

**Item No 04:-**

**18/01268/LBC**

**Williamstrip Hall  
Hatherop Road  
Coln St Aldwyns  
Cirencester  
Gloucestershire  
GL7 5AT**

**Item No 04:-**

**Removal of a curving section of dwarf wall carrying railings and two stone gate piers, and the construction of a new dwarf wall and railings and a new high stone wall with pedestrian gateway flanked by new stone gate piers (Retrospective) at Williamstrip Hall Hatherop Road Coln St Aldwyns Gloucestershire GL7 5AT**

<b>Listed Building Consent 18/01268/LBC</b>	
<b>Applicant:</b>	Finian Farming LLP
<b>Agent:</b>	JPPC Chartered Town Planners
<b>Case Officer:</b>	Scott Britnell
<b>Ward Member(s):</b>	Councillor Ray Theodoulou
<b>Committee Date:</b>	11th July 2018
<b>RECOMMENDATION:</b>	<b>REFUSE</b>

**Main Issues:**

(a) The impact on the Grade II Listed host building and wall

**Reasons for Referral:**

The application was referred to Committee by the Local Ward Member for the purposes of transparent decision making.

**1. Site Description:**

Williamstrip Hall is a large detached property set within extensive grounds in the English country house architectural tradition. It is a Grade II Listed Building located in the Hatherop Conservation Area and the Cotswold Area of Outstanding Natural Beauty (AONB). There are two separately listed Grade II Listed fountain pools within the grounds of Williamstrip Hall, while the properties at 7 and 8 Hatherop to the east, and The Severalls to the south, are also Grade II Listed.

**2. Relevant Planning History:**

There is an extensive planning history relating to the site, which includes the following:

09/00594/FUL - Proposed raising of a section of existing stone walling. Permitted 24 April 2009;

09/01554/LBC - Reinstatement of park drive together with new entrance gates adjacent to the lodge, alterations to forecourt and courtyards, formation of a gateway in an existing stone wall. Permitted 11 September 2009;

09/01555/FUL - Reinstatement of park drive together with new entrance gates adjacent to the lodge, alterations to forecourt and courtyards, formation of a gateway in an existing stone wall and relocation of swimming pool. Permitted 24 April 2009;

09/03864/FUL - Construction of a bath house and associated facilities. Permitted 26 January 2010;

10/02168/FUL - Erection of new entrance gates and associated works. Permitted 16 July 2010;

10/02315/LBC - Erection of new entrance gates and associated works. Permitted 16 July 2010;

10/03111/FUL - Change of use of land to crate walled kitchen garden, erection of walls, gates, potting shed, greenhouse and the construction of a bridge over the Ha-Ha. Permitted 28 October 2010;

11/02679/CLOPUD - Certificate of Lawful Proposed Use or Development under Section 192 of the Town and Country Planning Act 1990 for the erection of a wall of 1 metre in height constructed of natural stone above existing ground level to enclose land. Refused 1 July 2011;

14/01765/FUL - Erection of Catholic chapel. Permitted 8 July 2014;

15/04594/FUL - Use of land as a walled garden, including the provision of walled enclosure, ancillary buildings (potting shed, greenhouse, machinery store); re\_/reinstatement of part of ha-ha, reinstatement/restoration of 20 acres of parkland, access and associated works. Permitted 29 April 2016.

### **3. Planning Policies:**

NPPF National Planning Policy Framework

### **4. Observations of Consultees:**

Conservation Officer: Objection, comments incorporated within Officer's Assessment.

### **5. View of Town/Parish Council:**

No comments received.

### **6. Other Representations:**

No comments received at the time of preparing this report.

### **7. Applicant's Supporting Information:**

Heritage Statement, Letter dated 29 March 2018 from JPPC

### **8. Officer's Assessment:**

The Proposals:

This application seeks retrospective listed building consent for the removal of a curving section of natural stone dwarf wall carrying railings and two stone gate piers, and the construction of a new dwarf wall with railings and a 1.8 metre high stone wall with pedestrian gateway, flanked by new stone gate piers.

#### **(a) The impact on the Grade II Listed host building and wall**

The wall lies within the historic curtilage of Williamstrip Hall which is a Grade II Listed Building. It also forms part of the designed setting of the historic Williamstrip Park. The Local Planning Authority is therefore statutorily required to consider such a structure as a part of the listed building in accordance with Section 1(5(b)) of the Planning (Listed Buildings and Conservation Areas) Act, 1990; and to have special regard to the desirability of preserving the building, its setting, and any features of special architectural or historic interest it may possess, in accordance with Section 16(2) of that Act.

In considering whether to grant consent for development which affects a listed building or its setting, the Local Planning Authority must 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, in accordance with Section 66(1) of the Planning (Listed Buildings & Conservation Areas) Act, 1990.

Section 7 of the National Planning Policy Framework (NPPF) requires good design. Paragraph 58 states that decisions should ensure that developments: function well in the long term and add to the overall quality of an area; establish a strong sense of place, creating attractive and comfortable places; and respond to local character and history, reflecting the identity of the surroundings and materials, whilst not stifling innovation.

Paragraph 60 of the NPPF states that local distinctiveness should be promoted or reinforced, while Paragraph 61 states that decisions should address connections between people and places and the integration of new development into the natural, built and historic environment. Thus development which impacts upon heritage assets should be appropriate and sympathetic.

Section 12 of the NPPF requires that Local Planning Authorities should take account of the desirability of sustaining or enhancing the significance of heritage assets. Paragraph 132 states that when considering the impact of the proposed works on the significance of a designated heritage asset, such as a listed building, great weight should be given to the asset's conservation. It also states that significance can be harmed through alteration or development within the setting of a designated heritage asset.

Paragraph 133 of the NPPF states that where a proposed development will lead to substantial harm applications should be refused unless it is demonstrated that that harm is necessary to achieve substantial public benefits. Paragraph 134 states that where a development proposal will cause harm to the significance of a designated heritage asset that is less than substantial harm, that harm is weighed against the public benefits of those works.

National Planning Practice Guidance advises that: "The extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced ... by our understanding of the historic relationship between places." (Paragraph 13).

Historic England's Historic Environment Good Practice Advice in Planning: Note 3 advises on the setting of heritage assets, and identifies aspects of setting that can contribute to significance, including: "other heritage structures (including ... landscape [or] areas)"; "definition, scale and 'grain; of surrounding ... landscape"; "formal design e.g. ..., layout"; "openness, enclosure and boundaries"; "functional relationships and communications"; "accessibility, permeability and patterns of movement".

It also identifies possible effects that can harm significance, including: "architectural and landscape style, and or design"; "change to built surroundings and spaces"; "change to general character"; "changes to communications/accessibility/permeability, including traffic, road junctions".

In relevant case law, *Leckhampton Green Land Action Group Limited v Tewkesbury BC* [2017] EWHC 198 (Admin), the High Court reiterated that the planning balance in NPPF Paragraph 134 creates a presumption against granting permission that would harm the setting of a listed building.

In terms of the historic context, the access in question formed one of three formal entrances to Williamstrip Park (formal in the sense that it was historically articulated by a lodge, and led to the main forecourt of the house, and therefore was not a 'back' drive as is erroneously claimed in the Heritage Statement (3.13)). These drives lead, respectively, to Coln St Aldwyns to the west; to Hatherop to the south; and to Keeper's Lodge to the north east. The gateway that forms the subject of the current application is at the end of the Hatherop drive. It was very characteristic of country houses in landscaped parks that sat near or between more than one village to have multiple approaches.

It is clear from the 1754 & 1770s maps of the estate (figures 2 and 3 of the Heritage Statement) that emparkment began between these two dates, although the road between Hatherop and Coln St Aldwyns looped rather further to the north than it presently does in both maps, the point where this road left Hatherop corresponding closely to the entrance to the southern drive (acknowledged in the Heritage Statement (2.21)).

Map regression suggests that Coln St Aldwyns lodge was rebuilt between 1882 and 1903 (figures. 1-2, attached to this report), and Keeper's Lodge between 1903 and 1921 (figures. 3-4). There is little indication of any change at Hatherop lodge between 1882 and its demolition (figures. 5-7).

The character of entrances to the park at Coln Lodge and Keeper's Lodge is (and appears always to have been) comparatively open (in terms of built structures), picturesque and visually permeable, with simple and comparatively low stone piers flanked by simple iron railings, and containing simple timber and iron gates (figures. 8-9). In both instances the entrances are simple, modest and understated, with considerable visual permeability. The Hatherop Lodge appears, from map regression, to have been demolished between 1960 and 1976, and the gateway moved several yards to the west; however, the historic drive itself legibly survived, and on its historic alignment.

The in situ piers appear very similar in form to those at the other two gates, and the map regression suggests a similarly informal, certainly asymmetrical layout. As the entrance was altered following demolition of the lodge, it remained an understated and visually permeable entrance to the park, very similar in character, bar the absence of the lodge itself, to the other two entrances, and creating a strong visual link between the village and the park (clearly legible as the entrance to a country house, despite the loss of the lodge and lack of visibility of the house itself) (figures. 10-12).

The significance of Williamstrip Park is, as with most historic country houses, multi-layered, resting in its history (historical value); its architecture and interiors (aesthetic value); its association with a wider agricultural estate, the adjacent villages and communities (historic association and communal value): all of these contributing to its character and significance as a characteristic English country house.

As is characteristic of most country houses, the park at Williamstrip Hall that comprises its setting, forms not just the surroundings within which the asset is experienced, but the surroundings within which it was, in accordance with the picturesque principles of the mid-18th century on, consciously designed to be experienced. It was consciously designed, informal, picturesque parkland setting to the house.

The altered Hatherop gate access, which forms the subject of the current application, is fundamentally different from the historic entrance. The gate is now a solid pedestrian gate within a high solid concave wall, with a convex railing in front, orientated slightly further to the south, rather than facing towards the village.

The Heritage Statement submitted with the application advises that the works have been carried out by a skilled craftsman to a very high level, and are carefully matched in terms of materials and appearance to the existing boundary walls. The works were driven by the redundancy of the southern (back) drive as a vehicular access in to the estate and the resultant need to improve security at this point. At paragraph 3.13 of the Heritage Statement it is confirmed that "the main requirement in any case was to remove all possibility of vehicular access at this point".

The character of the gateway is visually impermeable and rather municipal, and is fundamentally different to the understated and visually permeable arrangement that existed previously, or which still exists at the other two historic gates. The perception is of Williamstrip Hall creating a barrier to Hatherop, a village that, through the Hatherop gate; it previously addressed and engaged with.

The loss of one of the principal drives has eroded the historic layout and legibility of the designed park, thereby eroding a key aspect of the setting that contributed to the significance of Williamstrip Park. Furthermore, it has replaced the characteristically, visually permeable arrangement with a defensive and visually impermeable arrangement that is uncharacteristic both of Williamstrip Hall, and of English country houses more generally. Large concave splays, with areas of grass, are characteristic of vehicular entrances, not pedestrian ones, with the secondary enclosing railings in front of a wall creating a visually prominent double barrier, with a 'no man's land' in between, which are not characteristic of either. The creation of such an uncharacteristically closed and defensive entrance has eroded the simple, rural character of the setting of Williamstrip that contributes to its significance; and the ability from public vantage points to appreciate glimpses of that setting and significance from Hatherop.

Consequently, the proposal has harmed aspects of the setting that contribute towards the evidential historical and aesthetic value and significance and the public's ability to appreciate that significance, of the listed building, thereby failing to sustain its significance, and conflicting with local and national policy and guidance. The level of harm is less-than-substantial, but is nevertheless considerable.

Security was identified as one reason for this change; however officers consider that there are many other ways in which security could be enhanced without the need for such harmful alteration. Either way it has to be assessed whether this could be considered in any way a public benefit. Officers consider that any such benefit is insufficient to outweigh the considerable harm that has resulted to the listed building.

#### **9. Conclusion:**

The works, by virtue of their design, and by virtue of the erosion of an entrance arrangement that was of evidential, historical and aesthetic value, has harmed aspects of the listed building, thereby failing to sustain the significance of the designated heritage asset and the ability to appreciate that significance. The proposal therefore conflicts with Sections 7 and 12 of the National Planning Policy Framework.

#### **10. Reason for Refusal:**

The works, by virtue of their design, and by virtue of the erosion of an entrance arrangement that was of evidential, historical and aesthetic value, has harmed aspects of the listed building, thereby failing to sustain the significance of the designated heritage asset and the ability to appreciate that significance. The proposal therefore conflicts with Sections 7 and 12 of the National Planning Policy Framework.