

10. CDC Conservation opinion on 17/05185/FUL

TO: Deborah Smith	DATE: 16th February 2018
REF: CT.0823/W 17/05185/FUL	
Address: Land at East End, Fairford, Gloucestershire, GL7 4AP.	
Proposal: Demolition of 1 no. dwelling and the erection of 9 no. dwellings (Use Class C3) and a car park for use by the Doctor's Surgery, together with access, landscaping and associated infrastructure.	

Comments:

Policy.

Legislation.

The application site lies within close proximity to, and within the setting of Morgan Hall. Section 66(1) of the Planning (Listed Buildings & Conservation Areas) Act, 1990, states that: *'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority ... 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.'*

It also lies within the Fairford Conservation Area, wherein the Local Planning Authority is statutorily obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the area, in accordance with Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

National Policy.

The National Planning Policy Framework defines setting as: *'The surroundings in which an asset is experienced'*. Section 12 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, 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. Paragraph 133 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. Paragraph 135 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account and that a balanced judgement is required having regard to the scale of any harm or loss and the significance of the heritage asset.

Section 7 of the 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 states that local distinctiveness should be promoted or reinforced and Paragraph 61 that connections between people and places, with the integration of new development into the built and historic environment.

Local Policy.

Policy 15 of the Cotswold District Local Plan states that development within or affecting a conservation area must preserve or enhance the character or appearance of the area as a whole, or any part of that area. Uses that create additional traffic, noise or other nuisance, which would adversely affect the character of the area, would not be permitted. But development may be permitted if it can be demonstrated that the proposals can help an area to remain alive and prosperous, without compromising its character or appearance. It states that development will be permitted unless: it involves the demolition of a building, wall or other structure that makes a positive contribution; new or altered buildings are out-of-keeping with the special character or appearance of the area in general or in a particular location (in siting, scale, form, proportions, design or materials); or there would be the loss of open spaces that make a valuable contribution. Finally, it states that although minor householder development is likely to be acceptable proposals that cumulatively adversely affect an area may not be permitted, that reinstatement or enhancement of historic features (such as boundary walls) will be sought, and that new dwellings or other substantial structures (especially those covering more than one plot) are unlikely to be acceptable.

Policy 42 of the Local Plan requires that development should be environmentally sustainable and designed in a manner that respects the character, appearance and local distinctiveness of the Cotswold District with regard to style, setting, harmony, street scene, proportion, simplicity, materials and craftsmanship.

Caselaw.

The Barnwell Manor decision ([2014] EWCA Civ 137) confirmed that the Act gives ‘*considerable importance and weight*’ to the desirability of preserving the setting of listed buildings, and that consequently less-than-substantial harm does not equate to a less-than-substantial objection.

The 100 Avenue Road decision (APP/X5210/W/14/3001616) confirmed that harm to one part of a conservation area can harm the significance of the conservation area as a whole.

Guidance.

The PPG 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 other environmental factors such as noise ... 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 or an ability to access or experience that setting.*”

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: “*topography, definition and ‘grain’ of surrounding ... landscape and spaces; land use; openness, enclosure and boundaries; landscape character; tranquillity*”. It also identifies possible effects that can harm significance, including: “*position in relation to land-form; introduction of movement or activity; seasonal change; changes to skyline; noise; lighting effects and light spill; change to general character (e.g. suburbanising...)*”. It also advises that screening should not be used as a substitute for inappropriate development, and the seasonal effects, and the possibility of longer-term changes (unless protected) also need to be taken into consideration.

Site.

Setting of Morgan Hall.

Morgan Hall is a substantial house/modest country house, historically on the eastern edge of Fairford, but which has been encroached upon to a degree by the expansion of the town in the 20th century. The house orientates primarily towards the east, where there is a modest garden separated from an area of parkland by a ha-ha. The gardens also wrap around the south of the house, including a walled garden. Thus Morgan Hall has, on a modest scale, many of the characteristic features of the setting of a country house. As such these contribute positively to its significance as a designated heritage asset.

However, the extent of setting *'is not fixed and may change as the asset and its surroundings evolve'* (NPPF Glossary), and *'The setting of a heritage asset will include, but generally be more extensive than, its curtilage'* (Historic England, Setting of Heritage Assets, paragraph 7).

The surroundings of the curtilage of Morgan Hall were historically entirely rural, as is appropriate to and characteristic of a country house, & something that would have reinforced and contributed towards its significance. During the course of the 20th century, modern development spread along the north, and part-way down the east, approximately half-way around the grounds of Morgan Hall. However to the south, the curtilage retains an interrelationship with rural open countryside, running along to, and including the application site, which both historically and currently formed a buffer to the tail of development that runs down to Beaumont Farm (**Fig.1**).

The contribution of the application site to the setting and significance of Morgan Hall is experienced from within the grounds of the house, where a path (which is shown as far back as the 1877 O.S. map) at the southern end of the garden retains views out, over the boundary wall, across the application site (**Fig.2**).

This wall appears to be partially retaining, so that it is below eye-level from within, but above it from without, which may well be intentional. Nonetheless the views from this location are across the application site, as a rural paddock, towards the existing bungalows to the south. These bungalows, due to their low height and their distance are a very recessive feature in the view, only modest areas of their roofs being visible.

Consequently these views do contribute to the experience and appreciation of Morgan Hall as a country house that still legibly retains elements of a rural setting. Thus aspects of the site, such as its rural character, and its forming a comparatively tranquil green space, contribute positively to the significance of Morgan Hall.

The walled garden itself would have had a similar outlook to the south. Map regression, and the historically characteristic treatment of such walled gardens would suggest that the trees within its cruciform plan would have been modest, orchard trees, rather than a substantial screening belt. Thus between and over these trees there would still have been an appreciation of the rural, undeveloped land beyond. The walled garden today is somewhat overgrown, but the nature of this overgrowth is transitory and Historic England's setting guidance points out that account should be taken for the fact that *'impermanent landscape or townscape features, such as hoardings or planting' could be removed'* (paragraph 22).

Consequently the open, rural, green and tranquil nature of the application site contributes positively to and reinforces the significance, and the ability to appreciate the significance, of Morgan Hall as a modest country house.

Character and appearance of the conservation area.

Historic England's Conservation area Designation, Appraisal and Management lists the types of special architectural and historic interest that have led to designation, and that therefore contribute towards significance. This includes such things as *'settlement pattern, [and] green spaces which are an essential component of the wider historic area'*.

There is no conservation area character appraisal for the Fairford Conservation Area, which was first designated in 1970, but a Statement of Policy was produced in 1971 which identifies Fairford as a town *"with open country penetrating right to the centre"*.

In 2014 White Consultants produced the Land Surrounding Key Settlements in Cotswold District. In assessing the relationship of the settlement with the landscape, it identified the fact that *"The settlement edges are visually and physically permeable between the town and the floodplain providing good continuity between the town and its landscape context."*

The sense of the permeability of the edges of the settlement due to its topography and historical evolution are very pronounced on the 1892 O.S. map, and remain legible (**Figs.3 and 4**).

The area of penetration between Morgan Hall (Fairford Lodge) and Beaumoor Farm substantially survives and includes the application site. The two areas of penetration into the town between East End and the centre of the town have been eroded in the 20th century. The two areas of penetration between West End and the town remain, & whilst the southern has been reduced by modern development, the complete closing of the open space between the town & Horcott was recently dismissed at appeal (APP/F1610/W/16/3157854).

Consequently the sense of a permeable settlement edge with corridors of green space penetrating the town are a key historic characteristic of Fairford, and one that contributes positively to the town, and to the character, appearance and significance of the conservation area; it is also readily appreciable due to the presence of a public footpath.

It is nevertheless acknowledged that the existing buildings to the west of the application site do comprise a negative feature within the conservation area, creating a very hard, rather urban frontage to the open space. The bungalows to the south are rather more discrete, being lower and far less dense; these comprise more of a neutral feature.

Pre-application advice.

Pre-application advice was given in 2015 (15/03728/PAYPRE), in which the sensitivity of the site in relation to the historic environment was raised. The advice given was that this was a sensitive site, and that any development of it would be contentious. However, acknowledging that the western edge of the site comprises rather unsympathetic buildings, and that the south side steps back to the west, it was suggested that there may be very limited scope for sympathetic development in these areas (taking its cue from traditional, edge-of-settlement structures, such as single-storey, linear sheds), retaining the eastern part of the site as rural paddock (not a manicured suburban green).

Proposal.

The current proposal is for an intensive development of the site that pays little if any heed to the pre-application advice given.

The proposed development would be spread fairly evenly across the site right up to the eastern edge, with two very modest open spaces, a car park, and an area of communal garden with a summer house in, both enveloped on three sides by development.

The houses proposed would be a mixture of single and two storey, with the two-storey placed along the northern edge of the site, adjacent to the grounds of Morgan Hall.

In terms of the design of the proposed buildings, some of the houses attempt to reflect the traditional vernacular of the district through quoting features like front gables and projecting stone porches. However these are crudely detailed, and given proportions that would seldom occur on any traditional building. Other houses have lop-sided gables, and resemble half of a 1930s pair of semi-detached suburban houses. The various bungalows have a somewhat arbitrary sprinkling of details, from a Regency, to various arcades that appear to resemble Spanish villas; several also have very awkwardly contrived roof forms. Overall the designs lack any meaningful reference to the local vernacular, neither are they in any way innovative or contemporary.

Impact upon Morgan Hall.

The proposed development would entirely cover the simple, still intrinsically rural paddock with a suburban *cul-de-sac*. The character of the entire space would be radically and irrevocably altered. The simple, open, green and rural character that complements and contributes positively to the setting and significance of Morgan Hall would be eroded, and replaced by suburbia.

The impact of this would be further exacerbated by the placing of the proposed two-storey houses immediately to the south of the grounds of Morgan Hall, from where they would visually rise well above the boundary wall, giving a sense of the ground being enveloped by suburban development.

This would also start eroding the still rural southern boundary of the grounds of Morgan Hall, and would, in conjunction with the 20th century development around the north of the grounds, exacerbate the sense of Morgan Hall being encircled.

Consequently the proposal would irrevocably erode the simple, open, rural character of this paddock, aspects of it that complement and contribute positively to the setting and significance of the listed building. The harm would be less than substantial, but would nevertheless be considerable. However the Barnwell decision clarifies that *less-than-substantial* harm does not equate to a *less-than-substantial* objection, and that the Act gives '*considerable importance and weight*' to the desirability of preserving the setting of listed buildings.

Impact upon the Fairford Conservation Area.

The proposal would substantially infill and thereby erode one of the penetrating green corridors that are such a key characteristic of Fairford, and which link the town to the wider landscape. The layout makes no attempt to reflect or respond to this character by retaining an open, more paddock-like area to the east, softening the transition to the countryside, with some element of sympathetic development to the west, to improve upon the existing, somewhat regrettable settlement edge.

The design of the proposed buildings does not relate in any meaningful way to the character of Fairford, or even of the district, with use of asymmetrical gables, applied half-timbered, and arcades.

Consequently the proposed development would clearly fail to preserve or enhance the character and appearance of the conservation area, thereby failing to sustain its significance. The harm would be less-than-substantial. Nonetheless the 100 Avenue Road decision clarifies that harm to one part of the conservation area can harm the significance of the conservation area as a whole. This seems particularly pertinent when it is a key characteristic of the conservation area that is being harmed.

Draft recommendation:

REFUSE.

Draft conditions:

The proposed development lies within the setting of Morgan Hall. It would erode aspects of the setting (green open space, rural, agricultural character) that complement and contribute towards the significance of Morgan Hall as a country house, thereby failing to preserve the special interest, or sustain the significance of the listed building/designated heritage asset. The harm would be less-than-substantial. Consequently the proposal conflicts with National Policy as outlined in Section 12 of the NPPF.

The proposed development would significantly further erode one of the remaining penetrating green corridors that are such a characteristic feature of the Fairford conservation area. Furthermore, the design of the proposed development fails either to reflect in any meaningful way the local vernacular, nor is it in any way innovative. Consequently the proposal would fail to preserve or enhance the character and appearance of the conservation area, thereby failing to sustain its significance. It would similarly fail to respond to local character or the distinctiveness of the Cotswold District. As such it would conflict with National Policy as outlined in Sections 7 and 12 of the NPPF, and local policy as outlined in Policies 15 and 42 of the local plan.

From:

JA

Conservation Officer



Figure 1 Morgan Hall; boundaries now urbanise; boundaries still rural in character; application site.

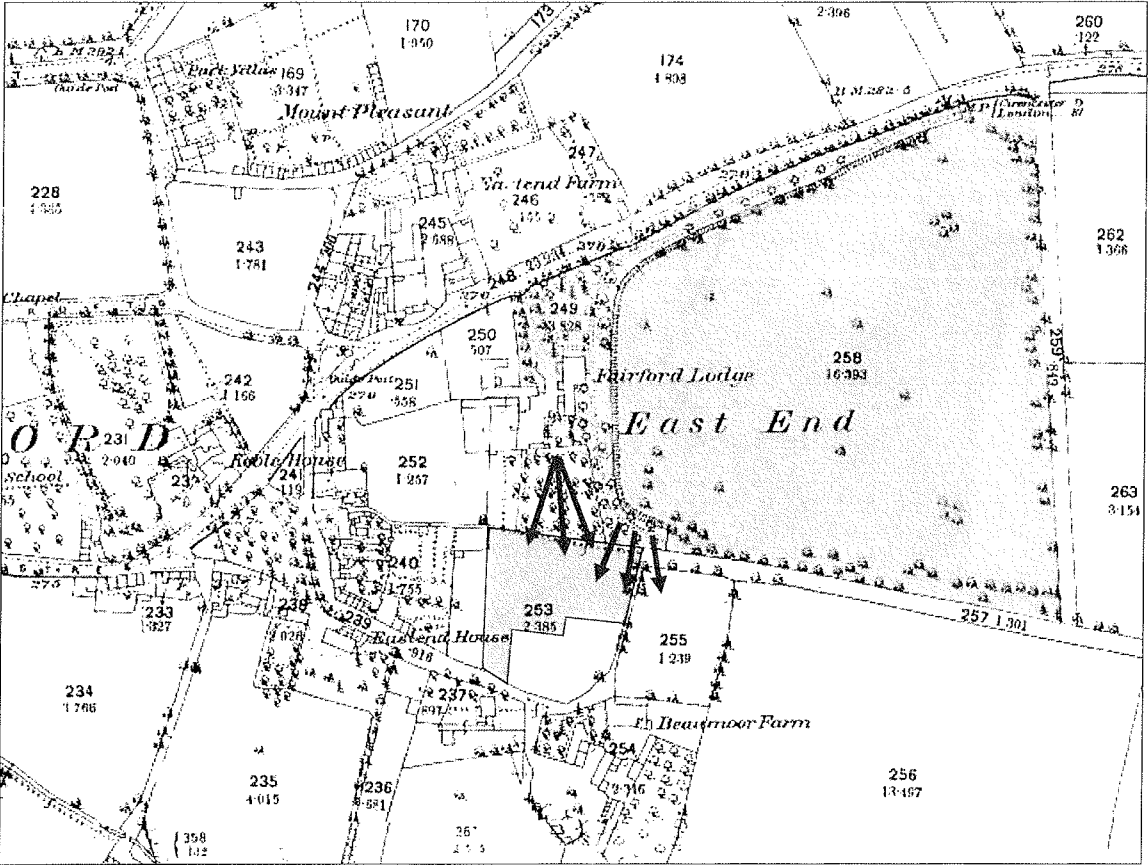


Figure 2 Extract from 1877, 1:2,500 O.S. map. Morgan Hall (Fairford Lodge): garden; park; application site.

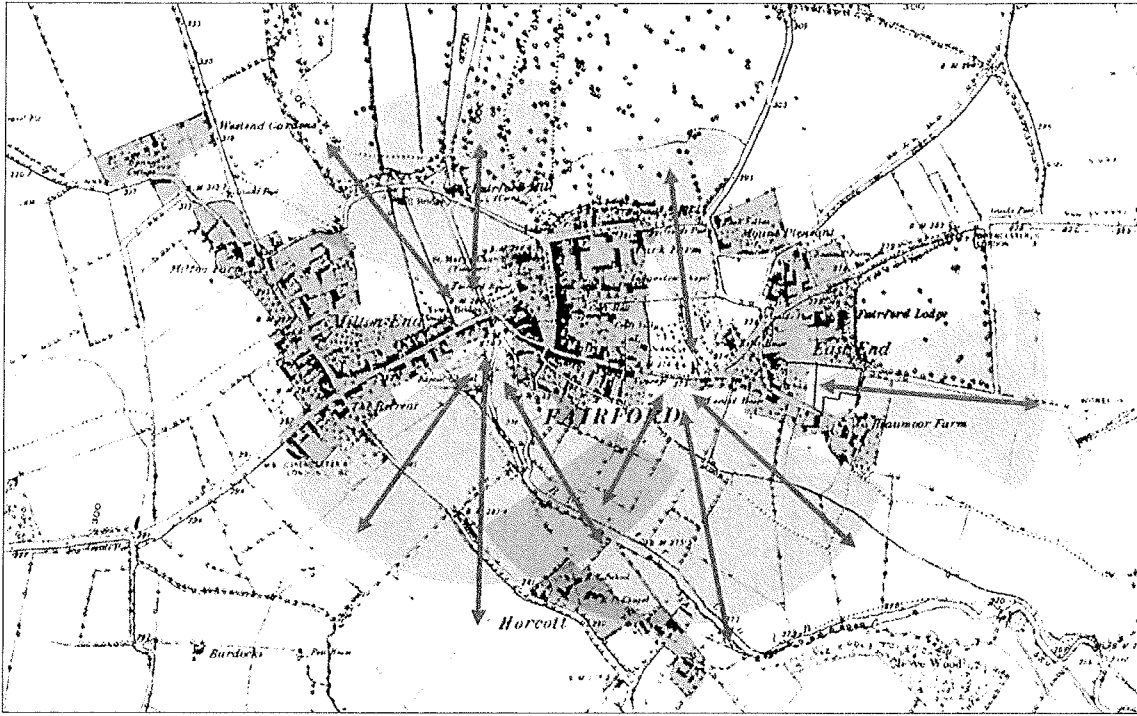


Figure 3 1892, 1:10,660 O.S. map; permeable settlement edges and penetration of the countryside marked.

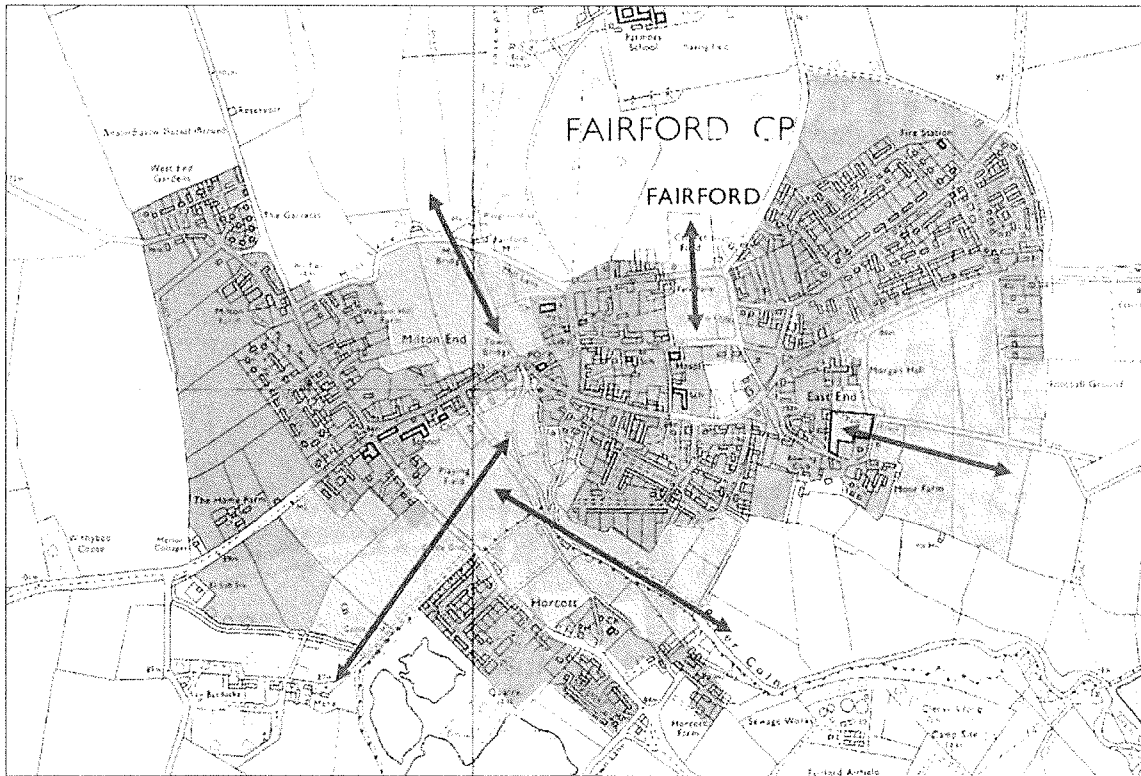


Figure 4 1979-82, 1:10,000 O.S. map. Areas currently (2018) developed or under development; surviving green corridors.

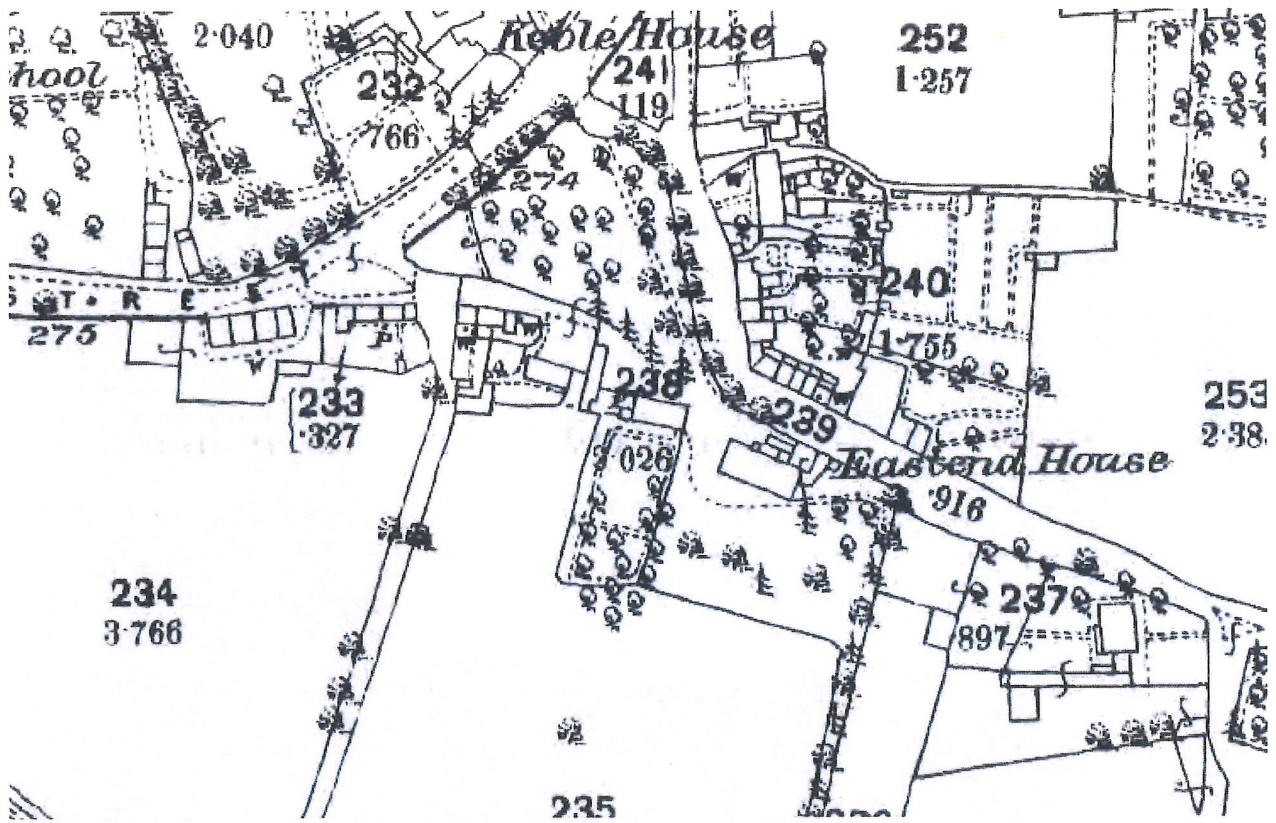


Heritage Statement

Project Name:
Proposed new dwellings on the land to the rear of Wick House, Fairford

Project Number:
2596

Client Name:
Messrs George



1870s Ordnance Survey
Not to scale

Contents

1.0	Introduction
1.1	Purpose of Statement
1.2	Summary of Proposals
2.0	Area + Site Background Information
2.1	Historic Townscape information
2.2	Character Area Description
2.3	Character Area Map Descriptions
2.4	Local Area Building Descriptions
3.0	Assessment of Assets + Setting
3.1	Listed Buildings
3.2	Unlisted Assets
4.0	Assessment of Impact
4.1	Principal of Development
4.2	Scope of Proposals
4.3	Effect of Development
4.4	Impact of Development on Conservation Area
5.0	Maximising Enhancement + Minimising Harm
6.0	Conclusions

1.0 Introduction

1.1 Purpose of Statement

This Heritage Statement is submitted in support of a full planning application submission for the erection of two detached properties on land to rear of Wick Hose, Fairford. This report includes an assessment of nearby listed buildings, their settings and a description and assessment of the character and appearance. The application site is located off the A417, London Road, along a private access track running to the rear of the houses facing Moor Lane.

Wick House and associated curtilage are unlisted. The site is located within the Fairford Conservation Area and there are two listed properties within the immediate area as follows:

- Keble House, to the north to the application site;
- East End House to the east of the application site.

Unlisted structures of some importance:

- Boundary wall to Wick House.
- Wick House.

Surrounding the application site there are unlisted properties of some significance. The aerial image below shows the appearance of the site at present and the character of Fairford together with the modern developments that infilled the former gardens and open spaces.



Aerial photograph of site within its context

This statement should be read in conjunction with the Planning drawings and Design and Access statement.