



Historic England

Ms Emma Pickernell
Cheltenham Borough Council

Direct Dial: 0117 9750742

12th May 2020

Dear Ms Pickernell

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

**Land Adjacent To Oakhurst Rise Cheltenham Gloucestershire
Application No. 20/00683/OUT**

Thank you for your letter of 1st May 2020 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

Summary

We consider the open green space of the application site to contribute significantly to the setting of the Grade II* listed Ashley Manor. Historic England objects to the proposed development and considers the quantum, location and screening of the development would result in harm to heritage significance, as defined by its setting.

Historic England Advice

While we have rehearsed the significance of Ashley Manor and its setting at the time of the 2017 and 2018 applications, we consider it appropriate, as a reminder, to repeat our own assessment of those aspects of setting that contribute to heritage significance.

The villa at St Edwards School, known most recently as Ashley Manor, was built for Nathaniel Hartland (the single most important lender of money to builders in the Pittville development in Cheltenham). Its list description describes it as 'One of the finest villas in the Cheltenham area, its internal plasterwork is a particular feature for its diversity, depth and quality of composition.' The original approach to the house is from London Road to the south; the sinuous tree-lined drive remains largely unaltered. The Grade II listed boundary walls and gate piers (marking the entrance from London Road), and further into the grounds, the Grade II summerhouse and drive piers to the surviving carriage sweep are all remnants of this high-status, grandiose villa-house ensconced within its generous parkland setting. Indeed, the topography of the site is significant; the land rises markedly from south to north, which would have been a conscious motive for siting this 'villa' style dwelling



29 QUEEN SQUARE BRISTOL BS1 4ND
Telephone 0117 975 1308
HistoricEngland.org.uk





overlooking the town. This 19th century revisiting of ancient Classical-inspired villas was heavily influenced by Andrea Palladio's work of the 16th century. Palladio's villa suburbana (country houses purely for residential or leisure as opposed to agriculture), in particular the Villa Rotunda, gave rise to a vast tradition in villa architecture; these formative dwellings were conceived with a close relationship to their location. Of Villa Rotunda, Palladio wrote 'the site is as pleasant and delightful as can be found; because it is upon a small hill...it is encompassed by the most pleasant risings...and therefore...enjoys the most beautiful views from all sides'. The building rises out of the landscape and so does Ashley Manor in this very nature. So, whilst the principal elevation faces southwards, the siting of this villa, within its extensive, rising grounds is of, arguably, equal significance. Ashley Manor is designated as Grade II*, and as such is in the top 8% of listed buildings. Therefore, greater weight should be given to its conservation. The National Planning Policy Framework (NPPF) defines 'conservation' as 'the process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance'.

We acknowledge that significant modern additions (large school-related buildings, as well as landscape features such as the blue-topped playing surfaces) have eroded the historically isolated setting of Ashley Manor. Notwithstanding, the house (and associated school buildings) remains positioned within the extent of its historical grounds and the application site forms a key green buffer between the villa and later development to the north. The application site is clearly associated, historically, with the villa and that grounds of this extent would be expected with a high-status property.

Following the refusal of applications in 2017 and 2018 for 90 and 69 units respectively, the revised outline application proposes a further reduction in dwelling numbers to 43 units on the site north of Ashley Manor. The area proposed for development is now pushed towards north-western corner of the site and would include a wide planted screen to the south of the proposed built development. This represents a less intensive form of development of the site than the previously schemes. However, we still consider that the severance of the setting of Ashley Manor and the encroachment of development and associated landscaping towards the Grade II* building is harmful and an unacceptable quantum and form of development.

The most recent refusal (18/02171/OUT) was dismissed at appeal during the period of examination of the Cheltenham Plan, with particular reference to allocation site HD4 (the application site). During inquiry, the Examination Inspector issued post-Hearing advice requiring an amendment to the development boundary in order to safeguard the setting of listed buildings. However, at this time, the Examination Inspector had not agreed the Main Modification for public consultation and the appeal against the refusal of the 2028 application was determined on that basis. When considering the Planning Inspector's comments in the appeal decision in 2018, the importance of the application site to the setting of the Grade II* building





was reached by taking a range of viewpoints, including those from principal rooms in Ashley Manor. The Inspector stated that there is *'an historic and visual association between the appeal site and Ashley Manor and a strong visual interrelationship between the site and Charlton Manor. In terms of the relevant guidance to which I refer above, I consider that the appeal site, with the Ice House it encompasses, contributes importantly to the historic and current visual setting of both these listed buildings, as designated heritage assets..... Moreover, the site, rising to the north, provides a green backdrop to the Manor in distant views (Viewpoint 1 in the Landscape and Visual Assessment.'* This enforces our continued view that it is the entire application site which makes an important contribution to the setting of the Grade II* building and not just the areas closest to it.

In terms of proposed tree planting as means to screen the development and mitigate the visual impact, the Appeal Decision makes comment on the proposed screening along the southern boundary to the site. The Inspector comments that *'by avoiding built development in the southernmost part of the site, the amended layout mitigates to some extent the effect of the proposed development on the setting of the west-facing, former Ashley Manor House and its surrounding associated buildings and carriage drive. However, the proposed introduction of new landscape planting, screening that boundary, would obstruct the relationship of the Manor to this part of its setting.'* The revised application has removed the new planting shown along the northern side of this boundary on the dismissed scheme. However, a significant tree belt is proposed within a few metres of the boundary which would effectively divorce the visual connection between the carriageway approach to the west elevation of Ashley Manor and its open, green setting beyond. This impact may be demonstrated by some additional analysis of the view presented in Plate 7 (in addition to others) in the Heritage Impact Assessment. We remain very concerned over the visual severance of the open land to the north of Ashley Manor.

We understand that subsequent to the Cheltenham Local Plan Inquiry, the Examination Inspector's report of 17th March 2020 approves the Main Modification for HD4: A minimum of 25 dwellings, subject to masterplanning (in accordance with Policy SD4 of the JCS) which demonstrates that development can be achieved whilst accommodating: A layout and form of development that respects the character, significance and setting of heritage assets that may be affected by the development. We understand that following the Inspector's Report, the council have yet to formally adopt the Cheltenham Plan at this time.

While we acknowledge the emerging housing allocation for this site, it must respect the setting of heritage assets. We do not consider that the current proposals achieve an acceptable level of respect to the setting of heritage assets. We therefore advise that significant adjustments are made to demonstrate how allocation HD4 can be delivered in a way that the setting is not harmed to this extent.

Central to our consultation advice is the requirement of the Planning (Listed Buildings and Conservation Areas) Act 1990 in Section 66(1) for the local authority to





“have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest which it possesses”. When considering the current proposals, in line with Para 189 of the NPPF, the significance of the asset’s setting requires consideration. Para 193 states that in considering the impact of proposed development on significance great weight should be given to the asset’s conservation and that the more important the asset the greater the weight should be. Para 194 goes on to say that clear and convincing justification is needed if there is loss or harm.

When considering development that has been identified to affect setting, Historic England’s guidance (Historic Environment Good Practice Advice in Planning - Note 3. The Setting of Heritage Assets) should be referred to.

Recommendation

Historic England objects to the application on heritage grounds. We consider that the application does not meet the requirements of the NPPF, in particular paragraph numbers 193 and 194. .

In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine planning applications in accordance with the development plan unless material considerations indicate otherwise.

Your authority should take these representations into account in determining the application. If you propose to determine the application in its current form, please inform us of the date of the committee and send us a copy of your report at the earliest opportunity.

Yours sincerely



Stephen Guy
Inspector of Historic Buildings and Areas
E-mail: stephen.guy@historicengland.org.uk