

**Oakhurst Rise, Charlton Kings, Cheltenham
Planning Application Ref: 20/00683/OUT**

Proof of Evidence to the Public Inquiry

HERITAGE

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February 2021

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I. INTRODUCTION

- I.1 My name is William Holborow, BA, BArch, ARB, MA (Conservation Studies), CAABC, IHBC. I am an Associate and Senior Heritage Consultant at Purcell, a (UK) national architectural practice specialising in work to historic buildings. I am registered with the Architects Registration Board (ARB), a member of the Institute of Historic Building Conservation (IHBC) and a Consultant Architect Accredited in Building Conservation (CAABC).
- I.2 Following qualification as an architect I have worked in conservation and heritage for over thirty years. After working for a number of local authorities I spent almost twenty years at English Heritage / Historic England, including ten years as Head of the Government Historic Estates. I have written numerous reports and guidance notes published by English Heritage/ Historic England.
- I.3 For the past five years I have worked as a Senior Heritage Consultant with Purcell, a national architectural practice. My work involves the detailed analysis of heritage assets – ranging from buildings and monuments to archaeology and landscapes. I am frequently commissioned to prepare assessments of the significance of heritage assets and to assess the impacts of development upon them, both positive and negative, in line with the National Planning Policy Framework and other relevant policies and guidance.
- I.4 I was appointed by Cheltenham Borough Council in December 2020 to provide specialist heritage advice with regard to this appeal. I visited the development site and surrounding area on 11th December 2020, including the setting of Ashley Manor and inspected the interior and exterior of Charlton Manor.
- I.5 In accordance with the Architects Code: Standards of Professional Conduct and Practice, I have exercised impartial and independent professional judgement in preparing my advice on this case. Equally, my advice is governed by the IHBC Code of Conduct which dictates that IHBC Members should act with competence, honesty and integrity, providing informed professional advice on behalf of the historic environment.

2 AIMS AND SCOPE OF THIS PROOF

- 2.1 This Proof of Evidence has been prepared for the Public Inquiry into the outline planning application (20/00683/OUT) ('the Application') registered on 29th April 2020. It references application documents submitted in support of the planning application, amendments to the planning application, including the revised site plan PL005 Rev C, and further evidence submitted to this Inquiry. This Proof of Evidence has had regard to the findings of the Inspector's Report dated 20th September 2019 into the previous planning application (18/02171).
- 2.2 The Application was made in outline and supported by a range of reports, including a Heritage Impact Assessment (HIA) report dated April 2020 by Grover Lewis, the Appellant's heritage consultant. The HIA report provides a detailed analysis of identified heritage assets in and around the development site, including Ashley Manor (Grade II*) and Charlton Manor (Grade II).
- 2.3 A Statement of Common Ground on heritage matters has been agreed with Grover Lewis Associates Ltd. In this proof of evidence I will not replicate information in this Statement, nor in the Council's Statement of Case, but will concentrate on those matters that are not agreed.
- 2.4 The principle matters which are not agreed are confirmed in Section 4 of the Statement of Common Ground on heritage matters. They concern:
- Whether the form of development complies with the policies of the development plan (in particular Cheltenham Plan Policy HD 4 and Joint Core Strategy Policy SD8).
 - Whether the layout and form of development respects the character, significance and setting of heritage assets that may be affected by the development.
 - Whether the proposal has special regard to preserving the affected listed buildings as required by Section 66(1) of the Planning (Listed Buildings and Conservation Area) Act 1990
 - Whether the proposal would sustain or enhance these heritage assets, as required by paragraphs 192 to 196 of the NPPF.

- 2.5 A separate proof of evidence in respect of general planning matters is being prepared by Robin Williams of Asbri Planning Limited Environmental, Planning and Development Consultants.

3 STATUTORY PROVISIONS, PLANNING POLICY AND GUIDANCE

- 3.1 The relevant statutory provisions are contained in the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990. These matters are explained in the Statement of Common Ground, paras 2.2 – 2.4.

- 3.2 The Development Plan policies

The local planning policy context is explained in the Statement of Common Ground, paras 2.7 – 2.8. This includes reference to the Cheltenham Local Plan (2011-2031) which was adopted in July 2020.

- 3.2.1 Joint Core Strategy for Gloucester, Cheltenham and Tewkesbury 2011-31

Policy SD8 (Historic Environment) is relevant to this appeal and is explained in the Statement of Common Ground, para 2.6.

- 3.2.2 Cheltenham Borough Council Local Plan 2011-31

The Cheltenham Plan was adopted by the Borough Council on the 20 July 2020. It contains Policy HD 4 (Land off Oakhurst Rise) which is of critical relevance to this Appeal as it sets out clear criteria which proposals for development should meet. These are reproduced in Appendix A. The criteria of relevance to heritage assets are explained in the Statement of Common Ground, para 2.7.

- 3.3 The National Planning Policy Framework (NPPF), as revised 2019

The relevance of the NPPF Paragraphs 189, 190, 193, 194 and 196 is confirmed in the Statement of Common Ground, para 2.8. In addition Paragraph 192 of the NPPF is relevant. It states that in determining planning applications, local planning authorities should take into

account, inter alia, of ‘the desirability of new development making a positive contribution to local character and distinctiveness.’

At Paragraph 193, the NPPF advises that:

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

Where potential harm to designated heritage assets is identified, it needs to be categorised as either less than substantial harm or substantial harm (which includes total loss) in order to identify which policies in the National Planning Policy Framework (Paragraphs 194-196) apply.

It is common ground that the development should be categorised having less than substantial harm on heritage assets.

Paragraph 200 of the NPPF states that ‘Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.’

The Glossary of the NPPF (Appendix 2) defines the setting of a heritage asset thus:

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.

3.4 Planning Practice Guide

The Planning Practice Guide, Paragraph 13, considers the question: *What is the setting of a heritage asset and how can it be taken into account?* It advises that:

All heritage assets have a setting, irrespective of the form in which they survive and whether they are designated or not. The setting of a heritage asset and the asset's curtilage may not have the same extent.

The extent and importance of setting is often expressed by reference to the visual relationship between the asset and the proposed development and associated visual/physical considerations. Although views of or from an asset will play an important part in the assessment of impacts on setting, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust, smell and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places. For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each.

The contribution that setting makes to the significance of the heritage asset does not depend on there being public rights of way or an ability to otherwise access or experience that setting. The contribution may vary over time.

3.5 Historic England guidance on setting

The Statement of Common Ground confirms the relevance of Historic England's Good Practice Advice Note 3: *The Setting of Heritage Assets* 2nd edition 2017.

Under paragraph 36, on p.13, the Advice Note includes a checklist of the potential attributes of a development affecting setting that may help to elucidate its implications for the significance of the heritage asset. These attributes include:

- Dimensions, scale and massing
- Proportions
- Architectural and landscape style and/or design
- Change to built surroundings and spaces
- Change to general character

Paragraph 40 of the Advice Note considers the issue of screening and advises that:

As screening can only mitigate negative impacts, rather than removing impacts or providing enhancement, it ought never to be regarded as a substitute for well-designed developments within the setting of heritage assets.good design may reduce or remove the harm, or provide

enhancement. Here the design quality may be an important consideration in determining the balance of harm and benefit.

3.6 National Design Guide

National guidance on what constitutes good design is explored in the National Design Guide, published by the Ministry of Housing, Communities and Local Government in 2019 and endorsed in the National Planning Practice Guide. This sets out ten considerations which should influence the masterplanning of a development site. The following extracts from the Guide are especially pertinent to this case:

Paragraph 47:

Well-designed places and buildings are influenced positively by:

- *the history and heritage of the site, its surroundings and the wider area, including cultural influences;*
- *the significance and setting of heritage assets and any other specific features that merit conserving and enhancing;*
- *the local vernacular, including historical building typologies such as the terrace, town house, mews, villa or mansion block, the treatment of façades, characteristic materials and details*

Paragraph 52:

'Well-designed new development is influenced by an appreciation and understanding of vernacular, local or regional character, including existing built form, landscape and local architectural precedents'

Paragraph 68:

'Street types will depend on establishing an appropriate relationship with the pattern, sizes and proportions of existing streets in the local area.'

4.0 HERITAGE ASSETS LIKELY TO BE AFFECTED BY THE DEVELOPMENT

4.1 Relevant heritage assets

As agreed in the Statement of Common Ground, the designated heritage assets relevant to this appeal are:

- Ashley Manor (Grade II*), also referred to as the school administration block. List entry number 1386540.
- the Grade II listed pair of drive piers. List entry number 1386640.
- the Grade II listed summerhouse of St Edwards School. List entry number 1386641.
- Charlton Manor (Grade II). List entry number 1386539.

Two other non-designated assets are:

- The icehouse situated within the development site is described in the Planning Officer's report as a 'curtilage listed building'.
- Glen Whittan is noted in the Heritage Statement of Common Ground as a non-designated heritage asset.

4.2 Historical development and significance of the heritage assets

4.2.1 Ashley Manor

The history, development and heritage significance of Ashley Manor is set out in the Statement of Common Ground at paras 3.4 – 3.8. A key point to note is its listing at Grade II*. This places it in a category of listed buildings of more than special interest. Grade I and Grade II* buildings are the two highest categories of listing and account for about 6% of all listed buildings.

4.2.2 Charlton Manor

The history, development and heritage significance of Charlton Manor is set out in the Statement of Common Ground at paras 3.9 – 3.13. The special interest architectural or historic of the building is recognised by its listing at Grade II.

4.2.3 Ice House

The ice house is located on the eastern portion of the site and visible in the form of a pronounced mound, overgrown with vegetation and mature trees. The exact form of the structure and its condition is unknown.

4.2.4 Glen Whittan

Glen Whittan is a large detached brick-built house overlooking the west side of the development site. It was constructed sometime between 1903 and 1923 since it first appears on Ordnance Survey mapping of 1923. It is agreed to be a non-designated heritage asset.

4.3 Setting of the designated heritage assets

4.3.1 Setting of Ashley Manor

The setting of Ashley Manor is confirmed in the Statement of Common Ground at paras 3.7 where it is agreed that the setting of Ashley Manor includes the appeal site and, to some extent, the wider landscape beyond.

The Inspector at the previous inquiry concluded at para 70 of the decision notice that *'The appeal site was historically and remains in the same ownership as Ashley Manor. Although the land evidently was never part of the managed parkland of the Manor, it had a functional relationship with the Manor as farmland, and as the location of its Ice House, which survives as an historic feature.'*

4.3.2 Setting of Charlton Manor

The setting of Charlton Manor is confirmed in the Statement of Common Ground at para 3.12 where it is agreed that the setting of Charlton Manor includes the appeal site and, to some extent, the wider landscape beyond.

5.0 ASSESSMENT OF THE PROPOSED DEVELOPMENT

5.1 Description of the proposed layout

The proposed layout as shown on the application drawing PL05 Revision C is for 43 dwellings.

It can be considered in three divisions:

- The western section of the proposed development is bordered by the rear of houses in Oakhurst Rise on the west and by a belt of existing woodland on its east side. The layout shows nine semi-detached dwellings in this area and a further block of three dwellings (nos.33, 34 & 35) positioned on the line of the belt of woodland. In total there are 21 dwellings in this area.
- The eastern section of the proposed development is bordered by the existing belt of woodland on the west side and by a proposed new curving belt of tree planting on the south and east sides. The layout shows five detached houses, four pairs of houses and three blocks of three dwellings each. In total there are 22 dwellings in this area.
- To the south and east of the proposed new curving belt of woodland, the site is shown undeveloped other than a proposed attenuation pond near the southern boundary. This area includes the existing ice house.

The outline application includes access, layout and scale, with all other matters reserved for future consideration.

5.2 Assessment of the layout and built form

5.2.1 Road layout. A single road access is proposed from Oakhurst Drive. The proposed road layout curves through the scheme ending in a hammer-head close to the northern boundary and with two culs-de-sac on the south side of this access road terminating in turning circles. The character of this road layout is more reflective of post-war suburban development in Oakhurst Rise on the western boundary of the site than the more spacious character of the Battledown Estate which borders the northern and eastern boundary.

5.2.2 Built form. As noted above, the proposed houses are a mixture of detached, semi-detached and short terraces of houses, all of two storeys. The house plots range considerably in size from the smallest (Plot No.2) to the largest (Plot No.14). The frontages are set close to the

back of pavement line – typically set back by the length of a parking space. In some plots (Nos. 22 – 29) are shown very close – approximately one metre from the back of pavement. This type of layout is more reflective of post-war suburban development than the more spacious character of the Battledown Estate where detached houses, including the designated heritage assets, are set back from adjacent roads to a much greater extent.

- 5.2.3 **Parking.** The majority of the allocated parking places are placed either directly in front of the dwelling or immediately beside. Visitor parking is placed in bays parallel to the main access road. Thus the appearance of the development is likely to be dominated by parked vehicles giving it a post-war urban feel in contrast to the adjoining development in Battledown where parking is not visually dominant and where buildings are surrounded on all sides by garden land.
- 5.2.4 **Density.** Although the overall density of development is relatively low when set against the area of the site as a whole, owing to the various constraints set out in Policy HD4, the proximity of the proposed houses to each other is very close thus forming a dense urban layout which is not characteristic of the Battledown Estate and the setting of the heritage assets within it. In some cases the gaps between adjacent houses are as little as two metres, and many are occupied by parking spaces. The result is that there will be no green space between these dwellings.

6.0 IMPACT OF THE DEVELOPMENT ON THE SETTING OF HERITAGE ASSETS

6.1 Character of the local area

As acknowledged in the Statement of Common Ground:

Battledown was laid out in 1858 with Charlton Manor the first property to be built there in 1864. The estate grew slowly into the late 20th century the area is typically characterised by large houses set back from the road on large plots. The rear boundaries of properties on the Battledown estate, including Charlton Manor, face onto the proposal site.

The urban character of Cheltenham is described in the Council's Supplementary Planning Document *Development on garden land and infill sites in Cheltenham* (June 2009). Appendix 3 of this document places the appeal site in the Battledown character area. This is described thus:

This area comprises large individual properties set into their own grounds climbing up the escarpment to the east away from the town. There is much mature landscaping. The area benefits from a covenant which means that garden land is not subject to sub-division and intensification here.'

Oakhurst Rise falls into an adjoining character area of large-scale private-sector housing estates, mainly built post 1945 within the area referred to below as Ewens Farm.

6.2 The applicant's approach to layout

The applicant's Design and Access Statement (DAS) states with regard to this consideration:

'As discussed in the site analysis the site sits between two distinct areas, the Battledown Estate to the north and east of the site is an estate comprising detached dwellings in large plots and Ewens Farm estate, to the west of the site. The site is accessed via Ewens Farm [Oakhurst Drive] and the density of Ewens Farm is more typical of town development in terms of density and layout than the Battledown Estate. The layout of the proposed development is of a similar format and scale to that of Ewens Farm, through which the site is accessed.'

The approach to site planning as set out in the DAS is dictated by the constraints set out in in HD4. Whilst the proposed layout satisfies these constraints, the DAS does not demonstrate a holistic approach to masterplanning, as defined in the National Design Guide.

6.3 Impact on setting of Ashley Manor

The setting of Ashley Manor is described at paragraph 3.7 of the Heritage Statement of Common Ground. This notes that the setting has been diminished by development within the school grounds, including new buildings, car parking areas and sports facilities. However, on its south and western sides it retains the original relationship to the carriage drive, entrance gates (listed at Grade II) and summerhouse (listed at Grade II). The development site occupies formerly agricultural land which rises to the north of Ashley Manor. Views of the site from the Manor itself and from the carriage drive are partially obscured by intervening mature trees. The impact of the proposed development, including the curving belt of tree screening, will be to further diminish the formerly open setting and sense of openness to the north-west of the Manor.

6.4 Impact on setting of Charlton Manor

The setting of Charlton Manor is described at paragraph 3.13 of the Heritage Statement of Common Ground. This notes that the setting includes the appeal site and, to some extent, the wider landscape beyond. The impact of the proposed development, including the curving belt of tree screening, will be to diminish the formerly open setting and sense of openness to the west of the Manor.

6.5 Overall assessment of impact

A recognised methodology for assessing the impact on heritage values is contained in the *Guide to the Conservation of Historic Buildings* (British Standards Institute, 2013). This states that:

The magnitude of impact of change should be assessed in relation to the significance and value of the historic building. The magnitude of impact can range from a neutral impact where the value is low or negligible and there is no change, to very large where the value is very high and the impact is major.

This concept is illustrated in Figure 2 of BS 7913, reproduced below:

BS 7913:2013

BRITISH STANDARD

Figure 2 Magnitude of impact plotted against value

VALUE	Very High	Neutral	Slight	Moderate/ Large	Large/ Very Large	Very Large
	High	Neutral	Slight	Slight/ Moderate	Moderate/ Large	Large/ Very Large
	Medium	Neutral	Neutral/ Slight	Slight	Moderate	Moderate/ Large
	Low	Neutral	Neutral/ Slight	Neutral/ Slight	Slight	Slight/ Moderate
	Negligible	Neutral	Neutral	Neutral/ Slight	Neutral/ Slight	Slight
		No change	Negligible	Minor	Moderate	Major
MAGNITUDE OF IMPACT						

I consider that the heritage value of Ashley Manor as a Grade II* listed building places it in the 'Very High' category of value and that the heritage value of Charlton Manor as a Grade II listed building places it in the 'High' category. I assess the magnitude of impact of the proposed development on the setting of Ashley Manor to be 'Minor' and likewise the impact on the setting of Charlton Manor to be 'Minor'. Therefore I conclude that the impact on heritage value is deemed to be Moderate to Large in the case of Ashley Manor and Slight to Moderate in the case of Charlton Manor. Taking these impacts as a whole, I conclude that the overall impact on heritage value is Moderate.

7 CONCLUSIONS

I conclude that:

- The central issue is the impact of the proposed development on the setting of two designated heritage assets: the Grade II* listed Ashley Manor and Grade II listed Charlton Manor;
- The open and outward looking character of the existing setting of these heritage assets will be compromised by the proposed development including the new belt of tree screening and boundary fences;
- The masterplanning of the new housing development is a relevant consideration in considering the impact on the setting of heritage assets, irrespective of whether it is directly visible from these assets;
- The proposed development, including the street layout, built form and disposition of housing, does not relate positively to the history and heritage of the site, or to surroundings heritage assets on the Battledown estate;
- A less intensive form of development, closer to 25 houses, would permit a layout where the houses could be less crowded together and whose built form could have a more satisfactory relationship to the setting of the heritage assets;
- The overall impact is to extend a form of post-1945 suburban development from Oakhurst Rise into the distinctly different character area of the Battledown Estate and the setting of the designated heritage assets;
- The overall effect is to cause a significant degree of less than substantial harm to the setting of the designated heritage assets, one of them being listed in one of the highest categories at Grade II*;
- I conclude that the impact on heritage value is deemed to be Moderate to Large in the case of Ashley Manor and Slight to Moderate in the case of Charlton Manor. Taking these impacts as a whole, I conclude that the overall impact on heritage value is Moderate.
- Considerable importance and great weight must be given to the desirability of preserving the setting of a heritage asset and therefore the Inspector is respectfully requested to dismiss the Appeal.

William Holborow

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Associate & Senior Heritage Consultant, Purcell Architecture Limited

22nd February 2021

APPENDIX A – PHOTOGRAPHS



Fig.1 Carriage drive leading to Ashley Manor



Fig.2 Carriage drive and listed entrance gates to west side of Ashley Manor



Fig.3 South side of Ashley Manor



Fig.4 North side of Ashley Manor



Fig.5 Listed summerhouse to west of Ashley Manor



Fig.6 Ashley Manor viewed from south east



Fig.7 Charlton Manor with icehouse mound in foreground



Fig.8 Icehouse mound crowned with mature trees



Fig.9 Charlton Manor – south and west sides



Fig.10 Charlton Manor – west side



Fig.11 View from Charlton Manor towards the appeal site



Fig.12 View from Charlton Manor towards Ashley Manor



Fig.13 View from upper floor of Charlton Manor towards appeal site



Fig.14 View from the garden of Charlton Manor towards icehouse mound



Fig.15 West side of appeal site looking north towards Glen Whittan



Fig.16 West side of appeal site looking north towards Glen Whittan