



## PLANNING AND HERITAGE STATEMENT

Conversion of existing Nissan Hut building into a two-bedroom dwelling with associated secure parking and construction of ancillary double garage and a larger amenity area for use associated with the Public House on land to the north of **The Bull PH Langley Lower Green.**

November 2023



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**Appendix 1** List description of The Bull



# 1 Introduction

1.1 Brighter Planning Ltd have been engaged by Mr & Mrs Harvey the owners of The Bull site to provide a Planning and Heritage Statement with regard to the proposals for the conversion of the existing building on the land to the north of the public house. The structure is a WWII Nissan Hut known to have been relocated from the former RAF Nuthampstead Air Force Station in the post-war period.

1.2 There is one identified heritage assets in the locality which is The Bull, a Grade II Listed Building, located south of the site. The site is not within a Conservation Area.

1.3 The heritage part of this statement seeks to meet the requirements of the local heritage policies and the national guidance set out in the NPPF (June 2021 This assessment includes the following:

- Desk-top research on the history of the locality and a historic map regression;
- Assessment of the heritage value and significance of the identified heritage assets, including the contribution currently made by the application site to their setting;
- Assessment of the impact of the proposals on the heritage significance and setting of the identified assets; and
- Consideration of whether the proposals meet the relevant requirements of the local and national planning policy and guidance pertaining to heritage.

1.4 This statement also covers the other material planning considerations to be taken into account when determining the application.

1.5 This statement has been prepared following site visit undertaken in 2022 when the photos which illustrate this statement were taken.



1.6 This statement should be read in conjunction with the documents submitted in support of the application, and in particular:

- Drawings – Tom Cross Architectural Design and Landscape
- Transport Statement – Tom Cross Architectural Design and Landscape
- Design & Access Statement – Tom Cross Architectural Design and Landscape
- Ecology and Arboricultural Reports – Ashley Arbon
- Biodiversity enhancement proposals – Ashely Arbon
- Structural report – RCA Structures



## 2 The site

2.1 The application site is located to the north of the public house and is the same land ownership as the pub. The historic maps and current land use pattern suggest the public house has always had a tightly drawn curtilage and this land to the north has been used independently from the public house operation.

2.2 The land slopes up to the north and to Bull Lane is a bank. The site has trees encircling the boundaries. Central to the site is a large former WWII structure currently used for storage. As the photo illustrates the building has a semi-circular form and to the southern front elevation it is clad in timber with large side-hung doors providing access. The side walls are currently clad in corrugated iron sheets to a semi-circular profile.



2.3 Access to the site is via the eastern area of parking associated with the public house including some lockup garages.



# 3 Brief History of the Site and its Context



Extract from Historic England website

## Listed buildings

3.1 The above map extract identified the listed buildings on or in the vicinity of the site. The new plot is part of the land to the north of The Bull PH. This is a Grade II Listed Building. The full Listing description is set out in **Appendix 1**.





## The Bull (SMR 36200) – Listed as The Black Bull



*Principal elevation*

3.2 The Listing dates the public house to the mid/late C19. The building is a two- storey brick structure with a slate roof to a hipped format. It has decorative ironwork casement windows. The Listing states the building has been included for group value.

### **Friday Shop (SMR 35540)**

3.3 This is located south of the site on the opposite side of the Lower Green. It is a Grade II Listed Building. The structure is a timber framed modest thatched cottage which is one storey and has lattice leaded light windows.



## **Brooms (SMR 35541)**

3.4 To the east of Friday Shop is Brooms which is also a Grade II Listed Building. This was formerly a range of timber framed and thatched cottages but is now one cottage. It is single storey with attic rooms.

3.5 These three buildings form a cluster of historic buildings to the western end of the Lower Green. To the eastern end are a group of three Listed Buildings but the separation distance from the site means that these are not set out in detail.

## **Conservation Area**

3.6 There is no conservation area designation covering the Lower Green.

## **Essex HERS**

2.7 There are just entries for each of the Listed Buildings of relevance to the site. A field survey undertaken by Tom Williamson (as yet unpublished) has identified a Roman settlement and former medieval house platforms to the western end of the Lower Green.

## **The Nissan Hut**

2.8 The structure is known to have been imported to the site when RAF Nuthampstead was decommissioned. The building has some local interest associated with its former wartime use which justifies seeking to retain and reuse the building but is not considered to be a non-designated heritage asset. The application submitted earlier this year proposed the demolition of the building and the Place Services (Archaeology) section had requested that the structure be subject to a building recording.



# 4 Brief History of the Site and its Context

4.1 Langley Lower Green is one of a series of hamlets or greens in this area developed from woodland clearance in the Roman/Saxon period. The Lower Green is located on a tributary stream to the River Stort. Langley is derived from Anglo Saxon meaning a long clearing in the wood. The settlement formed part of the Manor of Clavering.

## The Lower Green

4.2 The Lower Green was principally agricultural in its economic base and the farming was operated as open fields up to the mid C19. The meadows alongside the stream to the Green were divided communally with arable strip farming surrounding the hamlet. The larger settlement is the Upper Green where Langley Hall was a sub-manor and a church has existed here since the Norman period. A Primitive Methodist Chapel was built at the Lower Green in 1862.

## The Bull PH

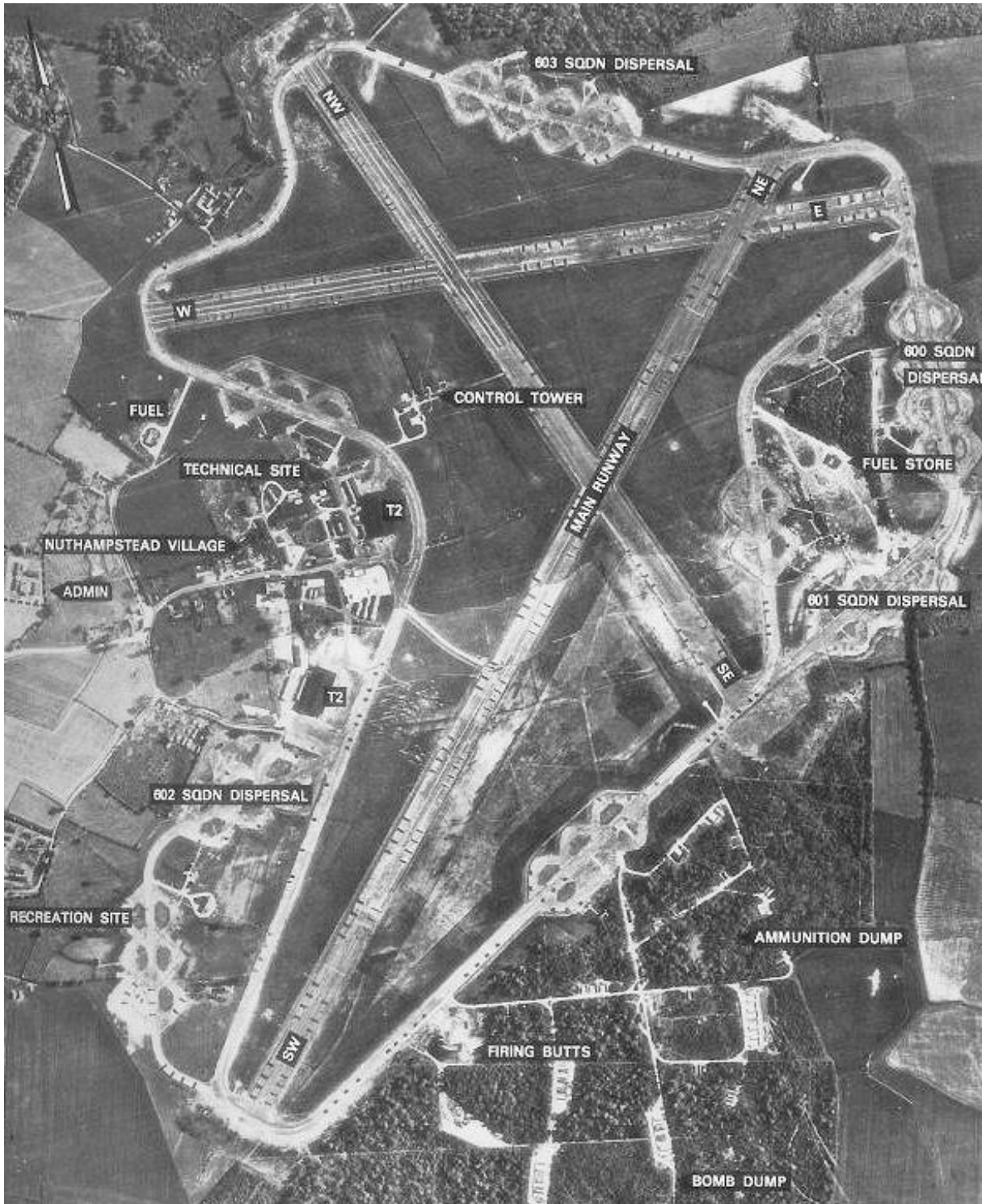
4.3 From the C19 The Bull has been a focus for the green in conjunction with the former shop opposite. An inn was established on the site in 1780 by Hawkes & Company of Bishop's Stortford. The public house has formed a focus for village life including having a doctors surgery operate from there as well as pitch penny being played there.

4.4 The public house has retained two bars and remains a traditional rural pub.

## The Nissan Hut

4.5 RAF Nuthampstead was built in 1942 by the US Army for use by the Eighth Airforce (USAAF) – Station 131 - during WWII using rubble from blitzed areas of London and Coventry. The buildings on site consisted of two hangers and a series of Nissan Huts for the technical site on the western side of the airfield and dispersed in the village of Nuthampstead – see aerial photo below. It transferred to RAF use in 1945 and closed in 1959.





Aerial photo of 1946 of Nuthampstead Airfield Station

4.6 The hard surfacing of the airfield was used to construct the M1 Motorway. A number of the Nissan Huts were retained on site for commercial uses whilst others such as the one in Langley were relocated to new sites for reuse.



## Map regression

4.7 A map regression for the area has been undertaken principally using Ordnance Survey (OS) maps however the 1777 Chapman and Andre map provides the starting point, predating the First Edition OS maps.

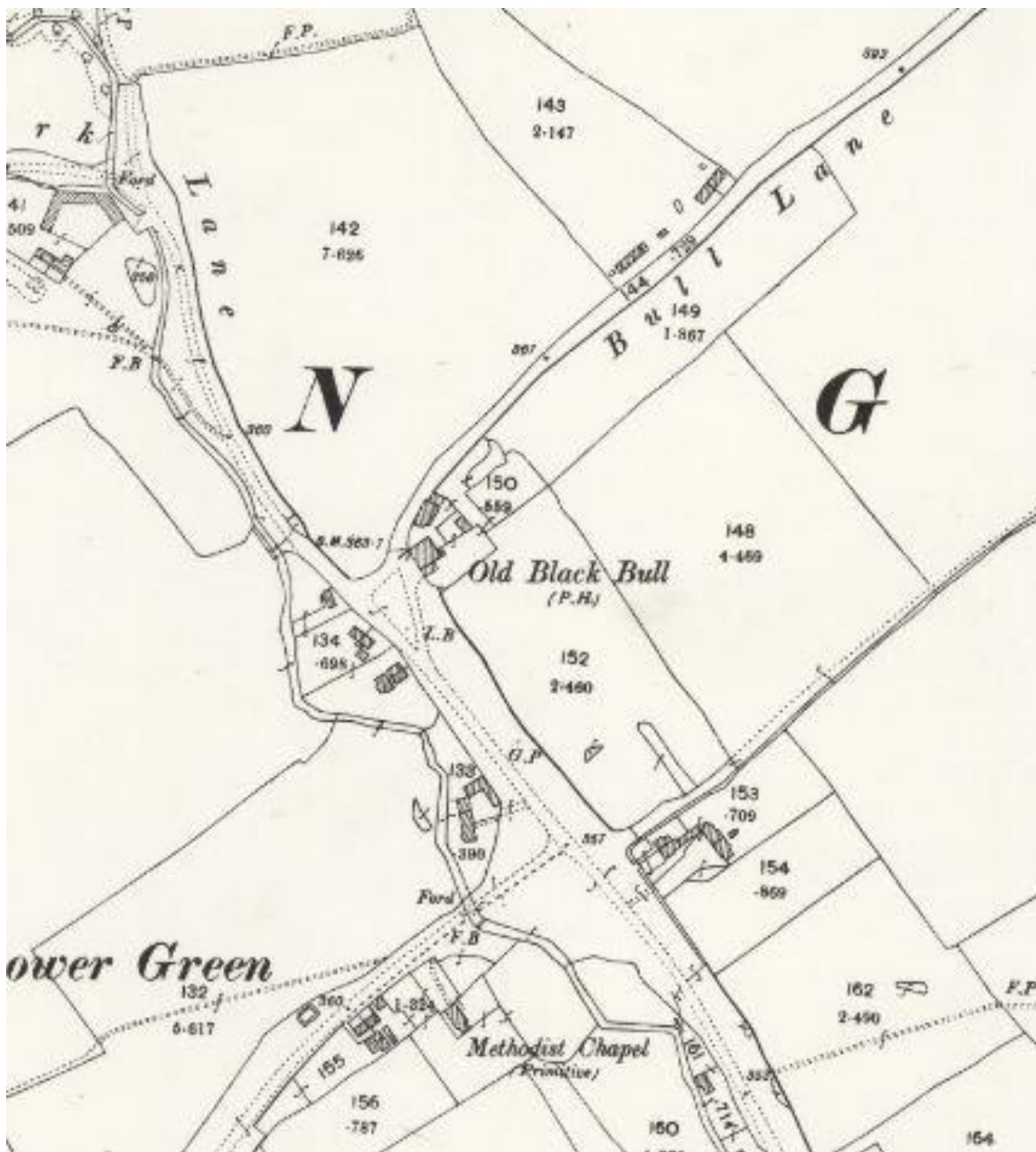


*Chapman and Andre Map of Essex 1777 - an extract*



4.8 The Lower Green is clearly demarked with a building stood on the site of the existing public house clearly predating the standing structure.

4.9 A series of three Ordnance Survey Maps (OS) at a scale of 25 inches are used to trace how this area has developed.

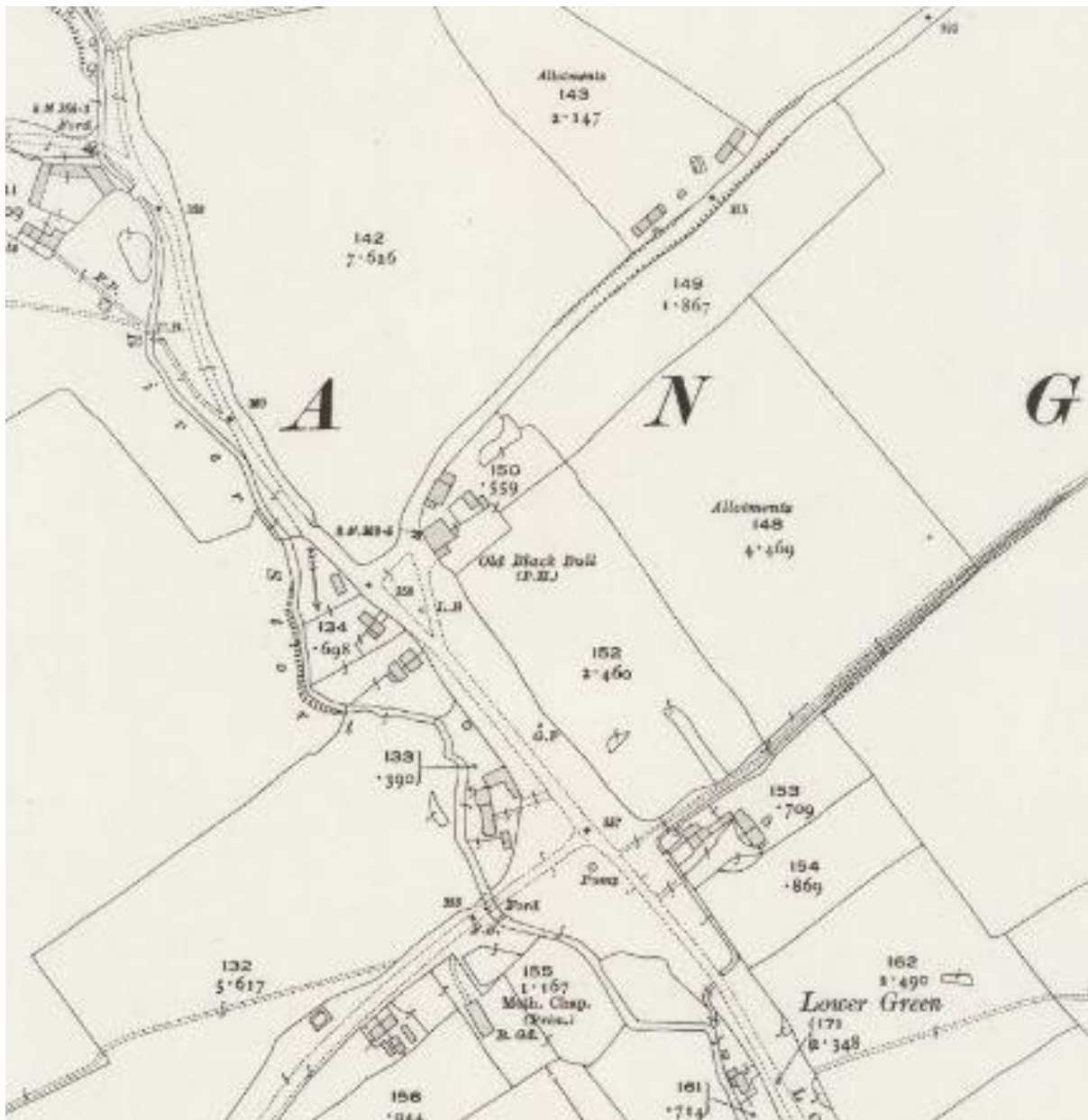


1896 Twenty-five inch OS map (Reproduced with permission of National Library of Scotland)



4.10 The first map in the series dates from 1896 and is the Second Edition OS map for the area. This clearly identifies the public house as The Old Black Bull with a square footprint of the standing building being identifiable. To the rear along linear plot runs adjacent to Bull Lane but the curtilage of the pub appears to be more tightly drawn to the bottom end of this plot and contains a series of outbuildings detached from the main building.

4.11 The next map in the twenty-five-inch series dates from 1921. A similar pattern of built form exists around the public house and it is still denoted as the Old Black Bull. The land to the north east of the pub appears to have a pond within it – this is confirmed within the ecology report for the site.



1921 Twenty-Five-inch OS map (Reproduced with permission of National Library of Scotland)





1951 Six inch OS map (Reproduced with permission of National Library of Scotland)

4.12 The final map in the regression is in the six inch series and dates to 1951. The public house remains as shown on the earlier maps. The Nissan hut is not shown on this map therefore must have been relocated to the site post 1951.



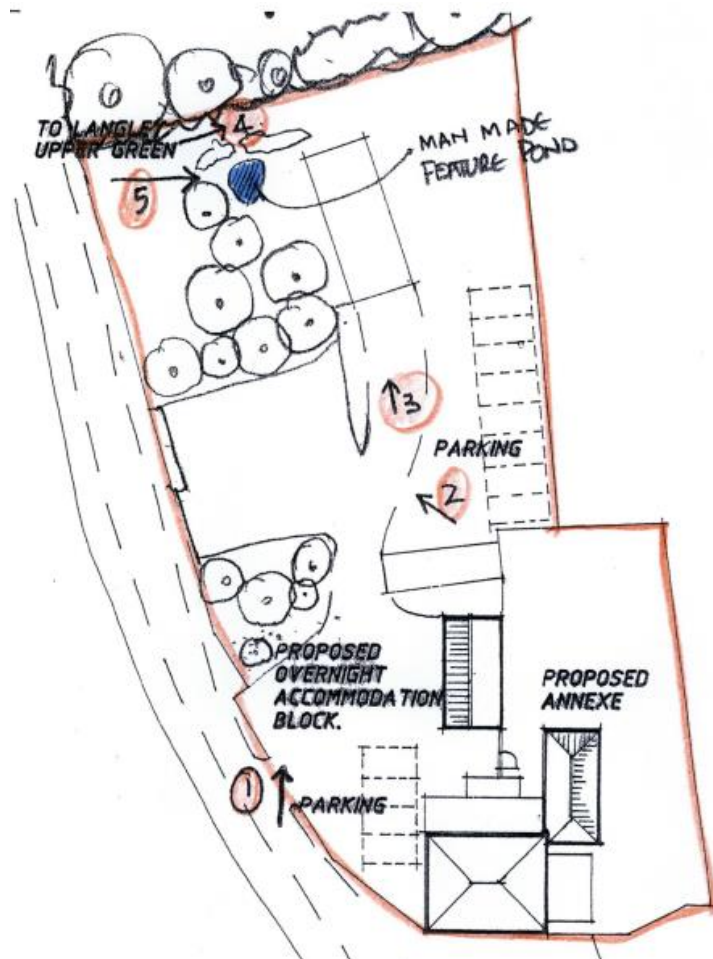


## Planning History

4.13 The relevant history of this site this is summarised below:

Reference	Description	Decision
UTT/1396/01/FUL UTT/1397/01/LB	Erection of a two storey extension to the rear of the building and a detached annex and to provide overnight accommodation	Approved 2001
UTT/23/0376/FUL	Demolition of Nissan Hut and flat roof garaging, erection of new garaging to public house and revised parking layout/provision, new driveway access. Erection of new four bed dwelling with garaging and associated landscaping.	Withdrawn

4.14 This was not implemented but it illustrates that development has been allowed to the rear of the Public House with parking to the north and west of the building.



# 5 Assessment of Significance

5.1 The NPPF (2023) sets out in paragraph 194 that in determining applications local planning authorities should require applicants to describe the significance of any heritage assets affected, including any contribution made by their setting. It also makes clear that the level of information required should be ‘proportionate to the assets’ importance, and no more than is sufficient to understand the potential impact of the proposal on their significance’.

5.2 Heritage assets and significance are defined in the Glossary in Annex 2 of the NPPF. The definition of heritage assets includes both national designations and assets identified by the local planning authority. The NPPF definition of significance states that ‘heritage interest’ may be archaeological, architectural, artistic or historic, and that significance derives not only from a heritage asset’s physical presence but also from its setting.

5.3 Heritage interests are defined as follows:

***Archaeological interest** in a heritage asset is if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point. (NPPF, Annex 2)*

***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. (NPPG para 006)*

***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. (NPPG para 006)*

5.4 Setting is defined in Annex 2 of the NPPF as follows:

*The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make*



*a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.*

5.5 Historic England's 'Historic Environment Good Practice in Planning: 3 The Setting of Heritage Assets' (2<sup>nd</sup> ed. 2017) makes it clear that setting is not a heritage asset and can only contribute towards the significance of a heritage asset. This document sets out a series of attributes that it may be appropriate to consider when assessing significance listed under two main headings: the physical surroundings of the asset, including its relationship with other heritage assets; and the way that the asset is experienced.

## **Heritage assets in the locality of the site**

5.6 There is one heritage asset related to the application site which is the Bull Public House.

### **The Bull Public House**

#### **Archaeological interest – Moderate interest**

5.7 The building dates from the C19 but the records suggest that there was an earlier building on the site serving as a public house from the late C18 at least. The Place Services archaeology section had identified the Nissan Hut as having archaeological interest in the previous submission to warrant building recording.

#### **Architectural and artistic interest – High interest**

5.8 The public housebuilding by virtue of the architectural detailing of a largely square brick building with a hipped slate roof is considered to be early or mid C19 in date. The lattice windows provide decorative detailing.

#### **Historic interest – Some interest**

5.9 The building is a focal point for the Lower Green settlement. It forms part of the collective village memories given the length of time a public house has operated from this site.





*Rear elevation*

## **Setting and Group value**

5.10 The main setting of the public house is the green and it forms part of a group of historic buildings to the western end which includes two thatched buildings opposite. To the rear the beer garden forms part of the setting with a series of garages and outbuildings to the western side. The existing parking arrangements are not formalised so that the building has parking to the front and western sides.

## **Contribution of the application site to the setting of the Listed Building**

5.11 The application site has formed part of the land in the same land ownership today as the public house but from the map evidence and historic pattern of use, the curtilage does not cover this part of the site. The application site is a largely unused area where storage has taken place. The main contribution the site makes is in providing a tree foil to the rear of the public house and beer garden.



5.12 The Nissan Hut being only single storey in scale and set to the back of site is not visually dominant in any views from the Public House or its setting and is well screened by the existing vegetation on the site from views towards the structure from outside of the site.



*Western side elevation of the Nissan Hut*

# 6 The Proposals

6.1 The application seeks permission for the retention and conversion of the Nissan Hut into a two-bedroom dwelling. The metal cladding is proposed to be replaced with SIPS panels which will be waterproofed with new corrugated sheet panels similar to the existing panels. This will require elevational changes to add windows to the elevations and alter the doors to the southern end to form a single pedestrian door with windows on either side. Please see the DAS for further details on the design of the conversion scheme.

6.2 The semi-circular form of the building would be retained, and it would have new external metal sheet cladding to the main elevations and timber to the two ends. A canopied porch is proposed to the new front doorway to the south elevation.

6.3 The building would have its principal elevation facing west towards the main amenity space and Bull Lane. It is proposed to retain and reinforce the boundary trees to the site.



*View across pub garden to site where amenity area to be formed – note the Nissan Hut is not visible*



6.4 A replacement garage is proposed to serve the public house. The parking area to the west of the Public House is to be rationalised with four spaces retained for staff use. This area will also serve as the vehicular access to the new dwelling – which retains the existing access to the application site.

6.5 The southeastern part of the site is to form part of the land associated with the Public House and an amenity area created for the occupiers of the flat above the Public House with new planting to the boundary between the pub garden and the parking area for the new dwelling to the north.



# 7 Planning Policy Context

## National legislation

7.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise

7.2 The statutory requirements of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker in considering whether to grant planning permission for development which affects a listed building or its setting, to 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.

## National guidance

7.3 National planning guidance is set out in the NPPF (2021). This document establishes a presumption in favour of sustainable development (paragraph 11) which has three objectives: economic, social and environmental. Proposals that accord with the development plan should be approved without delay.

7.4 Section 5 of the NPPF considers the supply of homes with paragraphs 78-80 considering rural housing. Paragraph 80 9c) is supportive of the reuse of redundant or disused buildings where the development would enhance the immediate setting.

7.5 Section 11 of the NPPF specifies that planning policies and decisions should promote effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. It advises that support should be given to the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively. In particular, it notes that “substantial weight” should be given to the value of using brownfield land within settlements for homes. 7.5 In accordance with Section 12 of the NPPF, the bespoke design of the property would create a high quality, beautiful and sustainable building that would be sympathetic to local character,





including the adjacent listed building, the surrounding built environment and landscape setting.

7.6 Section 16 of the NPPF sets out policies aimed at conserving and enhancing the historic environment. Paragraph 190 directs local planning authorities to 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 wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
- The desirability of new development making a positive contribution to local character and distinctiveness; and
- Opportunities to draw on the contribution made by the historic environment to the character of a place.

7.7 Paragraph 199 sets out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to an asset's conservation. Paragraph 200 states that any harm to or loss of significance of a designated heritage asset including from development within its setting should require clear and convincing justification. Paragraph 202 sets out the position where less than substantial harm to the significance of a designated heritage asset is held to occur. Any such harm should be weighed against the public benefits of the proposals.

7.8 The **National Planning Practice Guidance** (PPG), which is regularly updated on- line, provides additional government advice. This reinforces the policies set out in the NPPF. The NPPG confirms that “people living in rural areas can face particular challenges in terms of housing supply and affordability, while the location of new housing can also be important for the broader sustainability of rural communities.... A wide range of settlements can play a role in delivering sustainable development in rural areas, so blanket policies restricting housing development in some types of settlement will need to be supported by robust evidence of their appropriateness.” [Paragraph: 009 Reference ID: 67-009-20190722; Revision date: 22 07 2019].

7.9 Heritage is also a material consideration in the **National Design Guide OGL** (2019). The National Design Guide addresses the question of how we recognise well designed places, by outlining and illustrating the Government's priorities for well-designed places in the form of ten characteristics. This includes context. Paragraph 38 states '*An understanding of the context, history and the cultural characteristics of a site, neighbourhood and region influences*



*the location, siting and design of new developments.'* It advises that well-designed places are responsive to local history, culture and heritage.

## **Local Plan Policy**

7.10 The adopted Local Plan for the locality remains the Uttlesford Local Plan 2005. The emerging plan had been subject of an EIP. Following the issuing of a Stage I Inspectors report which raised significant concerns with regard to the soundness of the plan, particularly with regard to the proposed housing strategy. A draft new Local Plan is due to be published for consultation with the aim of adoption by 2025.

7.11 The 2005 Uttlesford Local Plan therefore remains in force, with the weight to be ascribed to its policies affected by their degree of consistency with the National Planning Policy Framework. The following policies from the 2005 Local Plan are material to the development:

- Policy S7 – The Countryside
- Policy GEN1 – Access
- Policy GEN2 – Design
- Policy GEN5 Light pollution
- Policy GEN7 – Nature Conservation
- Policy GEN8 – Vehicle Parking Standards
- Policy H6 Conversion of rural buildings to residential use
- Policy ENV2 – Development Affecting Listed Buildings
- Policy ENV3 – Open Spaces and Trees

## **Neighbourhood Plan**

7.12 There is no neighbourhood plan for this locality.



## Historic England Guidance

7.13 The main guidance produced by Historic England of relevance to this application are:

- **The Setting of Heritage Assets – Historic Environment Good Practice Advice Planning Note 3 (2017).**

7.14 This document sets out a methodology for assessing harm to the setting of heritage assets as part of the planning process, comprising a five-step process that applies proportionally to complex or more straightforward cases as follows:

- Step One identifies which heritage assets, and their settings, are affected.
- Step Two assesses whether, how and to what degree these settings make a contribution to the significance of the heritage assets.
- Step Three assesses the effects of the proposed development on that significance.
- Step Four explores ways to minimise harm.
- Step Five is the making and documenting of the decision.



# 8 Heritage Impact Assessment

## Justification

8.1 The proposal to develop a new building in place of the Nissan Hut raised a number of objections therefore the applicants have sought to develop a scheme whereby the existing buildings is converted. The structural report by RCA Structures submitted as part of the proposals confirms that the building is capable of conversion. The submitted drawings confirm that a conversion scheme has been designed which respects and conserves the characteristics of the existing structure. The proposals will provide living accommodation for members of the family who own the public house. Any alternative commercial or retail use would raise concerns with regard to the potential impact on the Listed Building of the Public House and potential traffic generation. The low-key use of the northern part of the site for residential use, given that this mirrors the surrounding land use pattern to the Public House is held to be the optimum alternative use of the site.

## Impact assessment

8.2 Steps one to four of the Historic England setting guidance GPA 3 have been used to determine the impact of the proposals on the setting and significance of the identified designated heritage assets of the public house.

## Direct impact

8.3 There is no direct impact on the Public House building.

8.4 The previous proposals UTT/23/0376/FUL sought the demolition of the Nissan Hut and whilst no objection was raised to this by Place Services (Heritage) in their letter dated 4 April 2023 they did state that the loss of this structure was regrettable. The current proposals in seeking to retain the building therefore offer a positive solution to repurpose the structure.

8.5 The northern part of the site is not considered to form part of the curtilage of the public house which from the old maps can be seen to follow the southern boundary of the application site. The direct impact on the setting will be the positive enhancement of this by the replacement of the existing low-quality garages north of the Public House and the formation of an amenity space for the residents of the flat on the first floor of the Public



House. Place Services (Heritage) previously raised no objections to the proposed demolition of the garages.



## Setting

8.6 This impact assessment therefore focuses on the potential impact on the setting of the Listed public house and the wider setting of the green including the two thatched cottages to the south of the site. The application site is acknowledged as contributing to the setting of the Public House from the landscape character of the trees and hedging on the site.

8.5 Using the Historic England Guidance within 'The Setting of Heritage Assets' 2017 notably the checklists on page 11 and 13 the analysis of the potential impact of the development on the setting of the buildings is summarised in the following table:



Potential attributes/experience	Assessment of the site	Consideration of potential impact of development
Proximity to the asset	The Nissan Hut is located to the northern end of the site and thus as far as possible from the Listed Building. The principal aspect of the Public House is to the south. The two buildings are separated by the Public House garaging and landscaping within the application site which is to be retained and reinforced.	No harm
Position in relation to topography	The Nissan Hut is on slightly rising land but is not visible in the views of the principal elevation of the pub, from the green or the roadway to the west.	No harm
Inter-relation of the site with the assets	<p>The application site is adjacent to the curtilage of the listed building and therefore has a relationship to it but has historically not formed part of the curtilage of listed building.</p> <p>The application site is enclosed by existing mature trees which are to be retained and reinforced and which would serve to continue to mitigate the intervisibility between the application site and the listed building.</p> <p>The new fenestration is mainly to the long elevations of the building facing away (east west) from the Listed Building.</p>	No harm
Key views	The key view of the site from the green is across the pub beer garden where the trees form a backdrop and foil to the view and the Nissan Hut	No harm



	is not visible in the summer months. The aim is to preserve and reinforce this sylvan setting so there would be no adverse change to this view.	
Orientation	The building has its end elevation orientated south and this would be the entrance point to the building as existing – but with the double doors replaced with a pedestrian entrance and two windows.	No harm
Openness	The green is characterised by a sense of openness but the trees on the application site contrast with this and provide a sylvan backdrop to the public house and this end of the green which would be retained by the proposals.	No harm
Degree of change over time	<p>The front part of the site where the public house is located has changed very little but the rear parcel of land has changed over time. There appears to have been a pond on the site in the past from the old maps and the erection of the WWII building on the site has also altered the site.</p> <p>The repurposing of the Nissan hut part of the process of change which retains the built form but secures a new compatible use for the site and building.</p>	No harm
Prominence or dominance of the development	The tree screen, set back location and the one storey form of the existing building will ensure the new use will not have any adverse impact and the subservient nature of the building will be retained.	No harm



<p>Competition with the assets</p>	<p>The public house has a very prominent location at the western end of the green and the Nissan Hut does not visually intrude on this. The new use will not alter this.</p> <p>The external materials of the conversion will reflect those which exist thus retaining the distinctive character of the Nissan Hut.</p>	<p>No harm</p>
<p>Visual permeability</p>	<p>The conversion will not be more visually prominent than the existing situation. The new garage will be slightly higher as it has a hipped roof but visually will be an enhancement.</p>	<p>No harm</p>
<p>Introduction of movement and activity</p>	<p>There is already pedestrian and vehicle movement focused around the public house. The proposals now do not seek to create a separate access for the house. The proposals are not considered to significantly alter the movement levels in this location.</p>	<p>No harm</p>
<p>Diurnal or seasonal change</p>	<p>The degree of visibility will vary with the number of leaves on the trees and hedges but there are a number of mature tree species on the site which help screen the site even with no leaves on them and reinforcement planting is proposed.</p> <p>The site already has a building on it. The external lighting of the public house is held to be more prominent than the introduction of windows and lighting for the proposed dwelling use.</p>	<p>No harm</p>





Heritage baseline		
Changes to the built surroundings/land use	The land use pattern is one of houses within mature landscaped plots around the public house within the rural context of the hamlet and the open area of the green.	No harm
Changes to skyline	The trees which enclose the application site provide an important landscape context for the site and the aim is to preserve and reinforce these so the backdrop against which the public house is read will be retained.	No harm
Noise, odour, vibration etc	This is considered to be largely confined to the construction period and given the works are conversion not new build the levels are held to be low.	Minimal short term harm
Changes to public access	There are no formal public rights of way across the site and this will remain unaltered.	No harm
Changes to landscaping	The proposals seek to work with the existing trees on the site and to retain as many as possible but with new mitigating planting to preserve the character of the site.	No harm

8.6 In summary the Historic England guidance accepts that the setting of a heritage asset is not fixed and may evolve over time. The Nissan Hut has been on the adjacent site for over 50 years and become part of the pattern of the development around the Listed Building. The proposed new use for the building has been demonstrated to result in some minor short-term disturbance during the conversion period but the scheme as a whole will result in no harm to the identified heritage asset of the Public House and its setting.



8.7 The mature landscaping on the site which will be retained will also help to mitigate the visual impact of the development and new planting will preserve this screen and reinforce the sylvan character of the site.

## **Policy Compliance**

8.10 The relevant heritage policy within the current adopted plan ENV2 requires a development to be in keeping with its character and surroundings. The conversion of the existing building is held to meet these requirements. The conversion scheme will preserve the character and appearance of the building so that its origins will still be legible. It is seen as preserving a building which is not a heritage asset but which has co-existed with the Listed Building for a long time without being intrusive or resulting in harm to the setting of the Public House. The proposed new use and form of adaption of the building is held to maintain the architectural and historic interest of the Nissan Hut whilst providing a suitable quality of dwelling.

8.11 The proposals have been assessed following the guidance of the NPPF and Historic England. The heritage assets have been identified and the historic background to the site researched. The requirement to have special regard to the historic environment has thus been complied with.

## **Level of harm**

8.12 The national legislation and guidance require that great importance and weight must be given to whether there will be any resulting harm. There is no direct harm resulting to the Listed Building. The assessment undertaken to consider the potential impact on the setting of the Public House and the character of the area has demonstrated there will be no long-term resulting harm. The building will remain low-key and largely hidden from view in the public realm or views from the curtilage of the Public House.

## **Heritage Benefits**

8.13 If the Heritage Officer finds any harm, the guidance of the NPPF is that if any harm is identified this should be weighed against the public benefits resulting. In terms of any heritage benefits, the identified benefits are:

- Enhancement of the setting of the public house by the rationalisation and improvement of the parking and garage facilities to the western side of the listed



building and formation of an amenity area with new planting for the flat at first floor level within the building to the north of the building.

8.14 The NPPF requires that less than substantial harm must be weighed against the heritage/ public benefits associated with the development. The public benefits are considered in the next section.



# 9 Material Planning Considerations

## The Principle of Development – Policy S7 & H6

9.1 Langley Lower Green and the application site are technically designated as being within the countryside in the Uttlesford Local Plan 2005 (ULP), to which ULP Policy S7 applies. However, the Council has adopted its 'Uttlesford Local Plan 2005 - National Planning Policy Framework Compatibility Assessment July 2012' (CA), which found that Policy S7 is only “partly consistent” with the NPPF, as the NPPF takes a positive approach, rather than a protective one, to appropriate development in rural areas.

9.2 Policy H6 allows the conversion of rural building to dwellings provided five criteria are met:

- a) *It can be demonstrated that there is no significant demand for business uses, small scale retail outlets, tourist accommodation or community uses* - the location and potential impact of a commercial use within the Nissan Hut is held to have to great an impact on the locality and the amenities of neighbouring properties. A residential use is the only realistic compatible use which follows the land use pattern of the area.
- b) *They are in sound structural condition*; A report is included as part of this application which confirms the building is sound and capable of conversion as proposed.
- c) *Their historic, traditional or vernacular form enhances the character and appearance of the rural area*; The relocation of the building to this site is part of the local history and the building has now formed part of the built form for over 50 years.
- d) *The conversion works respect and conserve the characteristics of the building*; The form appearance and materials of the building are respected by the conversion scheme. The original function of the building and its history will still be legible.



- e) *Private garden areas can be provided unobtrusively.* The main amenity area is to the west of the building and well screened from Bull Lane by the bank and trees to the north western boundary.

## **Sustainability**

9.3 The NPPF confirms that there are 3 objectives to sustainable development, these being economic, social and environmental. However, taking a narrow interpretation, it is first useful to consider the sustainability of the application site in terms of its location in relation to services.

### **a) Langley Green as an Accessible Settlement**

9.4 The principle of Langley Green as a suitable location for small-scale housing development has been accepted in the grant of a number of planning permissions in the locality in the last few years, notably on Land North of Broad Halfpenny, Upper Green Langley (UTT/21/1227/FUL) on 30 June 2021 when a new dwelling was granted approval to the Upper Green. The Council accepted the site to be an infill one although it is set back from the frontage given that there is no fixed building line around the Upper Green. The proposals relate to an existing building on the site rather than creating new built form and adding to the stock of dwellings in the area.

9.5 The current site is considered to be functionally connected to Langley-Upper-Green and its Church and the Langley Community Centre and Sports Trust. The occupants would be able to access these services by bike.

9.6 It is evident that in order to access a wider range of services and facilities it would generally be by car. However, Newport and Clavering are only 10 and 5 kilometres away respectively. These settlements would provide for day-to-day needs including doctors, shops, primary and secondary schools, facilities and employment opportunities, as well as bus services from the Upper Green. In addition, there is a demand response service operated within Uttlesford District, called DART1. Instead of using fixed routes, customers book journeys with the operator in advance and are picked up at an agreed point, which can be their own home. The service is funded by Essex County Council and operated by Arrow Cars.

9.7 The hamlet is located equidistant between Audley End and Royston stations which have direct connections to London Liverpool Street and King's Cross respectively and also to Cambridge and beyond and to Stansted Airport (from Audley End). Newport also has a



mainline railway station. In a District where only 3 settlements have access to a railway station, the site is actually relatively well placed in this respect.

### **(b) Economic Objective of Sustainable Development**

9.8 The application site is under-used land associated with but not used in association with the public house, and as such the northern part of the site currently offers no benefit towards the local economy or economic development. The construction of a new dwelling would provide employment for local building contractors and suppliers of materials. In appeals within the District this modest level of economic development has been accepted by Inspectors as helping to maintain the vitality of a rural community and satisfy this criteria of the NPPF.

### **(c) Social Objective of Sustainable Development**

9.9 The addition of further housing is important in maintaining a viable community, as it contributes to creating a stable population that would continue to use and support local services and facilities. In this instance the proposals will provide a dwelling for the applicants, who are also owners of the public house. This development will secure the long-term viability for the public house as a family run business using inhouse managers to manage the pub business itself who live in the flat which will benefit from dedicated amenity space.

### **d) Environmental Objective of sustainable development**

9.10 The proposal would not materially impact upon the natural and built environment, and the conversion of the building has been designed to meet the challenges of moving towards a low carbon economy by repurposing an existing building.

9.11 The accompanying ecological appraisal is supplemented by a Biodiversity Enhancement document which identifies measures which are proposed to be incorporated at the site, and this would give a net biodiversity enhancement of the site as sought by the NPPF. The application site is distinct from the farmed landscape beyond, but this low-density development would retain a sense of space that would avoid the rural character of the settlement being undermined and existing and new tree planting to be secured.

## **Effective use of land**

9.12 Throughout the NPPF there is an emphasis on making effective use of land, and NPPF paragraph 120 C) confirms that planning decisions should give substantial weight to the value



of using suitable brownfield land within settlements for homes. It also supports the development of under-utilised land.

9.13 The definition of previously developed land (PDL; brownfield) in the glossary to the NPPF includes “land which is or was occupied by a permanent structure, including the curtilage of the developed land”. It excludes land in built-up areas such as residential gardens.

9.14 The application site is not a garden and the proposals seek to find a new use for the existing structure on the site.

## **Design**

9.15 The design of the development has to be considered by reading the submitted Design & Access Statement. It is held due to the location on the site and the screening of the site by trees to the boundary the conversion of the existing building to a dwelling would have no adverse impact on the street scene or the context of the Lower Green. The proposed conversion scheme responds to the character and appearance of this distinctive style of building and is therefore held to be compliant with Policy GEN2 - design.

## **Residential Amenity**

9.16 The siting and orientation of the existing building ensures the conversion scheme will minimise any potential impact on neighbouring dwellings. The closest dwelling is the accommodation above the public house. With intervening tree planting, the provision of a new amenity area and the separation distance and the location of the new garage blocks the proposed dwelling would have no material impact on the occupants of that property. It has been demonstrated that the requirements of ULP Policies GEN2 and GEN4 would be met with regards to the relationship with neighbouring residents.

## **Highway Matters**

9.17 The adopted highway of Bull Lane runs alongside the western boundary of the site. The proposal seeks to use the existing access to the western side of the public house to the site and not form a new access.

9.18 The additional traffic arising from a further dwelling would not materially affect the local highway network.



9.19 The proposal includes onsite parking for up to three cars with turning on the driveway, and there is ample space to meet the parking needs of future occupants of the dwelling in accordance with ULP Policy GEN8 and the adopted parking standards. An electric vehicle charging point would be installed within the site. The proposal would therefore accord with the requirements of ULP Policies GEN1 and GEN8.

## **Biodiversity & Trees**

9.20 The application is accompanied by Ecology, Arboricultural and Biodiversity Enhancement Reports prepared by Ashely Arbon. The site ecology survey found no evidence of any protected species and no requirement for further surveys to be undertaken. The enhancement recommendation includes the removal of the Leylandii trees on the site and replacement with native tree species and hedging. In addition to the planting, bird nesting boxes, bat boxes, a hedgehog box and provision of a water supply for wildlife are all proposed on site. The aims of the NPPF and ULP Policy GEN7 would be met.

## **Flood Risk**

9.21 As noted on the extracts from the Environment Agency Flood Maps set out in the Ecology Report, the application site is in Flood Zone 1 and set above away from the identified areas of flooding. The development would be designed to ensure that surface water run-off is dealt with on-site. Issues of surface water drainage would be controlled through Building Regulations.





# 10 Conclusions and Planning Balance

10.1 This Planning and Heritage statement has sought to cover all the material considerations of relevance to the determination of the application. The heritage element has traced the historic development of the locality and identify the heritage interest and significance of the heritage assets adjacent to the site. The contribution the application site and existing building on it makes to the significance of the heritage asset has been assessed. The Nissan Hut whilst not a heritage asset has local interest and the Heritage Officer had stated with regard to the previous proposals to demolish it that this was regrettable.

10.2 There are no identified heritage assets on the application site or covering it. The application site has not formed part of the historic curtilage of the public house but the two sites are in the same ownership. The site is enclosed by mature landscaping which defines the plot and separates and screens it from the public house.

10.3 The proposals seek the conversion of the Nissan Hut to a dwelling. The siting and carefully designed for the conversion and the retention of the on-site landscaping will ensure any potential impact on the locality is mitigated and there will be no resulting harm. The use secures the long-term future for the building in a new optimum and compatible use.

10.4 The location of the site in relation to the other existing development in Langley Lower Green, means that the site is held not to be isolated. The granting of other permissions in the area for small scale housing developments means that the Local Planning Authority accept the location is sustainable. This would be a sensitive conversion of a rural building with a long-standing association with the site.

10.5 The assessment of the proposals has identified no harm to the setting of the identified heritage asset, the sylvan character of the site, the rural location or the occupiers of any nearby residential units. The above assessment has also shown that the proposals will also give rise to public benefits in the form of finding a new economic use for the existing building of interest on the site, providing an additional dwelling in the hamlet to sustain local services. A net biodiversity gain can be demonstrated as resulting from the proposals with details of the measures proposed and their location on the site clearly set out. The proposals also result in environmental benefits to the setting of The Bull to the western side of the building and enable the owners to reside close to this long-standing business. On this basis,



the planning balance falls firmly in favour of the development.10.6 The proposals have been shown to accord with the aims and objectives of the national and local planning policies and guidance and as such there are no sound reasons to resist this development.



# References

- Bettley J & N Pevsner **The Buildings of England – Essex**  
Yale University Press 2007
- Chapman and Andre’s Map of Essex in 1777
- **RCHME An Inventory of the Historical Monuments in Essex Volume 1 North West**  
HMSO 1916 pp 326-328
- [www.recordinguttlesfordhistory.org.uk/langley/langleyhistory](http://www.recordinguttlesfordhistory.org.uk/langley/langleyhistory).



# Appendix 1

**List description of The Bull**

# BLACK BULL INN

## Official list entry

Heritage Category: **Listed Building**

Grade: **II**

List Entry Number: **1278273**

Date first listed: **22-Feb-1980**

Statutory Address 1: **BLACK BULL INN, LOWER GREEN**

This List entry helps identify the building designated at this address for its special architectural or historic interest.

Unless the List entry states otherwise, it includes both the structure itself and any object or structure fixed to it (whether inside or outside) as well as any object or structure within the curtilage of the building.

For these purposes, to be included within the curtilage of the building, the object or structure must have formed part of the land since before 1st July 1948.

**Understanding list entries** (<https://historicengland.org.uk/listing/the-list/understanding-list-entries/>)

**Corrections and minor amendments** (<https://historicengland.org.uk/listing/the-list/minor-amendments/>)

## Location

Statutory Address: **BLACK BULL INN, LOWER GREEN**

**The building or site itself may lie within the boundary of more than one authority.**

County: **Essex**

District: **Uttlesford (District Authority)**

Parish: **Langley**

National Grid Reference: **TL 43717 34556**

## Details

LANGLEY LOWER GREEN 1. 5222 Black Bull Inn TL 43 SW 15/1282

II GV

2. Mid-late C19 red brick building. Two storeys. Three window range of iron ornamental lattice casements. Central doorway. Roof slate, hipped, with end chimney stacks. Included for group value.

Listing NGR: TL4371734556

## Legacy

The contents of this record have been generated from a legacy data system.

Legacy System number: **406187**

Legacy System: **LBS**

## Legal

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.



## Map

This map is for quick reference purposes only and may not be to scale.  
This copy shows the entry on 06-Feb-2023 at 17:30:53.

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End of official list entry



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