



Proposed Group Therapy Unit at Rhodes Wood Hospital, Hatfield

Planning and Heritage Statement

on behalf of: Elysium Healthcare

December 2017

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1 Introduction

- 1.1 This Planning and Heritage Statement has been prepared by Q+A Planning Ltd ('Q+A') on behalf of Elysium Healthcare ('Elysium') in support of an application for full planning permission on a vacant parcel of land within the grounds of the existing hospital at Shepherds Way, Hatfield, Hertfordshire AL9 6NN¹.
- 1.2 The proposal seeks consent for:
- "The erection of a single storey group therapy unit plus additional ancillary storage outbuilding".*
- 1.3 The purpose of this Statement is to provide details of the application proposals, describe the site and surroundings, review the planning policy framework; identify key benefits of the application and draw conclusions as to the site's suitability for the proposed development. Detailed research and investigations have been carried out by a professional team of consultants on behalf of the Applicant.
- 1.4 In addition to this Statement, the other documents submitted in support of the planning application in accordance with the relevant national and local validation requirements are set out in Table 1.1 below. The application submission and supporting documents has been agreed with officers as part of pre-application discussions with Welwyn Hatfield Borough Council during October and November 2017.

Table 1.1 Application Submission Documents

Document	Author
Application Forms, Certificates and Covering Letter	Q+A Planning Ltd
Planning and Heritage Statement	Q+A Planning Ltd
Design and Access Statement	Gillingdod Architects
Application Plans	Gillingdod Architects
Supporting Statement	Elysium Healthcare

Structure of the Planning Statement

- 1.5 The remainder of this Statement is structured as follows:
- Section 2 provides details of the application site and surroundings, and provides a summary of the relevant planning history;
 - Section 3 provides further details of the proposed development and key benefits of the scheme;
 - Section 4 sets out the planning policy context, having regard to the National Planning Policy Framework (NPPF), the development plan and other material considerations;
 - Section 5 assesses the application against relevant development plan policy and demonstrates that the proposed development accords with those policies;
 - Section 6 sets out the necessary case for 'Very Special Circumstances';
 - Section 7 provides a proportionate Heritage Assessment; and
 - Section 8 sets out our conclusions.

¹ Hereafter referred to as 'the site'.

2 Site, Surroundings and Planning History

Application Site and Surrounding Area

- 2.1 The application site, outlined in red on Figure 2.1, extends to approximately 0.03 hectares falling within the wider Rhodes Wood hospital complex and comprises two broad parcels of land off Shepherds Way as follows:
- An area of vacant land to the west of an adjacent existing ward; and
 - A storage cabin to be positioned and enclosed on previously developed land in the current sub station and bin store compound.
- 2.2 The application site for the new therapy unit is broadly triangular in shape and sits in an enclosed location in the north-western corner of the facility.

Figure 2.1 Aerial view of application site



- 2.3 The application site is located to the western outskirts of Brookmans Park, north of Potters Bar. Accessed off the B157, the site is set with a rural backdrop with Ace Tennis Camps to the south, a gated community to the east and open fields to the north and west. The facility has incorporated its new use as a rehabilitation centre for its patients well, allowing exceptional privacy to both service users and neighbours. The site falls away from the B157 as you enter the property with the main buildings set within the heart of the site.
- 2.4 The principal building, Mymwood House, was built as a residential dwelling around 1820 and is a two-storey, detached, white rendered building with a pitched slate roof. Mymwood House previously had a single storey, flat roofed extension to the rear. The building was used as a residential care home for the elderly since the mid-1980s and before this had been used as a boarding school from the 1930s.
- 2.5 Mymwood House is set back from the highway by approximately 65m. To the front of the site is a detached building, Mymwood Lodge. Both Mymwood House and Mymwood Lodge are Grade II listed buildings (List UID: 1100985 and 1174086). The site lies within

the Metropolitan Green Belt and the North Mymms Common and Newgate Street Farmed Plateau Landscape Character Area. The application site is to the east of the settlement of Brookmans Park.

- 2.6 The site slopes upward from the west to the eastern boundary of the site and Mymwood House is set on an excavated ground level. To the east of the site is an adjacent residential development (Lysley Place). The nearest property to the proposed development, which lies beyond the eastern boundary, is 'The Barn'. To the eastern boundary of the plot is a tall brick wall, which varies in height. The wider site has several mature trees across the site, notably a mature cluster along the site frontage which is protected by a group Tree Preservation Order (TPO Reference: TPO3 G72).
- 2.7 It is to be noted that Mymwood House, and indeed the application site, is significantly set back from Shepherds Way and is mostly screened by tall dense vegetation on all sides therefore when approaching the site the main building and thus the proposed development would be entirely hidden from view.

Planning History

- 2.8 The site has been subject to several recent planning applications involving both the house and associated lodge. The most recent approvals in 2007 – 2010 under references S6/2007/1724/MA and S6/2009/2255/MA have been implemented and involves a rear extension, with a basement, to the main building in order to accommodate additional bedrooms and associated accommodation set around an 'L-shaped' courtyard.
- 2.9 The supporting material for these consents confirm that the site remains in Class C2 use.
- 2.10 The table below provides a summary of the key applications over recent years

Table 2.1 Application Site Planning History

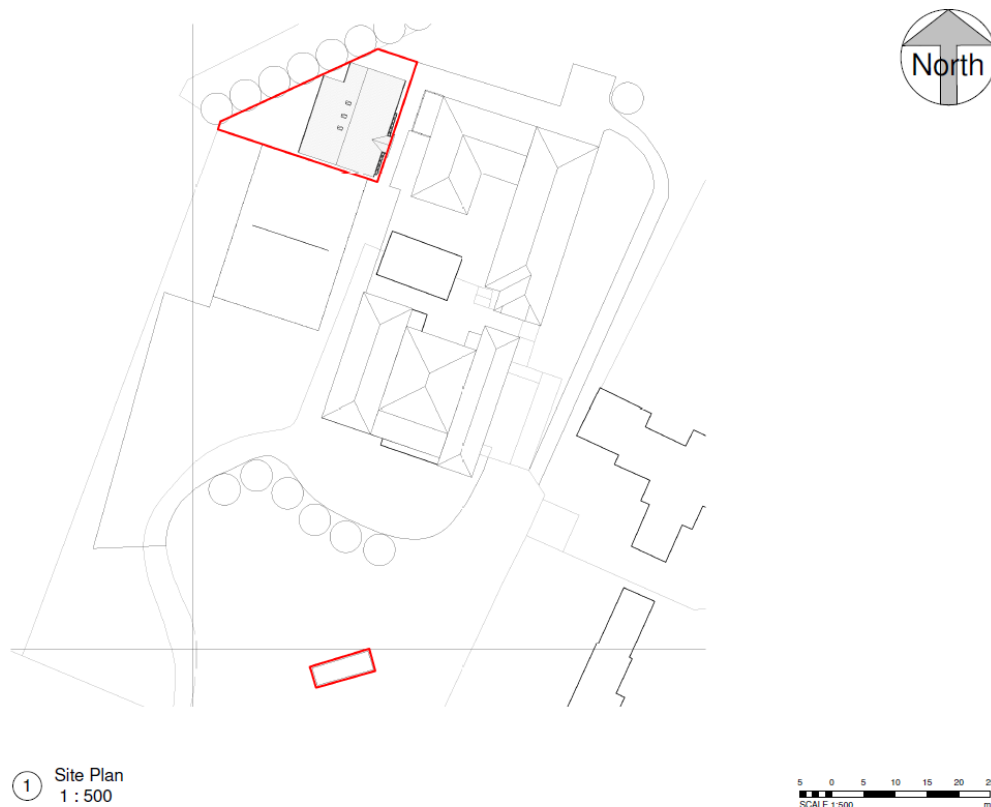
Application Reference	Proposed Development	Decision and Date
S6/2009/2255/MA	Variations to planning and listed building consents S6/2008/556/LB, S6/2007/1711/LB and S6/2007/1704/MA. Retention of alterations to fenestration, fencing, gates, CCTV, lighting and plant installation, car parking, bin storage, hard surfacing, extension to basement area under new build, decking and balustrade to eastern flat roofed area, substation and siting of standby generator, creation of all-weather activity area	Approved 26/01/2010
S6/2008/0695/MA	Removal of condition 5 (age restriction) of previous planning application S6/2007/1704/FP	Approved 10/07/2008
S6/2008/0693/MA	Removal of condition 5 (age restriction) of previous planning application S6/2007/422/FP	Approved 10/07/2008
S6/2007/1711/LB	Erection of single storey and basement level extensions	Approved 07/01/2008
S6/2007/0421/LB	Removal of pre-fabricated buildings and erection of extensions to provide 13 additional bedrooms and ancillary accommodation	Approved 13/06/2007
S6/2007/0422/MA	Removal of pre-fabricated buildings and erection of extensions to provide 13 additional bedrooms and ancillary accommodation	Approved 13/06/2007
S6/2005/0226/LB	Alterations and Extensions to Care Home	Refused 25/04/2005
S6/2005/0225/FP	Alterations and Extensions to Care Home	Refused 25/04/2005
S6/1985/0602/LB	New fire escape stair and internal alterations to convert existing	Approved 25/10/1985
S6/1985/0601/FP	Construction of fire escape stairs in connection with change of use of existing building to old people's home	Approved 25/10/1985
S6/1984/0519/FP	Change of use from school to residential home for the elderly	Approved 28/9/1984
S6/1983/0592/FP	Change of use from school house to office	Refused 27/10/1983

2.11 In summary, the surrounding area clearly has a range of well-established operations associated with the healthcare facility falling within Class C2 use.

3 The Proposed Development

- 3.1 The application is for full planning permission to erect a single storey detached unit within the grounds of the existing hospital for the purposes of providing a group therapy centre for existing patients, measuring approximately 156 sq. m GEA (132 sq. m GIA).
- 3.2 The new building incorporates three group rooms, a therapy room, staff room, kitchen, bathroom and boardroom and is proposed to be located to the north east of the site.
- 3.3 In addition, a modular portacabin unit is proposed (30 sq. m) within the existing plant/bin compound to be used for ancillary storage purposes associated with the C2 use. The new cabin will be clad with western red timber panels in order to soften its appearance and tie in with its surroundings, although will not be visible.

Figure 3.1 Proposed Site Plan



Benefits of the Application Scheme

- 3.4 Prior to assessing the application schemes compliance with both national and local planning policy and given the advice contained in paragraph 14 of the NPPF, that development proposals should be approved without delay unless the adverse Impacts of doing so would significant and demonstrably outweigh the benefits, we consider it important to highlight the key benefits associated with the proposed scheme, namely:

- The proposed group therapy unit will support the continuation of Rhodes Wood Hospital as a specialist health care use.
 - Rhodes Wood Hospital is the only facility within Hertfordshire that provides an inpatient service for eating disorder care, for which there is an identified need for this type of therapy hub.
 - The care and treatment programme for individuals with eating disorders requires that both the physical consequences of the patients eating disorder, as well as the related underlying psychological and social elements, are treated. The provision of a purpose-built group therapy unit will therefore meet this identified need.
- 3.5 Rhodes Wood offers a unique inpatient specialist mental health service dedicated to providing innovative, high quality care and treatment for patients with challenging and complex needs, in order to enable their recovery and re-engagement with the community.
- 3.6 The hospital's consultant-led multidisciplinary teams have considerable clinical and research experience, enabling patients to benefit from a broad range of individual and group therapies. Elysium actively participates in national clinical quality forums in order to keep services at the forefront of emerging treatment in eating disorders.
- 3.7 It is asserted that the above present a clear and compelling suite of scheme benefits, which when taken as a whole tip the balance of acceptability as 'very special circumstances' (VSC). This is discussed in further detail at Section 6 of this Statement.

4 Planning Policy Context

- 4.1 This section reviews the planning policy context in which the application has been submitted. Reflecting the requirements of Section 70 of the Town and Country Planning Act 1990, this entails a review of the relevant provisions of the development plan.
- 4.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 expands the requirements of Section 70 by confirming that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant material considerations reviewed in this section include the NPPF and supplementary planning policy.
- 4.3 The Development Plan for Welwyn Hatfield comprises saved policies of the adopted District Plan (2005) and emerging Draft Local Plan Proposed Submission (August 2016) which is currently progressing through examination with Stage 2 Hearings having recently been undertaken during October 2017.

National Planning Policy & Guidance

National Planning Policy Framework

- 4.4 The NPPF was published by the Government on 27 March 2012. It is a key material consideration in all planning decisions, and sets out the overarching policy priorities for the planning system, against which local plans will be prepared and decisions made on planning applications.
- 4.5 A presumption in favour of sustainable development is at the heart of the NPPF and should be seen as a 'golden thread' running through both plan-making and decision-taking. In terms of decision taking, Paragraph 14 states that, unless material considerations indicate otherwise, this means:
- *'approving development proposals that accord with the development plan without delay; and*
 - *Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*
 - *Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole;*
 - *Or specific policies in this Framework indicate development should be restricted.'*
- 4.6 The paragraph 14 decision-taking balancing exercise has been endorsed in various High Court Judgements and Appeal Decisions, the practical significance of which is that, under paragraph 14 of the NPPF, LPAs have to weigh the adverse impacts of a proposed development against the benefits that it will deliver. The benefits of the currently proposed development, as well as any adverse impacts and identified means of addressing them, are described elsewhere within this Statement and in other application documents.

- 4.7 In terms of specific policies in the NPPF which indicate that development should be restricted, footnote 9 to paragraph 14 explains that this refers to Green Belt, Areas of Outstanding Natural Beauty, Heritage Coast or National Park, designated heritage assets and locations at risk of flooding or coastal erosion.
- 4.8 As we demonstrate within this Statement and in the other supporting documents, the application of 'very special circumstances' and material considerations weigh strongly in favour of acceptability when viewed in the context of any harm to the Green Belt. These are examined in more detail at Section 6.

Core Planning Principles

- 4.9 Paragraph 17 of the NPPF sets out 12 core land use planning principles which should underpin both plan-making and decision-taking. Amongst other things, planning should:
- Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs;
 - Always seek to secure a high-quality design and a good standard of amenity for all existing and future occupants of land and buildings;
 - Promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and support thriving rural communities within it;
 - Conserve heritage assets in a manner appropriate to their significance; and
 - Deliver sufficient community and cultural facilities and services to meet local needs.
- 4.10 The proposed development is consistent with the core planning principles highlighted above. The application scheme is sensitively designed to a very high standard and responds to the particular characteristics of the site and surrounding area, making more effective and efficient use of the site. The new unit will provide a clear opportunity to enhance the form and function of the healthcare facility and its patients through coordinated therapy and specialist support.

Supporting a Prosperous Rural Economy

- 4.11 Paragraph 28 of the NPPF states that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should, inter alia:
- Support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings; and
 - Promote the retention and development of local services and community facilities in villages.
- 4.12 It is clear that the development proposals will help to support Rhodes Wood as an important local service and healthcare facility within the wider Borough. We can conclude that the application proposal therefore accords with this element of national planning policy.

Requiring Good Design

- 4.13 Paragraph 58 of the NPPF states that planning policies and decisions should aim to ensure that developments:
- Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - Establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
 - Optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
 - Respond to local character and history and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
 - Create safe and accessible environments where crime and disorder and the fear of crime, do not undermine quality of life or community cohesion; and
 - Are visually attractive as a result of architecture and appropriate landscaping.
- 4.14 The application proposals accord with the criteria listed above. The development has been carefully conceived to deliver a high-quality scheme with an appropriate scale and layout which responds to the specific characteristics of the site and surrounding area. The development proposal will create a strong sense of place, respect local character, and will be visually attractive. The materials palette chosen aims to knit into the existing physical context and landscape by using a mixture of softer natural materials used by neighbouring buildings.

Protecting Green Belt Land

- 4.15 Paragraph 79 of the Framework stipulates that the Government attaches great importance to Green Belts and that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts being their openness and permanence.
- 4.16 Paragraph 80 sets out the five purposes of Green Belt designation:
- To check the unrestricted sprawl of large built-up areas;
 - To prevent neighbouring towns merging into one another;
 - To assist in safeguarding the countryside from encroachment;
 - To preserve the setting and special character of historic towns; and
 - To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 4.17 In terms of the control of development in the Green Belt, paragraph 87 says that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in 'very special circumstances'. Paragraph 88 expands on that, setting out that when considering any planning application, LPAs should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist

unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

4.18 Paragraph 89 is clear that, apart from a list of exceptions, the construction of new buildings should be regarded as inappropriate in the Green Belt. The prescribed exceptions are:

- Buildings for agriculture and forestry;
- Provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- Limited infilling in villages, and limited affordable housing for local community need under policies set out in the Local Plan; or
- Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

4.19 A full Green Belt assessment in line with the above is presented in Section 6 of this Statement.

Conserving and Enhancing the Natural Environment

4.20 Paragraph 109 of the NPPF confirms that the planning system should contribute to and enhance the natural and local environment by:

- Protecting and enhancing valued landscapes, geological conservation interests and soils;
- Recognising the wider benefits of ecosystem services;
- Minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- Preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and
- Remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

4.21 Paragraph 119 states that when determining planning applications, LPAs should aim to conserve and enhance biodiversity by applying a range of principles. Most of the principles are not relevant to the proposed development because they relate to specific designations such as Special Protection Areas, Ramsar sites and ancient woodland, none of which apply to the application site.

4.22 Paragraph 121 confirms that when making planning decisions the LPA should ensure that:

- The site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation including land remediation or impacts on the natural environment arising from that remediation;
- After remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and
- Adequate site investigation information, prepared by a competent person, is presented.

4.23 The development proposal does not conflict with this aspect of the NPPF. The scheme has been sensitively designed to take into account the setting and landscape character of the area.

Conserving and Enhancing the Historic Environment

4.24 Section 12 of the Framework considers conserving and enhancing the historic environment at paragraphs 126 to 141. It distinguishes between two main types of heritage assets: designated heritage assets and non-designated heritage assets.

4.25 The Framework defines 'heritage assets', in Annex 2, as:

“A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage assets include designated heritage assets and assets identified by the local planning authority (including local listing).”

4.26 Paragraphs 128 to 131 deal with the general development management covering all heritage assets. Paragraph 128 places a duty on the LPA to require applicants to describe the significance of any heritage assets affected by a proposal to a proportionate level of details to enable an understanding of the potential impacts of the proposed development on the significance of heritage assets. Paragraph 129 requires local planning authorities to identify and assess *“the particular significance of any heritage asset”*. This should be taken into account when considering the impact of a proposal.

4.27 The Framework defines heritage 'significance', in Annex 2, 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.”

4.28 In accordance with paragraph 131, a number of considerations should be taken into account by the LPA, first of which is the (relative) desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. It also requires taking into account sustainable communities, including economic vitality, as well as local character and distinctiveness. Finally, the planning authority must consider the desirability of the new development in making a positive contribution to local character and distinctiveness.

- 4.29 As previously stated, the significance of both Mymwood House and Mymwood Lodge is recognised by its statutory Grade II listing, thus a ‘designated’ heritage asset. Full consideration of the significance of the house and a proportionate impact assessment is provided at Section 7 of this Statement which concludes that the proposal set out within this application will not have a negative impact upon the Grade II listed buildings or the setting of these heritage assets.

Determining Applications

- 4.30 The final part of the NPPF that we wish to highlight is paragraph 187, which pronounces that:

“...local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.”

- 4.31 Against the background set by paragraph 187, the NPPF reiterates at paragraph 197 that when they are assessing and determining development proposals, LPAs should apply the presumption in favour of sustainable development.

Conclusion in Relation to the NPPF

- 4.32 The NPPF places a firm emphasis on significantly boosting the supply of new housing and makes clear that there is a presumption in favour of sustainable development. These factors weigh heavily in favour of approving the scheme, which will provide a genuine contribution towards meeting Warrington’s dwelling targets and embodies sustainable development.

Planning Practice Guidance

- 4.33 The Government launched the Planning Practice Guidance (PPG) on 6 March 2014, which is an online national planning guidance resource. This streamlined planning practice guidance does not replace the NPPF, but is intended to make planning guidance more accessible and easier to keep up-to-date.

Design

- 4.34 The PPG stresses the importance of good design and states that planning should drive up standards across all forms of development. As a core planning principle, plan makers and decision takers should always seek to ensure high quality design through creating places, buildings or spaces that work well for everyone.

Conserving and Enhancing the Historic Environment

- 4.35 In respect of the heritage asset (the Grade II house), the PPG requires the asset’s ‘significance’ to be considered in the decision-making process particularly when assessing whether any substantial harm will arise. Also, the impact of the proposal on its setting must be taken into account. Finally, public benefit should flow from a development and may include benefits such as:

- Sustaining or enhancing the significance of a heritage asset and the contribution of its setting;
- Reducing or removing risks to a heritage asset; and
- Securing the optimum viable use of a heritage asset in support of its long-term conservation.

Summary

- 4.36 The NPPF places a firm emphasis on the desire to deliver the social, recreational and cultural facilities and services that communities need. Notably, paragraph 70 seeks to ensure that established facilities and services are able to develop and modernise in a way that is sustainable.
- 4.37 The application scheme therefore accords with the various relevant parts of the NPPF. When considered together, these benefits far outweigh any potential adverse impacts and Green Belt harm. A considered assessment against whether there are likely to be material considerations which amount to 'very special circumstances' such that they clearly outweigh the harm by reason of inappropriateness and any other harm is provided at Section 6 of this Statement.

5 Local Planning Policy

The Development Plan

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides 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.”

5.2 The adopted development plan comprises the saved policies of the adopted District Plan (2005) and emerging Draft Local Plan Proposed Submission (August 2016) which is currently progressing through examination with Stage 2 Hearings having recently been undertaken during October 2017.

Welwyn Hatfield District Plan (2005)

5.3 As identified, the Welwyn Hatfield District Plan is the current adopted Local Plan and provides a framework for planning decisions in the Borough. Policies that are relevant to the application proposal are identified below.

Policy SD1 – Sustainable Development

5.4 Development proposals will be permitted where it can be demonstrated that the principles of sustainable development are satisfied.

5.5 There are several key sustainability features of the scheme. The development proposal will clearly enhance the operation of the existing hospital facility by contributing to the specific needs of the patients through group therapy.

Policy GBSP1 – Definition of the Green Belt

5.6 The Green Belt will be maintained in Welwyn Hatfield as defined on the Proposals Map.

5.7 Whilst it is recognised that the development scheme does not fall to be considered a Green Belt exception case, the clear and compelling set of ‘very special circumstances’ are pivotal in the planning balancing exercise.

5.8 Importantly, a previous Inspector’s appeal decision from 2005² found that there were clear ‘very special circumstances’ to allow an appropriately designed addition to the healthcare facility, provided it would continue to fall within Class C2 use. During the determination of recent planning applications since the Inspector’s ruling, the Council have consistently acknowledged this a credible ‘very special circumstance’. Notably, the Officer’s Report to Committee for application reference S6/2009/2255/MA stated that:

“Due to the increasing demand for similar facilities in the area and the proposed development providing a small increase in capacity to provide

² APP/C1950/E/05/1185357 and APP/C1950/A/05/1183989

separate rooms for the residents, the proposed development is considered to be an acceptable exception”.

- 5.9 The salient point remains that such a clear, and previously acknowledged, VSC will continue to be applicable providing that the capacity and function of the site as a C2 use is not noticeably increased.
- 5.10 As previously advised, the requirement for the proposed development is solely to develop and enhance group therapy for the benefit of existing patients, in accordance with their identified care pathway.

Policy R17 – Trees, Woodland and Hedgerows and Policy R20 – Light Pollution

- 5.11 Policy R17 states that the Council will seek the protection and retention of existing trees, hedgerows and woodland. Policy 20 seeks to ensure that new development does not adversely impact on the character or openness of the Green Belt through unnecessary light pollution.
- 5.12 The development does not propose any works to trees or landscaping, nor is any additional hard standing, boundary treatment or external lighting planned. Therefore, based on the information provided the application scheme is considered to be in accordance with the provisions of Policy R17 and R20.

Policy D1 – Quality of Design and Policy D2 – Character and Context

- 5.13 The Council will require the standard of design in all new development to be of high quality. The design of new development should incorporate the design principles and policies in the Plan and the guidance contained in the Supplementary Design Guidance. Moreover, Policy D2 requires that all new development must respect and relate to the character and context of the area in which it is proposed.
- 5.14 The only nearby adjacent properties lie to the east of the application site within Lysley Place. These properties sit on higher ground and are separated by a tall brick wall. The proposed building would be located to the north east of the application site and would be enclosed behind existing buildings that are currently on site. It is not considered that the proposed building would impact on residential amenity by way of daylight, sunlight, privacy or overlooking. Similarly, the proposed storage cabin is to be sited within a locked plant compound that is used for bin/plant storage. This new storage container will therefore not be visible.
- 5.15 As the supporting Design and Access Statement explains, the application proposals have been carefully and sensitively designed to take into account the living conditions of existing residents in the surrounding area. As previously explained, the application site is completely enclosed within the wider facility and therefore would not be visible from either Shepherds Way or in views across to the site from the north by virtue of the existing mature tree belt.

Policy D9 – Access and Design for People with Disabilities

- 5.16 All new development should be designed to allow access by the disabled, young children and those who are temporary disabled through accident or injury. This includes access required to the site and access within the buildings and open spaces on the site.
- 5.17 Given the nature of the proposed development and end user accessibility for both patients and staff is of paramount importance and has been fully considered during the design process.
- 5.18 Further information can be found in the accompanying Design and Access Statement.

Policy CLT15 – Health Centres and Surgeries and Policy CLT17 – Care in the Community

- 5.19 The provision of new or extended surgeries and other medical or health services will be granted planning permission provided that:
- There would be no loss of residential uses;
 - The applicant can demonstrate that the proposed development is essential for the delivery of a necessary local health service and that alternative premises are not available
 - There would be no harmful impact on the amenity of nearby residential properties and other uses;
 - There would be no significant impact on the character of the area; and
 - The premises are well served by a range of transport alternatives.
- 5.20 Policy CLT17 makes clear that the Council will grant planning permission for the establishment or extension of residential homes falling within the relevant use class in existing residential areas, either by the development of vacant sites or by conversion of existing properties provided that:
- The scale of the proposal will not be detrimental to the established character of the surrounding residential area, nor the amenity of adjoining occupiers;
 - The proposal includes acceptable access and car parking provision, including visitors' parking;
 - The proposal is located so that it is accessible to essential facilities; and
 - The proposal does not result in a concentration of such facilities resulting in an overload of local facilities or a change in character of the residential area in which it is located.
- 5.21 As previously explained, Rhodes Wood Hospital provides specialist inpatient treatment for children and adolescents who experience eating disorders. The service is commissioned by NHS England and provides a national specialist treatment program for young people and their families. The service has a long-established relationship with the NHS and forms one of a small number of provisions for children and young people who suffer with eating disorders in the country.

- 5.22 Indeed, Elysium's facility at Rhodes Wood is currently the only inpatient provision within Hertfordshire that provides such specialist eating disorder care. This is accordingly a clear VSC that needs to be considered by the Council as they come to determine the overriding public benefit of the proposal when faced with the notion of inappropriate development in the Green Belt. It is therefore clear that the application scheme fully accords with the Council's critical care policies.
- 5.23 In relation to parking matters, the proposed development would not mean an increase in staff, visitors or patients. As such it would be disproportionate to request that additional car parking facilities be provided onsite. As a result, there would be no additional impact on the public highway and the proposed scheme would therefore be in accordance with adopted development plan policy. This stance was subsequently confirmed through formal pre-application advice received from the Council.

Policy RA10 – Landscape Regions and Character Areas

- 5.24 Proposals for development in rural areas will be expected to contribute, as appropriate, to the conservation, maintenance and enhancement of the local landscape character of the area in which they are located.
- 5.25 As previously identified, the application site falls within the North Mymms Common and Newgate Street Farmed Plateau Landscape Character Area. This area is characterised as open topped above steeply undulating wooded valleys to the north, and arable slopes with dense hedgerows to the south. Particular distinctive features include heavily tree field boundaries particularly around large private houses (such as Mymwood House) which historically would have been designed to prevent views in. As a result, the character area is largely concealed from outside view by both the vegetation within it and the extensive woodland on the slopes below. From within there are occasional extensive long-range views, by they are more often filtered by mature vegetation.
- 5.26 It is therefore asserted that the small extent of built development proposed would not adversely affect the wider landscape character area given that the new therapy building is to be set within the grounds of Mymwood House. Indeed, the new development would not be seen in long distance views across the farmed plateau to the north west beyond because of the extent of mature vegetation along the western boundary.
- 5.27 The Council's character analysis goes on to assert that the current balance between farmland and built form should be retained if possible, due to its contribution to the coherence and scale of the landscape. The proposal would therefore be visually contained within the curtilage of the property, there would be very little effect on landscape quality and the character of the Landscape Character Area which would be conserved. The application proposals are therefore in accordance with Policy RA10.

Draft Local Plan Proposed Submission (August 2016)

- 5.28 The emerging Local Plan was submitted for independent examination during May 2017 and therefore carries weight in the determination of planning applications.
- 5.29 The following emerging policies are considered to be of relevance.

Emerging Policy SP6 – Community Services and Facilities and Emerging Policy SADM 7 – New Community Services and Facilities

- 5.30 The Council will make sure that communities can easily access a range of community services and facilities by allowing for the expansion or enhancement of existing facilities to assist continuing viability and making sure that existing community facilities and services are improved to meet the day-to-day needs of new and existing residents.
- 5.31 As previously identified, the rationale for the proposed development is to expand the current hospital provision by providing the opportunity for patients to participate in group therapy, a necessary and stimulating part of each resident's care programme. The new facility accordingly meets with both emerging Policy SP6 and paragraph 70 of the NPPF.

Emerging Policy SP8 – The Local Economy

- 5.32 The Council will support economic prosperity, encourage inward investment and the creation of a range of jobs by ensuring that provision is made to meet the needs of business sectors that are already well represented in Welwyn Hatfield.
- 5.33 Elysium's specialist healthcare site at Rhodes Wood is the only inpatient facility within Hertfordshire that provides specialist eating disorder care. The ability for the applicant to continue to evolve and offer the necessary support that is stipulated by the NHS Commissioners is therefore of paramount importance.

Emerging Policy SP25 – Rural Development

- 5.34 In rural areas the Council will support countryside based enterprises and activities which contribute to rural economies and meet the principles of sustainable development. Limited infill development will be supported where these are compatible with their Green Belt location, the settlement strategy and the protection of critical assets. Moreover, the Council will seek to support the retention of local facilities and the provision of new facilities and infrastructure which are important to the social and economic well-being of rural communities.

Emerging Policy SADM 34 – Development within the Green Belt

- 5.35 Within the Green Belt planning permission will be granted for development in accordance with national policy and other policies in this plan.
- 5.36 An assessment of Green Belt is provided at Section 6 of this Statement.

Summary

- 5.37 In this section we have demonstrated that the proposed development accords with the strategic objectives and relevant policies of both the adopted and emerging development plans.
- 5.38 In weighing all these matters discussed above, as the Framework requires, it is accepted that the proposal would cause some Green Belt harm since the proposed development cannot be said to fall as a Green Belt exception. However, the position of the applicant

and the service they provide is that there are other considerations which clearly outweigh such harm by reason of inappropriateness, and any other harm.

- 5.39 Fundamentally, these are the benefits that would flow from the provision of an enhanced facility at Rhodes Wood Hospital. 'Very Special Circumstances' to justify the development therefore unequivocally exist, as explored in more detail at Section 6 of this Statement.

6 Green Belt and the Case for ‘Very Special Circumstances’

Introduction

- 6.1 It is acknowledged that the application scheme cannot be said to fall within the Green Belt exceptions, and thus what is proposed is initially inappropriate development (in accordance with paragraphs 89 and 90 of the NPPF).
- 6.2 It is asserted that the siting of the storage cabin within an existing enclosed plant/substation compound amounts to previously development land, and therefore means that this aspect of the proposal ought to be considered as a Green Belt exception (paragraph 89 of the NPPF).
- 6.3 The requirement to demonstrate VSC to justify Green Belt development is therefore triggered (NPPF Section 9 paragraph 87). Such special circumstances will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 6.4 Clarity over some of the principles around the consideration of VSC was given in the case of *R (Wildie) v Wakefield Metropolitan Borough Council*³ [sic] in 2013.
- 6.5 Stephen Morris QC outlines in paragraphs 29 and 30 of his Judgement:

“First, the correct approach to the very special circumstances test is to ask the following question (adapting the wording of §70 in [Doncaster Metropolitan Borough Council v Secretary of State for the Environment, Transport and the Regions [2002] EWHC 808 (Admin)] (as approved by Carnwath LJ in [Wychavon District Council v Secretary of State for Communities and Local Government [2008] EWCA Civ 692 [2009] PTSR 19] §26)):

Given that inappropriate development is by definition harmful, the proper approach [is] whether the harm by reason of inappropriateness and the further harm, albeit limited, caused to the openness and purpose of the Green Belt was clearly outweighed by the [countervailing benefit arising from the development] so as to amount to very special circumstances justifying an exception to the Green Belt policy.

Thus, in considering whether to allow development in the Green Belt, the decision maker must consider, first, the “definitional” harm arising from the inappropriate development as well as such further harm to the Green Belt as is identified as being caused by the development in that case, and then secondly consider countervailing benefits said to be served by the development; and then consider whether those benefits clearly outweigh the harm so as to amount to very special circumstances. Secondly, in order to qualify as “very special”, circumstances do not have to be other than “commonplace” i.e. they do not have to be rarely occurring. Thirdly, the test is not one of whether the harm to the Green Belt (definitional or specific) is

³ *R (Wildie) v Wakefield Metropolitan BC* [2013] EWHC 2769 (Admin)

“significant or unacceptable”, either for itself or following the balancing exercise.

I add that, whilst principally a case on the content of the “very special circumstances” test, Doncaster is also a case on the adequacy of the reasons given for a finding of very special circumstances. Although this is a case of an inspector’s decision and so does not directly relate to the Article 31 duty upon a local authority, nevertheless it does demonstrate the need for sufficient reasons so as not to be left in doubt as whether the very special circumstances test has been correctly applied: see Doncaster, §§74 and 75.”

6.6 In terms of the value that can be attributed to a ‘very special circumstance’, Mr Justice Sullivan clarified⁴ that:

“it is not necessary to show that each and every factor in itself amounts to a very special circumstance, but that the combination of circumstances, viewed objectively, is capable of being described as ‘very special’. A number of ordinary factors may when combined together result in something very special. That is a matter for the planning judgement of the decision-taker. I would nevertheless suggest that considerable weight should be placed on the words ‘viewed objectively’ in this context”.

6.7 A ‘very special circumstance’ cannot therefore be construed as one which is unique to the site or incapable of frequent repetition⁵.

6.8 In summary, the key points arising from these Judgements are:

- There are two elements of harm to be considered; the ‘definitional harm’ and the ‘further harm’ which the countervailing benefits need to outweigh to justify ‘very special circumstances’;
- ‘Very special circumstances’ do not have to be rarely occurring;
- The test is not whether the harm to the Green Belt is significant or unacceptable; and
- There are no prescribed elements which justify ‘very special circumstances’, however sufficient reasons are required to leave no doubt that the test has been correctly applied by the decision maker.
- Need not be one matter but a series of ordinary factors that have a cumulative value that is very special.

Very Special Circumstances

6.9 In this instance, the following important factors represent VSC’s:

- The proposed group therapy unit and ancillary outbuilding will support the continuation of Rhodes Wood Hospital as a key healthcare facility for children and adolescents with eating disorders.

⁴ Basildon DC v. FSS [2005] EWHC 942

⁵ Wychavon DC v Secretary of State for Communities and Local Government and K & L Butler [2008] EWCA Civ 629 Paragraphs 21 and 26 in particular

- Rhodes Wood Hospital is the only facility within Hertfordshire that provides an inpatient service for eating disorder care, for which there is an identified need for this type of therapy hub.
 - The care and treatment programme for individuals with eating disorders requires that both the physical consequences of the patients eating disorder, as well as the related underlying psychological and social elements, are treated. The provision of a purpose-built group therapy unit and outbuilding will therefore meet this identified need.
- 6.10 Without the correct type of help and support, an eating disorder can have a hugely damaging impact on an individual's physical and mental wellbeing, relationships and family life. Elysium recognise that in order to address disordered eating symptoms, individuals need a great deal of emotional support.
- 6.11 Elysium recognise that admission to hospital can be a particularly difficult time and they aim to help people feel as safe and supported as possible. Consultant-led teams of specialists provide treatment for all types of eating disorders such as Anorexia and Bulimia. The Care Programme Approach forms the basis of care planning and provides the opportunity to review the patient's progress during treatment.
- 6.12 At Rhodes Wood, young people are referred to the service from their local child and adolescent mental health services as well as paediatric wards. Referrals are predominantly made to the service at the point where a young person is considered to be physically compromised by their illness and at risk of their food restriction resulting in a fatality.
- 6.13 The treatment of this serious illness requires several key elements of care and treatment, this includes physical care and psychological therapies as well as practical support to eat.
- 6.14 The therapies provided include individual therapy, family based treatment and a range of group therapies. In order to treat the illness Elysium use therapies to help young people learn new ways of coping, manage anxiety and self-harming behaviours. Therapies are also used to explore relationship with food, help them focus on self-esteem, and create positive body image, whilst simultaneously working with their families to consider how to safely manage eating at home.
- 6.15 The technique employed at Rhodes Woof is to use a recovery based approach to help individuals identify areas in which they wish to make changes. Also helping in the development of coping strategies and practical skills to manage their eating disorders.
- 6.16 At the outset of admission, patients generally require a higher level of support and monitoring. The initial phase of any treatment focuses on stabilising the physical state and re-establishing a healthy eating plan.
- 6.17 During the first period, a higher level of medical monitoring, dietic advice and nursing support is likely to be necessary. Once stable, patients begin to make use of the variety of therapeutic sessions on offer. Typically, these involve taking on increased responsibility for eating, including group meal preparations and eating in challenging environments. Overnight leave is introduced when individuals are managing eating more independently and gradually periods of leave are extended.

- 6.18 Towards the end of treatment, supervision of meal times will be reduced, and plans are developed to integrate patients back to their home environment, including re-engaging with community mental health services.
- 6.19 The service at Rhodes Wood provides treatment for children and adolescents aged 8 – 18 years. The proposed therapy unit would therefore ensure appropriate space for continued treatment of young people in Elysium’s care.

Impact on Openness

- 6.20 The proposed building will occupy a small infill plot within the north-western corner of the hospital site. The therapy unit will be located adjacent to tennis courts to the south of the site and the boundary line of the application site to the north east. The proposed building would be located approximately 2.4 metres from existing buildings to the east. The proposed storage cabin is to be sited within a pre-existing plant/bin store compound and will therefore not be visible.
- 6.21 It is not considered that there would be a detrimental impact upon openness given the considerable scale and bulk of the existing building and the surrounding facility. Although it is acknowledged that there would be some infringement onto an undeveloped area in the case of the therapy unit, the proposal would not materially conflict with any of the purposes of the Green Belt, as set out at paragraph 80 of the NPPF.
- 6.22 Similarly, the proposed cabin is of an appropriate scale and size and would be appropriate for the proposed use as a storage area associated with the hospital. It is proposed to clad the cabin with timber, and this will have a positive impact on its visual appearance within the grounds of the hospital and will not be visible from any public vantage points particularly given where it is proposed to be sited.
- 6.23 We set out below our assessment of the application site against the five Green Belt purposes.

To check unrestricted urban sprawl

- 6.24 The application site is not adjacent to an urban area and therefore cannot be said to contribute to this purpose.

To prevent neighbouring towns merging

- 6.25 The application site is located in an isolated rural location outside of the nearest settlement boundary of Brookmans Park. The Green Belt designation covering Rhodes Wood does not serve the purpose of preventing neighbouring towns merging.

To assist in safeguarding the countryside from encroachment

- 6.26 Whilst it is accepted that there would be some minimal infringement on existing vacant land, it is important to have regard to the fact that the application site is within the grounds of the established hospital site. Beyond which lies an extensive tree belt boundary which will continue to act as a robust landscape buffer to the rural countryside to the north west.

- 6.27 Impact on the openness of the Green Belt is therefore limited by the context as part of a wider hospital site, whilst the scale, design and surrounding landscaping limit visual impacts.
- 6.28 Irrespective, the proposals must be determined in line with previous applications to develop and expand the facility. Most notably the adjacent new build 13 bed ward to the immediate north of Mymwood House which was ultimately deemed to be an acceptable addition on greenfield land in view of the Planning Inspectorate's assertion that VSC's will continue to exist providing that the use as a residential institution continues.

To preserve the setting and special character of historic towns

- 6.29 The application site does not lie within a Conservation Area, nor is it adjacent to one. An assessment against the historic character of the adjacent listed building is provided as Section 7 of this Statement.

To assist in urban regeneration by encouraging the recycling of derelict and other urban land

- 6.30 As previously acknowledged, the application site proposes development on a vacant infill greenfield plot set within the grounds of the hospital between clusters of existing structures associated with the care facility.

Summary

- 6.31 The proposed development would be in scale with existing adjoining development and would assist in complementing the development of the overall site without increasing its impact in terms of openness and purposes of the Green Belt. This view is supported by considerations of visual impacts on the Green Belt. The proposed building would be viewed entirely within the context of the existing adjacent buildings within the envelope of the hospital site. Due to the existing relationship between this land and the existing use, the scale of the proposal in this context and the existing tree belt along the north-western boundary, the visual impact is acceptable. The proposed design is of high quality, utilising a mix of materials on the facing elevations.
- 6.32 In view of the VSC's outlined and the absence of any other harm identified it is considered that the principle of development is acceptable when viewed in the context of maintaining Rhodes Wood's position as the region's key inpatient healthcare facility for children and adolescents with eating disorders.

7 Heritage Assessment

Introduction

- 7.1 This section of the Statement will describe the significance and impact of the development proposals on the Grade II listed Mymwood House and Lodge, located approximately 22m and 90m respectively, to the south of the application site.
- 7.2 This Heritage Assessment relates to the impact of the proposed development of a 132 sq. m single storey building on vacant land and a associated storage unit on previously developed land within the grounds of Rhodes Wood hospital.

Statutory Provision, Policy and Material Considerations

- 7.3 The current policy system identifies, through the NPPF, that assessments such as this should consider the potential impact of development on heritage assets.
- 7.4 In this section, we consider the basis for determination of this application on heritage grounds, starting with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 7.5 The Council will be familiar with this provision, which requires the decision maker to pay special regard, in the exercise of planning powers, to the desirability of preserving the setting of a listed building. The Act states:

“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.”

- 7.6 Preservation in this context means the avoidance of harm.
- 7.7 This objective is one of considerable weight and importance, and the particular approach to be taken in discharging this duty has been clarified by the Court of Appeal in the 2014 ‘Barnwell Manor’ case. This Judgement confirms that any development in the setting of a listed building which causes harm to that building’s significance requires clear and convincing justification.
- 7.8 Section 12 of the NPPF, entitled ‘Conserving and enhancing the historic environment’ provides guidance for planning authorities, property owners, developers and others on the conservation and investigation of heritage assets. Overall, the objectives of Section 12 of the NPPF can be summarised as seeking the:
- Delivery of sustainable development;
 - Understanding the wider social cultural, economic and environmental benefits brought by the conservation of the historic environment;
 - Conservation of England’s heritage assets in a manner appropriate to their significance; and

- Recognition of the value that heritage makes to our knowledge and understanding of the past.

7.9 Section 12 of the NPPF recognises that intelligently managed change may sometimes be necessary if heritage assets are to be maintained for the long term. Paragraph 128 states that planning decisions should be based on the significance of the heritage assets, and that the level of detail supplied by an applicant should be proportionate to the importance of the asset and should be no more than sufficient to review the potential effect of the proposal upon the significance of that asset.

7.10 Heritage assets are defined in Annex 2 of the NPPF as:

“A building, monument, site, place, area or landscape positively identified as having a degree of significance meriting consideration in planning decisions.”

7.11 They include designed heritage assets (as defined in the NPPF and including Listed Buildings) and assets identified by the Local Planning Authority.

7.12 Significance is defined in Annex 2 of the NPPF as:

“The value of a heritage asset to this and future generations because of its heritage interest. This interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting.”

7.13 Paragraph 132 in Section 12 of the NPPF emphasises the importance of conserving heritage assets and that harm or loss to a heritage asset requires clear and convincing justification. It is noted within this paragraph that significance can be harmed or lost through the alteration or destruction of the heritage asset or by development within its setting. Paragraph 134 states that where less than substantial harm is proposed to a designated heritage asset, the harm should be weighed against the public benefits of the proposal.

7.14 In short, Government policy provides a framework which:

- Protects nationally important designated heritage assets;
- Protects the settings of such designations; and
- In appropriate circumstances seeks adequate information (from desk-based assessments and where necessary field evaluation) to enable informed decisions.

7.15 With reference to Section 66(1), it is acknowledged that this is often expressed negatively i.e. the avoidance of harm. It follows however, that this duty should be discharged in the same terms in relation to works which enhance the special interest of a listed building by development in its setting. Thus, great weight should be attached to development which improves some aspect of a historic building’s significance including our ability to appreciate that value from within its setting.

7.16 The full discharge of this duty requires a judgement to be taken on the balance of all benefits, harmful and beneficial.

Emerging Policy SADM15 – Heritage

7.17 Proposals which affect designated heritage assets and the wider historic environment should consider the following:

- The potential to sustain and enhance the heritage asset and historic environment in a manner appropriate to its function and significance.
- Successive small-scale changes that lead to a cumulative loss to the significance of the asset or historic environment should be avoided.
- Proposals should respect the character, appearance and setting of the asset and historic environment in terms of design, scale, materials and impact on key views.
- Architectural or historic features which are important to the character and appearance of the asset (including internal features) should be retained unaltered.
- The historic form and structural integrity of the asset are retained; and
- Appropriate recording of fabric or features that are to be lost or compromised takes place.

7.18 Emerging Policy SADM15 goes on to assert that proposals resulting in less than substantial harm to the significance of a designated heritage asset will be refused unless the need for, and benefits of, the development in that location outweigh the harm and the desirability of preserving the asset, and all feasible solutions to avoid and mitigate that harm have been fully implemented.

Historic England Guidance: GPA 3 “The Setting of Heritage Assets” (May 2015)

7.19 Historic England has in recent years, since the introduction of the NPPF in 2012, produced three Good Practice Advice Notes: GPA 1 (The Historic Environment in Local Plans), GPA 2 (Managing Significance in Decision Taking in the Historic Environment) and GPA 3 (The Setting of Heritage Assets), this latter is the most recent. Their stated purposed is:

“to provide information on good practice to assist local authorities, planning and other consultants, owners, applicants and other interest parties in implementing historic environment policy in the NPPF and the related guidance given in the NPPG.”

7.20 GPA 3 advises a staged approach to assessing whether, how and to what degree development in the setting of a listed building causes harm to its significance.

7.21 The stages are broadly:

- Identify the heritage asset and its significance;
- Consider the contribution setting makes to that significance or to the appreciation of that significance;
- Assess the impact on significance; and
- Consider the steps taken to minimise harm and maximise benefit.

7.22 This guidance outlines that the extent of setting embraces all of its surroundings from which an asset can be experienced. It also makes clear that settings of heritage assets do not have fixed boundaries, and elements of a setting may have a positive or negative contribution to the significance of the asset. Key principles to assessing setting are contained in pages 2-5 of the document and provide clear guidance to setting and significance.

Identified Heritage Assets

7.23 There are two listed buildings within proximity of the application site, Mymwood House and Mymwood Lodge (Figure 7.1).

Figure 7.1 Designated Heritage Assets



7.24 Figure 7.1 above illustrates the following designated heritage assets:

- Mymwood House Grade II (List Entry 1100985; and
- Mymwood Lodge Grade II (List Entry 1174086).

Mymwood House Listing Description

*“Brookmans Park TL 20 SE NORTH MYMMS SHEPHERD'S WAY
(north side)*

12/266 Mymwood School, formerly Mimmwood 26.10.83

House. Circa 1820, converted to school 1932. C17 timber frame bay at NE corner. Alterations c.1840 and C20. Painted stucco. Slate roofs. Square plan, the 2-storey parts forming H shape. Entrance elevation is 1:4:1 windows, the left and right projections with bracketed eaves. Recessed sash windows. Central conservatory with 3 windows and

modillioned porch on left. 7-window W elevation of c.1840 continues bracketed cornice band. Ground and 1st floor windows with moulded frames, central one pedimented. Interior has square entrance hall with mutule cornice and circular field with bay leaf surround. The N side has passage marked by side Doric columns. Most doorcases of ground and 1st floors intact. Rear central cast iron staircase with palmette features.

Listing NGR: TL2643803838”

Mymwood Lodge Listing Description

*“Brookman's Park TL 20 SE NORTH MYMMS SHEPHERD'S WAY
(north side)*

12/267 Mymwood Lodge

Lodge. C1840. Single storey lodge to Mymwood School. Painted stucco. Slate hipped roof. L-shape. Forward projecting left part has central 4-panel door with plain hood on large curved brackets. 1 8/8-pane recessed sash window each side, and another in right hand part. Tall central stack. Included for group value.

Listing NGR: TL2640603780”

- 7.25 The proposed building would be located within the setting of both of these designated heritage assets. Pre-application correspondence with the Council confirmed this view.

Historic Mapping Survey

- 7.26 A selection of historical maps is presented in Appendix One, including early Ordnance Survey (OS) maps.
- 7.27 Early OS maps from the 1800s illustrate the application site as falling within the north-western grounds of Mymwood House, with an associated lodge house fronting Shepherds Way. The 1868 OS map clearly depicts ‘Mimwood House’ as being entirely screened by dense vegetation and trees to the extent that only the lodge house was visible from the road side. The gardens to the side and rear of Mymwood House were generally more manicured and maintained, illustrated by formal lawns and paths, as would have been expected for a property of this nature.
- 7.28 The second OS map insert, taken from 1896, illustrates that a large extent of tree coverage and landscaping appears to have been removed, principally on the approach to the house. Subsequent evidence taken from 1919 and 1938 shows that the development footprint remained the same and there was no change to the site in subsequent coverage up to 1957 when the building came to be operated as a boarding school from the mid-1930s.

Site Survey and Setting Assessment

- 7.29 The site visit and setting assessment was carried out on 30th October 2017. The weather was dry and bright, allowing for good visibility of the site and its surroundings. Due to the nature of the facility, access to the interior of the listed building was restricted, however given the nature of the proposals it was not considered necessary to enter Mymwood House in any event.
- 7.30 The proposed single storey development is situated to the north west of Mymwood House, in a small infill corner which is currently turfed amenity space. Evidence from the historic mapping indicates that this triangular plot of land originally formed part of the gardens for the house with a robust vegetation boundary beyond. Immediately south, and fronting Mymwood House's imposing Italianate façade is a comparatively recent all-weather sports area/tennis court that is enclosed by a tall chain linked fence.
- 7.31 As previously discussed elsewhere in this Statement, the development area is bounded by a substantial tree line to the north, west and south which follows the historic estate boundary. From within the site, views towards the rural countryside beyond are entirely constrained and completely screened. Internally views of Mymwood House as the principal building dominate, and therefore the proposed development will have a very slight impact on its setting. Whilst there will be some measured change and less than substantial harm this must be considered against the adjacent tennis court and recent ward extensions to the immediate north, previously permitted in order to ensure the continued enhancement of the hospital as a leading example of critical inpatient care.
- 7.32 Such less than substantial harm must be weighed against the clear and convincing public benefits of the scheme as follows:
- The proposed group therapy unit will support the continuation of Rhodes Wood Hospital as a leading specialist health care use.
 - Rhodes Wood Hospital is the only facility within Hertfordshire that provides an inpatient service for eating disorder care, for which there is an identified need for this type of therapy hub.
 - The care and treatment programme for individuals with eating disorders requires that both the physical consequences of the patients eating disorder, as well as the related underlying psychological and social elements, are treated. The provision of a purpose-built group therapy unit will therefore meet this identified need.
- 7.33 The design of the proposals seeks to ensure that they remain subordinate to the principal heritage area and is therefore not considered to be overly intrusive and will not detract from any heritage value.
- 7.34 Despite Mymwood House's conversion into a care home, and boarding school before that, the Grade II listed building, and associated lodge house, has a strong historical character that is considered to be of high heritage value. The proposed development site will not have a physical impact upon the fabric of the listed buildings. The proposed development will have minimal impact upon the outward views from Mymwood House. Views towards the development must be read in connection with the comparatively recent extensions and additions. The proposed development will have no impact on views towards the house from the surrounding countryside as the development is screened by landscaping. Therefore, the development will result in a neutral significance of effect.

Summary

- 7.35 This Heritage Assessment considers the significance and impact of the development proposals on the Grade II listed Mymwood House and Lodge. This Statement relates to the impact of the proposed erection of a 132 sq. m single storey building for the purposes of providing a group therapy suite, and associated ancillary storage unit, for existing patients associated with the hospital.
- 7.36 The Grade II listed buildings will not be physically impacted upon by the proposed development. Furthermore, the integrity of the estate will be maintained given that the new building will not be viewed from outside of the hospital confines.
- 7.37 It is considered that the location, form and position of the development will not undermine appreciation of the asset in its context.
- 7.38 In conclusion, for the reasons discussed above, it is taken that the special interest of the listed building is preserved such that the application discharges the Section 66(1) duty. Accordingly, all consequent NPPF policy is satisfied.
- 7.39 There are therefore no sustainable reasons to refuse the application on heritage grounds, particularly when considered in line with the clear public benefits as advocated at Paragraph 134 of the NPPF.

8 Summary and Conclusions

Overview of Application Proposals

- 8.1 This Planning and Heritage Statement has been prepared on behalf of Elysium Healthcare in support of an application for full planning permission on a vacant parcel of land within the grounds of the Rhodes Wood Hospital at Shepherds Way, Hatfield, Hertfordshire AL9 6NN.
- 8.2 The application is for full planning permission to erect a single storey modular storage cabin (30sq. m) and detached unit within the grounds of the existing hospital for the purposes of providing a group therapy centre for existing patients, measuring approximately 132 sq. m GIA. The new building incorporates three group rooms, a therapy room, staff room, kitchen, bathroom and boardroom and is proposed to be located to the north east of the site.
- 8.3 We have described the application site and the proposed development, and have explained how the scheme accords with relevant national and local planning policies. We have demonstrated that the site is a suitable and appropriate location for the expansion of the residential healthcare facility.
- 8.4 Importantly, regard must be had to a previous Inspector's appeal decision from 2005⁶ which found that there were clear VSC's to allow an appropriately designed addition to the healthcare facility, provided it would continue to fall within Class C2 use. During the determination of recent planning applications since the Inspector's ruling, the Council have consistently acknowledged this as a credible VSC.
- 8.5 The salient point remains that such a clear, and previously acknowledged, VSC will continue to be applicable in this case. As previously advised, the purpose of the small extension is designed solely to develop and enhance group therapy for the benefit of existing patients in accordance with their identified care pathway.

Overall Conclusion

- 8.6 The development will result in a number of benefits for the Borough, including:
- The proposed group therapy unit will support the continuation of Rhodes Wood Hospital as a specialist health care use.
 - Rhodes Wood Hospital is the only facility within Hertfordshire that provides an inpatient service for eating disorder care, for which there is an identified need for this type of therapy hub.
 - The care and treatment programme for individuals with eating disorders requires that both the physical consequences of the patients eating disorder, as well as the related underlying psychological and social elements, are treated. The provision of a purpose-built group therapy unit will therefore meet this identified need.

⁶ APP/C1950/E/05/1185357 and APP/C1950/A/05/1183989

- 8.7 It is asserted that the above present a clear and compelling suite of scheme benefits, which when taken as a whole tip the balance of acceptability.
- 8.8 We stress the importance of emphasising the significant benefits of this proposal in the planning balance exercise. Accordingly, we conclude that the application is appropriate and suitable and should be supported.

Appendix One

Historic Maps

8.9 Source: www.oldmapsonline.org/en/Hertfordshire

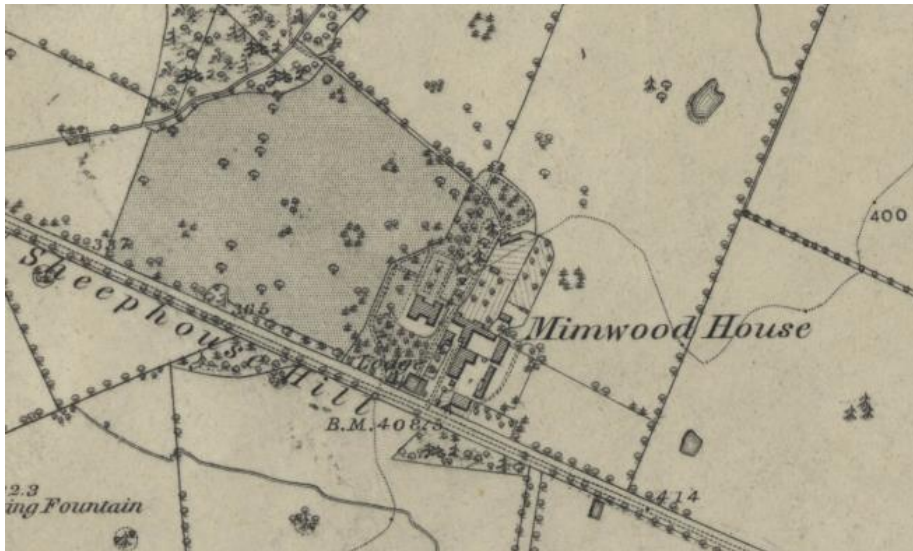


Figure 1 OS Six-inch England and Wales 1868



Figure 2 OS Six-inch England and Wales 1898



Figure 3 OS Six-inch England and Wales 1919

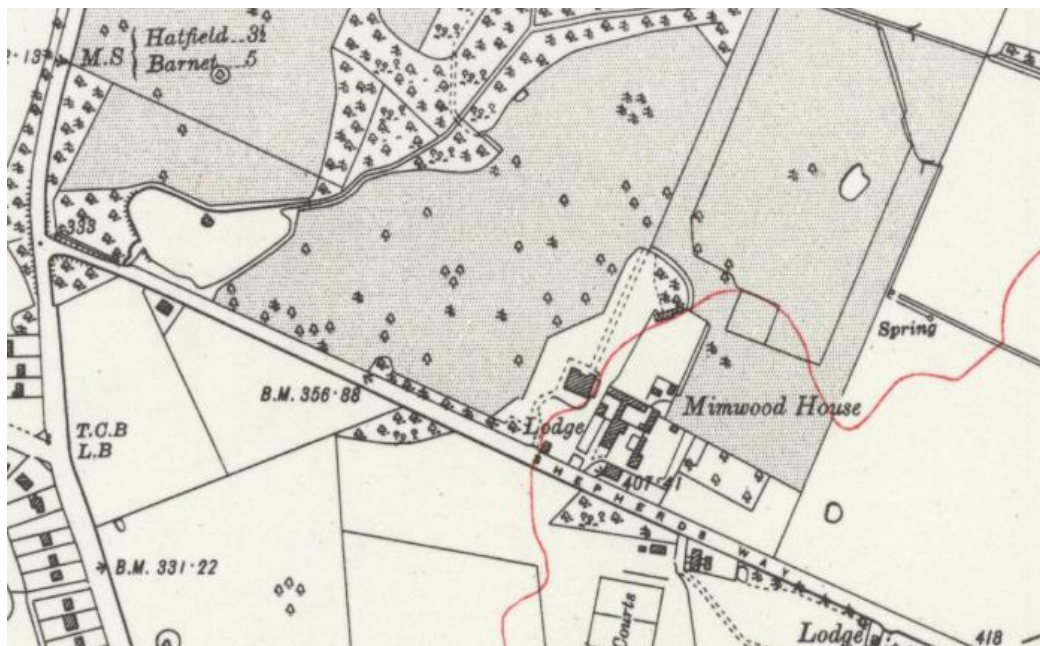


Figure 4 OS Six-inch England and Wales 1938

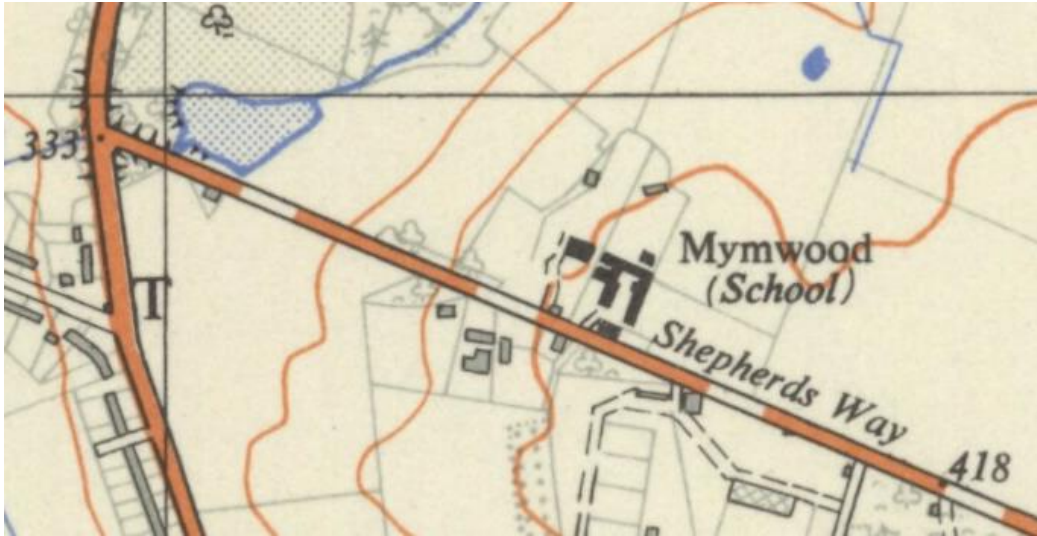


Figure 5 OS 1:25000 Maps of Great Britain 1957