This Heritage Statement is therefore a review of the proposals as submitted and has not influenced the design process.

Paragraph 197 goes onto state that:

*"In determining planning applications, local planning authorities should take account 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 vitality; and*

- *the desirability of new development making a positive contribution to local character and distinctiveness”.*

Paragraphs 199 to 202 read:

*“199. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*

*200. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:*

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;*
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

*201. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:*

- a) the nature of the heritage asset prevents all reasonable uses of the site; and*
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and*

- d) the harm or loss is outweighed by the benefit of bringing the site back into use. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.*

*202. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use”.*

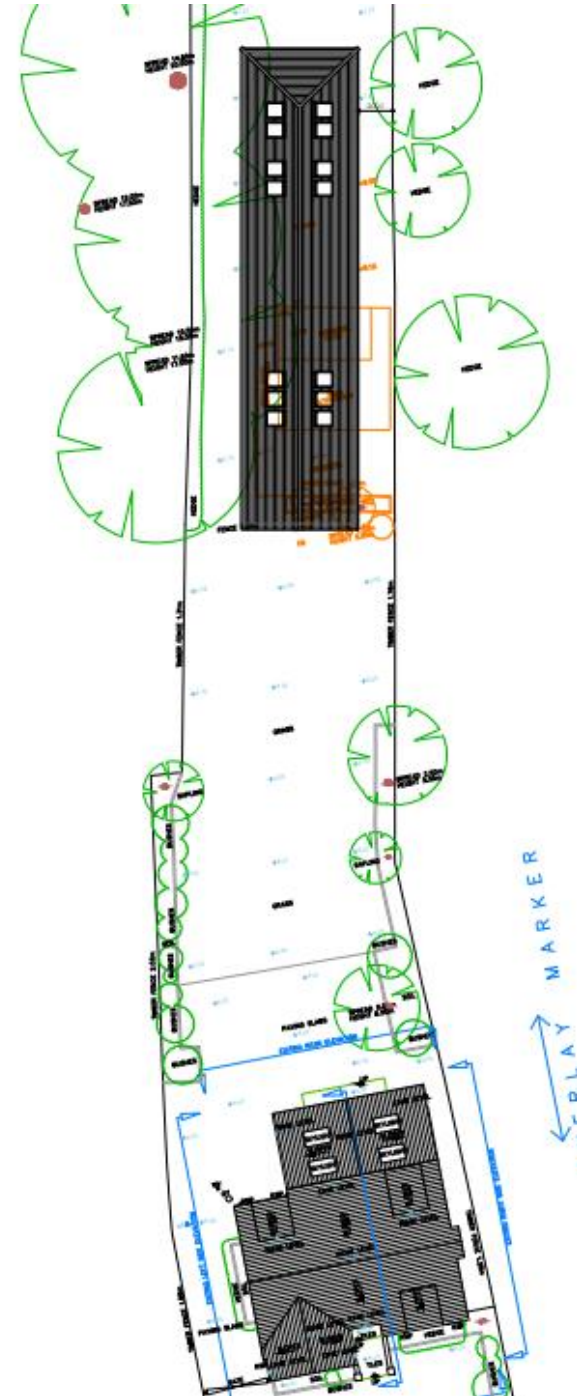
The above paragraphs are provided for reference only.

# PLANNING HISTORY

In on 19th October 2023 a Section 192 application for a lawful development certificate was issued by the Council (reference 23/00976/S192) for the erection of an outbuilding under Class E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The LDC confirmed that the proposed development for a single storey outbuilding including a Gym, Dance Studio, W.C, Swimming Pool and Plant Room was considered lawful as at the date of submission on 8th August 2023.

There has been no change to Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) since August 2023 and it is considered that the outbuilding would still be considered lawful.

An extract from the Approved Site Plan P02 is located on the right, identifying the size and location of the outbuilding that can be constructed.



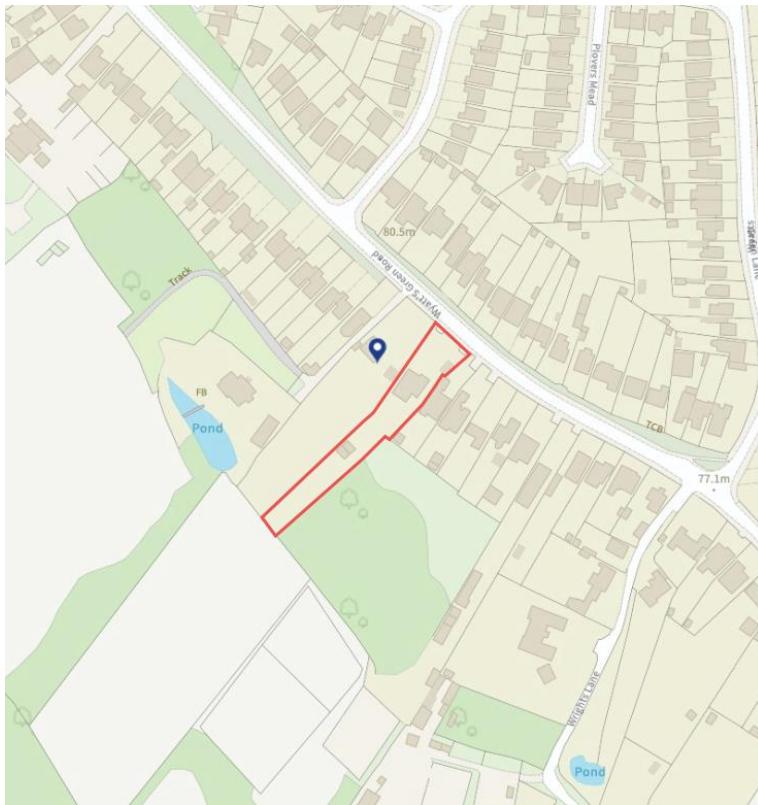


# HERITAGE CONTEXT – Listed Buildings

As noted above, it has been highlighted through the validation process that the neighbouring property is a listed building. Consideration has therefore been given to the impact of future proposals upon the significance of listed buildings and their setting.

## Listed Buildings

As identified within the National Heritage List for England (NHLE), The Cottage, is a Grade II Listed (1205371) building, located to the northwest of Foxdale, on the western side of Wyatt's Green Road.



The curtilage of the listed building adjoins that of Foxdale, with the properties sharing a single boundary, as highlighted on the map adjacent.

The Listing Details, provided by Historic England are as follows:

BLACKMORE

TQ59NE WYATT'S GREEN ROAD 723-1/5/54 (South West side) The Cottage

II

*Wrongly shown on OS map as The Old Cottage. House. c1600 and mid-C17, extended c1984. Timber-framed, weatherboarded, roofed with handmade red clay tiles. 2-bay range facing NE, the left bay c1600, the right bay mid-C17, with C18 external stack at left end, and small C20 lean-to extension at right end. Parallel range to rear, c1984, extending to left of main range, with external stack at left end. 2 storeys. 2-window range of C18/19 horizontal sashes of 6+6 lights, with early sheet glass and some handmade glass, and simple moulded surrounds. C20 door at front of gabled porch with tiled roof. INTERIOR: the left bay has jowled posts, straight bracing inside heavy studding (rising braces at front and back, down braces at the sides), much original wattle and daub infill, and an unglazed window in the left side on the first floor, complete with diamond mullions, now concealed by exterior and interior finishes. Chamfered axial beam with lamb's tongue stops, plain joists of vertical section. The rear wallplate is severed for 2 doorways. Clasped purlin roof, ceiled to the soffits of the collars. The right bay has posts with square-cut jowls as found in early New England houses, primary straight bracing, heavy studs tenoned at top and bottom but mostly not pegged. Floor structure similar to that of left bay. Both floors are reported to be of oak boards, but now concealed by C20 softwood boards for levelling. Roof of right bay rebuilt in*

*softwood in C19, with ridge. Rear wallplate severed for one doorway. This is an unusually interesting example of the typical structural differences between timber-framed construction of c1600 and later in the C17, conservatively renovated 1983-8. The windows and early glass merit special care.*

Listing NGR: TQ5977799298

# DESK BASED ASSESSMENT

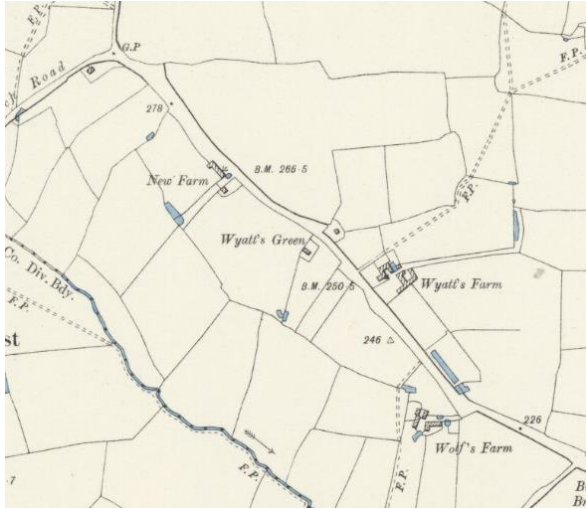
The Heritage Statement has been undertaken in accordance with the requirements of the NPPF and PPG. The table below provides a summary of the key sources used to inform this Statement.

Source	Data	Notes
Historic England	National Heritage List (NHLE) with information on statutorily designated heritage assets	Statutory designations (scheduled monuments; statutorily listed buildings; registered parks and gardens; historic battlefields) can significantly constrain development.
Local Authority (Essex County Council)	Historic Environment Record (HER)	Historic Environment Records (HERs) are sources of, and signposts to, information relating to landscapes, buildings, monuments, sites, places, areas and archaeological finds. The HER data is primarily used for archaeological or area-based assessments. The NHLE and LPA sources tend to be more directly relevant for individually built heritage assets. When relevant, online versions of the HER are accessed via the Heritage Gateway.
Local Planning Authority	Conservation area supporting documents	An area of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance.
Ordnance Survey mapping	Ordnance Survey maps from the 1st edition (1860–70s) to present day.	Provides an indication of the development of settlements/landscape through time as well as the possible date of any buildings on the site. Provides a good indication of past land use, the potential for archaeology and impacts which may have compromised archaeological survival.
Internet	Web-published local history	Many key documentary sources, including local and specialist studies, are now published on the internet and can be used to inform the archaeological and historical background.
The Architect	Scheme details	Drawings of the existing and proposed.

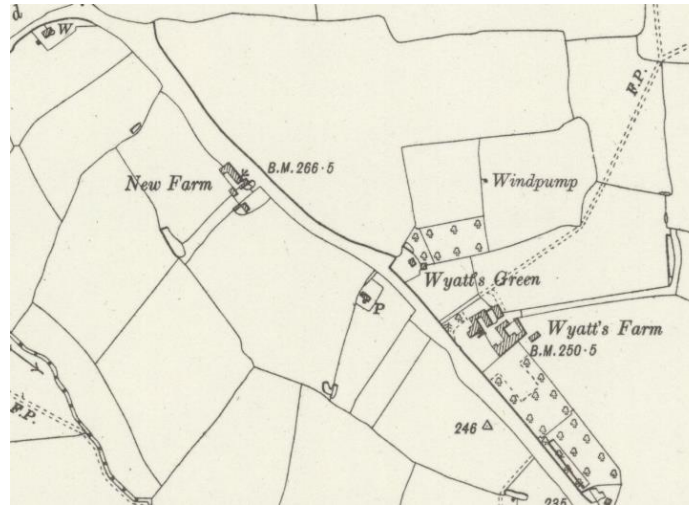
# DOCUMENTARY EVIDENCE

As part of the Heritage Assessment, map regression has been undertaken to review the evolution of Wyatts Green Road.

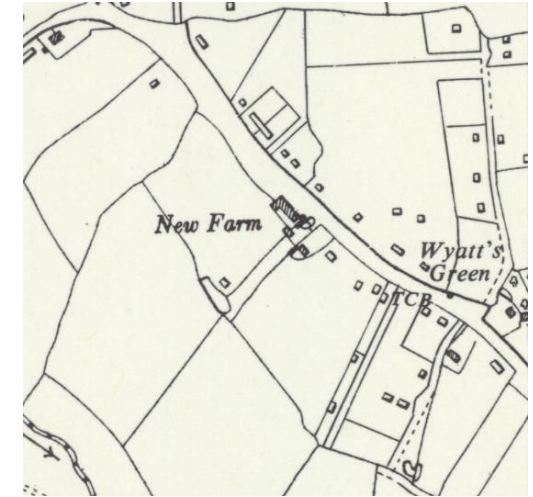
It is understood from the listing details that The Cottage has been on the site since the 16<sup>th</sup> and 17<sup>th</sup> centuries, although extended more recently. We have unfortunately, not had an opportunity to review the Chapman and André's map of dates from 1777 or the Tithe maps from the Essex Archives.



Essex Sheet LIX.NE  
Revised: 1895, Published: 1898



Essex Sheet nLXII.SW  
Revised: 1916 to 1918, Published: 1923



TQ59NE - A  
Surveyed / Revised: Pre-1930 to 1959, Published: 1961



## SUMMARY OF HERITAGE ASSETS

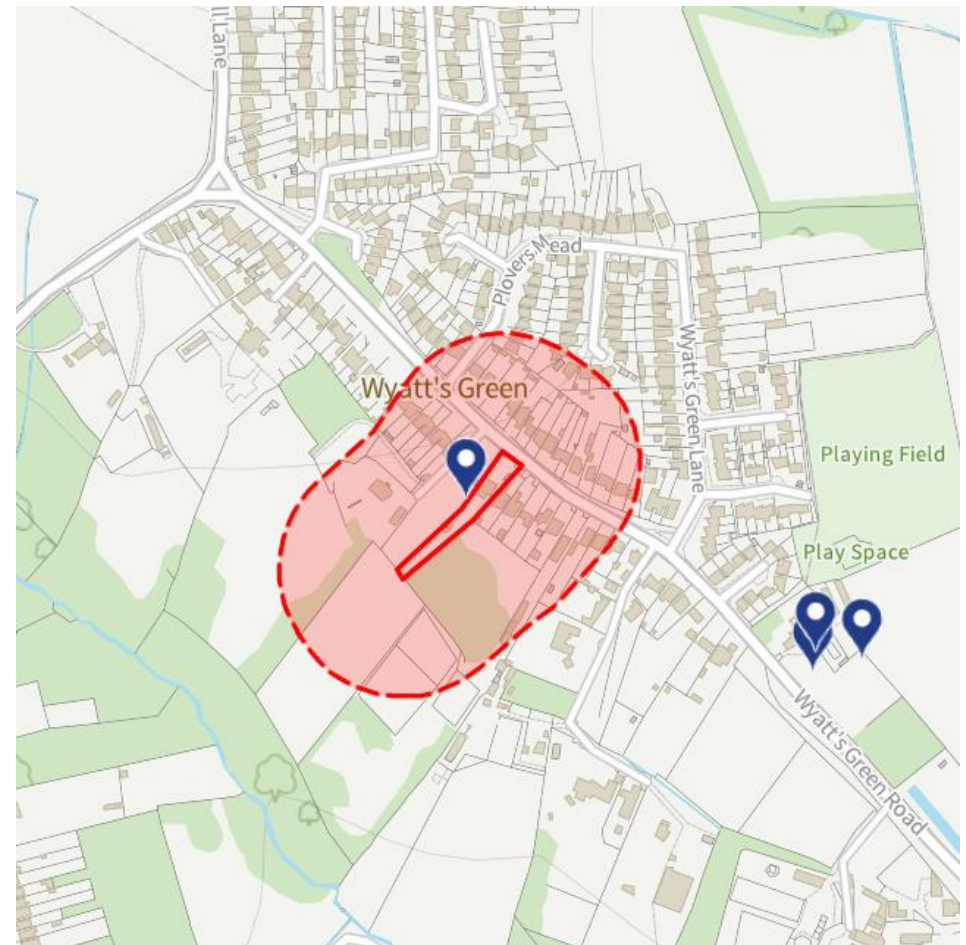
Historic England's Good Practice Advice 3, The Setting of Heritage Assets (2017), notes a staged approach to proportionate decision-taking, with relevant NPPF paragraphs along with Guidance contained in the National Planning Practice Guidance (NPPG) for their implementation, providing the framework for the consideration of changes affecting the setting of heritage assets which should be assessed proportionately and based on the nature, extent, and level of the heritage asset's significance.

The Guidance recommends a five-step approach to the assessment of the effect of development on the setting of heritage assets as follows:

- Step 1: identify which heritage assets and their settings are affected;
- Step 2: assess whether, how and to what degree these settings contribute 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 ways of maximising enhancement and avoiding or minimising harm;
- Step 5: make and document the decision and monitor outcomes.

This Heritage Statement has been informed by a 100m search area beyond the subject property. To determine the potential impact of the proposed scheme on designated heritage assets, the search area was determined based on the conditions within the study area, the nature of the proposed scheme, and professional judgment. In accordance with paragraph 189 of the NPPF, it provides a level of detail proportionate to the significance of the assets and no more than is necessary to understand the potential impact of the proposal.

As highlighted earlier in this report, the neighbouring property is a Grade II statutory designated listed building located on the western side of Wyatts Green Road.



Following Step 1 of the Historic England settings guidance, wider heritage assets, apart from The Cottage, have been scoped out of further assessment as they will not be materially affected by the proposed development, nor will

they be appreciably affected by a material change to their character or appearance or the contribution of setting to their significance.

This is based on several factors, including:

- the nature of the proposed scheme (an outbuilding);
- the distance of the assets from the subject property;
- the relative location between the asset and the subject property;
- the extent and scale of intervening built form;
- the sensitivity of the asset(s); and,
- the nature and scale of the proposed changes within the subject property having no material effect on the values that contribute to the heritage significance of the asset(s) identified.

Based on the above only one heritage asset has the potential to be subjected to change resulting in harm to its heritage significance, or character or appearance, because of the proposed scheme. This is The Cottage, to which the subject property is directly connected. This will be considered below.

## SIGNIFICANCE OF THE HERITAGE ASSET

The NPPF defines significance as ‘The value of a heritage asset to this and future generations because of its heritage interest. That interest may be historical, archaeological, architectural or artistic.’

Paragraph: 006 Reference ID: 18a-006-20190723 of the Planning Practice Guidance states that:

*‘Significance’ in terms of heritage-related planning policy is defined in the Glossary of the National Planning Policy Framework as the value of a heritage asset to this and future generations because of its heritage interest. Significance derives not only from a heritage asset’s physical presence, but also from its setting.*

*The National Planning Policy Framework definition further states that in the planning context heritage interest may be archaeological, architectural, artistic or historic. This can be interpreted 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). 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.*

Concerning a recognised heritage asset, the production of this heritage statement takes into account the contribution that the historic character and setting makes to the overall significance of the asset.

### **Evidential (archaeological) value**

As noted in the listing details, the building provides an interesting example of the typical structural differences between timber framed construction of 16<sup>th</sup> century and later 17<sup>th</sup> century.

### **Historical value**

The rear of the building is a circa 1984 addition, which extends to the left of the main house and has less significance than the two bay range to the front, built circa 16<sup>th</sup> century (left) and 17<sup>th</sup> century (right) with an 18<sup>th</sup> century stack to the southeastern flank.

There is particular reference to the quality of the windows and early glass, which “merit special care”.

Outbuildings located to the southern boundary with Foxdale are likely to have been constructed around a similar time to the 1984 addition, and comprise a single storey detached brick garage and other smaller outbuildings. These have no historic value, but are seen in the context of the main house.

### **Aesthetic (architectural/artistic) value**

Aesthetically, the value of the building is an interesting evolution in building form, with 16<sup>th</sup>, 17<sup>th</sup>, 18<sup>th</sup> and 19<sup>th</sup> century elements. It is a timber weatherboarded building, with a roof comprising handmade clay tiles. The building contributes to the architectural and historic character of Wyatt’s Green Road, which has, in the last 50 years, been significantly developed.



## Setting

The Cottage is located towards the northern boundary of the Site and set back some distance from the road frontage. Other dwellings within the street scene have followed a similar building line as a result.



To the left of the property, abutting the boundary with Foxdale to the south, is a single storey double bay garage, but this is spaced away from the house.

The property itself is fairly isolated to the south, for a built up frontage of ribbon development, but it is more closely related with the dwellings to the north (Wyatts Willows).

## Level of Significance

### Building

The building is listed at Grade II in its present form for its special architectural and historic interest and is **highly significant**. Further additions to the rear were added in the 1980s and are considered be of **neutral impact** on the significance of the building. At the time it is possible these would have been considered negative impacts, but now form part of the building and do not detrimentally affect the 16<sup>th</sup> and 17<sup>th</sup> sections to the front.

## Setting

The setting of The Cottage is the surroundings in which the asset is experienced, and the way views allow the building to be appreciated. The building contributes to the streetscape and character of the area as part of its development. It forms a remaining link to the agrarian nature of this area, where other buildings and developments have since been lost. However, the surrounding area has been significantly developed in the last 50 years, and the house itself has been extended and outbuildings erected. Outbuildings also exist adjacent to the boundaries to both Foxdale and Amalis. Therefore, its setting is considered to be of **neutral significance**.

# THE PROPOSALS

The proposal is for the demolition of existing outbuildings and the erection of a erect a single-storey detached outbuilding, through a householder planning application within the rear garden. The proposed building will comprise the following:

- Gym and Dance Studio
- WC
- Swimming Pool
- Plant Room

It will also involve the demolition of existing outbuildings (image below)



The application is supported by drawings:

- 3058 S02 – Existing Site and Block Plan
- 3058 P10A – Proposed Plans, Elevations and Block Plan
- 3058 P02A – Proposed Site Plan

## IMPACT OF PROPOSALS

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.


This section assesses the likely impact on the significance of heritage assets.

The following pages assess the individual works proposed and the impact that these works will have on the significance of the building.

The level of change will be assessed on the following criteria:

Substantial Harm	The proposed changes will seriously alter or damage the overall setting and character of the heritage asset or result in a total or considerable loss of historic/significant fabric.
Harm	The proposed changes will alter or damage the overall setting and character of the heritage asset or result in a total or considerable loss of historic/ significant fabric
Less than Substantial Harm	The proposed changes will cause minor changes to the understanding or cause small harm the overall setting and character of the heritage asset or result in a minor loss of historic/ significant fabric.
Neutral	The proposed works will cause no harm to the significance of the heritage asset or its setting but will not contribute to enhanced

	understanding or reinforce the significance.
Positive/Improvement	The proposed scheme will improve the understanding of or the setting of the heritage asset or will help protect the asset for future generations.

Proposal	Description	Impact
Erection of a single storey outbuilding within the garden		<p>The proposed works are not within or affecting the listed building or the curtilage of the listed building directly, the question is whether the proposed outbuilding results in any harm to the setting of the listed building.</p> <p>The proposed outbuilding starts in a similar position to the existing outbuilding and pergola, some 42m from the rear of The Cottage.</p> <p>As noted in the assessment of significance, the listed building is located towards the northern side of its plot, away from the curtilage boundary with Foxdale. It also has a single storey double bay garage and other outbuildings on the southern boundary.</p> <p>It is likely that the ridge and roof of the proposed outbuilding will be seen between the listed house and its detached garage, in the same way that the existing outbuildings can be viewed.</p>  <p>And the outbuildings of Amalis can be seen from Wyatts Green Road.</p>



These buildings and the proposed outbuilding would be seen in the context of existing rear gardens, separate from the setting of the listed house.

There is also the fallback consideration of the approved, identical outbuilding, which can be constructed and was considered lawful under 23/00976/S192. The proposed outbuilding is of the same design, but slightly closer to the boundary with The Cottage. While this is the case, it is not considered that this closer proximity would result in any greater harm to the setting of the listed building.

The proposed outbuilding is a single storey structure, no greater than 4m to ridge. It does not result in any change to the skyline and the structure will not be prominent or dominant, sitting behind an existing boundary. It does not create any additional urbanising to this area, which has already been developed.

The curtilage of Foxdale includes a residential curtilage, upon which it is proposed to site a modest single storey outbuilding; this does not exceed the height of the listed building or the existing outbuildings at The Cottage. Nor does the proposal adversely effect any established trees/hedging and soft screening to the boundary.

		<p>Intent and materiality is proposed to complement that of the context.</p> <p>Impact on the significance of the setting of the listed building is considered neutral.</p>
--	--	---