LAND WEST OF PARK FARM, THORNBURY, SOUTH GLOUCESTERSHIRE

SOUTH GLOUCESTSESHIRE COUNCIL

SUMMARY PROOF OF EVIDENCE: ROB BURNS

**TOWN AND COUNTRY PLANNING ACT 1990**

**SUMMARY OF PROOF OF EVIDENCE ON HERITAGE ISSUES**

**APPEAL REF: APP/P0119/W/21/3288019**

My name is Rob Burns, and I have been commissioned by South Gloucestershire Council (the Local Planning Authority) to prepare this proof as part of an Appeal against non-determination by Barwood Development Securities Ltd, for proposals at Land West of Park Farm, Butt Lane, Thornbury, BS35 1RA. The description of the proposed development is for the erection of up to 595 dwellings (Use Classes C3), land for a Primary School (Use Class D1), up to 700m2 for a Retail and Community Hub (Use Classes A1, A2, D1), a network of open spaces including parkland, footpaths, allotments, landscaping and areas for informal recreation, new roads, a sustainable travel link (including a bus link), parking areas, accesses and paths and the installation of services and drainage infrastructure (Outline) with access to be determined and all other matters reserved.

I have qualifications in Archaeology and post graduate qualifications in Planning and Urban Design, and over 40 years of experience with the historic built environment. Although I now run an independent consultancy dealing with urban design and heritage aspects of development, guidance and management, I was formerly a Historic Areas Inspector for Historic England, and manager of a team of heritage and design staff in local government.

1. The appeal site is located to the north east of the Thornbury conservation area, and a number of designated heritage assets, and has the potential to detrimentally impact on their setting. These include:
* Thornbury conservation area
* Thornbury Castle- grade I listed building
* St Mary’s Church- grade I listed building
* The Sheiling School- grade II listed building
* Thornbury Castle Scheduled Monument
* Thornbury Castle grade II registered park and garden.
1. Thornbury Castle assemblage is considered to be of High Significance; the Church of St Mary the Virgin Parish Church is considered to be of High Significance; Sheiling School is considered to be of High Significance; Thornbury conservation area is considered to be of Medium to High Significance.
2. The appeal site forms part of the essential setting for the designated heritage assets, and was formerly part of the Newe Park deer park, and strongly associated with Thornbury Castle. Whilst it is not a designated asset, Historic England consider that *The former deer park, New Park, is however of considerable local importance, particularly as part of the wider landscape which developed around the Castle during the mediaeval and early post-mediaeval periods.* The land forming the appeal site provides an attractive context to the significance and understanding of the Thornbury conservation area, the Castle, Church of St Mary and the Shieling School, linking it to its agricultural and market town history, the significance of highly graded heritage assets and the rural setting. The appeal site forms part of the earlier deer park, and is now part of the agricultural field systems, and is part of the landscape which forms the setting for a series of heritage assets of high significance. Whilst the submitted Environmental Statement suggests that sites of local importance are classified as of Low significance, it is considered that the strong association with Thornbury Castle, its inclusion within the boundary of the parish of St Mary’s church and its role in the location and parkland setting of the grade II listed Shieling School, means that the level of significance should be raised to Medium as the landscape has a symbiotic relationship with these assets, and forms part of their context and understanding. Its former use as a deer park, with residual elements of this remaining, also raises its significance status as a site of local or regional importance.
3. The impact on setting of heritage assets relates to both visual and perceived, and potential impacts are not restricted to areas open for public access such as footpaths. Guidance also states that the historic character of a place is the group of qualities derived from its past uses that make it distinctive, including associations with people both now and through time, its visual aspects and the features, materials and spaces associated with its history.
4. In visual terms, the tower of St Mary’s is a landmark feature, linking Thornbury with its rural hinterland, and marking the church as the focal point of an extensive parish which includes the town and the settlements around it.
5. The cultural or intangible aspects of setting includes the landscape and its historic, spatial, and cultural associations with the historic core of Thornbury. Whilst the area of the appeal site is not in itself designated, it forms a fundamental element of the intangible associations with the conservation area as part of the pattern of land use. Planning Note 3 produced by Historic England (The Setting of Heritage Assets) which 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, dust and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places.* This includes the contribution made by landscaping in relation to the setting of an asset, and how that may add to its significance.
6. Planning Note 3 also explains that cumulative change also needs to be taken into account when considering setting; *Where the significance of a heritage asset has been compromised in the past by unsympathetic development affecting its setting, to accord with NPPF policies consideration still needs to be given to whether additional change will further detract from, or can enhance, the significance of the asset. Negative change could include severing the last link between an asset and its original setting.* The development currently under construction at Park Farm, to the south of the appeal site has already constrained formerly expansive views across the former field systems, and divorced the mediaeval fishponds which formed part of the deer park, from their original setting and context. Development of the appeal site would add to this fragmentation of the setting, extending the suburban character of the Park Farm development, and decimating further the character of the landscape which forms the setting for the heritage assets.
7. The history of the appeal site and its inclusion within the Newe Park deer park, provides a clear, historic association and context with Thornbury Castle, and contributes to its significance. Whilst the land is no longer used as a deer park, it remains a legible, enclosed landscape, and still contains the features of fields, hedgerows, trees groups, streams and other elements such as the mediaeval fishponds which characterised the landscape in the early 16th century, and is still cultivated and used as pasture. Whilst the detailing may have changed, with the advent of larger fields, the component parts have remained. The Environmental Statement submitted as part of the planning application describes it as a Historical Landscape.
8. The development of the appeal site for almost 600 houses, of which many will be 12.2m high, will substantially transform the agricultural use and character of the land, to that of a suburban housing estate. The principles and approach outlined in the Design and Access statement will inevitably lead to the increased suburbanisation of the area, and with the adjacent development at Park Farm currently under construction, this will be cumulative. In effect, the site and its surroundings adjacent to Thornbury will lose any semblance of their existing character and appearance. In both visual and cultural terms, the suburbanisation of the rural setting would to a great extent blur the boundary between town and country and result in the loss of a substantial part of the historic agrarian setting of the conservation area, the registered park and garden and the listed buildings, and this would undermine their special interest and lessen their significance as heritage assets. This is especially the case with Thornbury Castle and its series of high level designations, with a very clear association of the appeal site with the Newe Park, which formed an essential component of the Castle and its estate.

10. An earlier case relating to the development of land off Luton Road, Offley, Hitchen considered similar issues (PINS Ref: APP/X1925/W/17/3187286). In considering the proposal for the development of 70 dwellings the issue of setting of the conservation area and listed buildings was examined, with the Inspector concluding that;

*37. I have already found that the proposal would result in the loss of the open, undeveloped character of the appeal site and that, notwithstanding a that substantial part of the site would be retained as open space, including an area adjacent to the CA, the urbanising influence of the residential development would be experienced across the site as a whole. As such, the agricultural character of the land would be lost. The illustrative proposals include leaving gaps in the planting on the eastern and northern site boundaries to maintain views to, respectively, the listed buildings/CA and the countryside. Nevertheless, the open, direct views between the CA and the countryside would be almost entirely closed off. The proposal would, therefore, have a substantial adverse effect on this element of the setting of the CA.*

1. Both South Gloucestershire Council and the appellant acknowledge that the proposal would cause less than substantial harm to heritage assets, whilst Place Services who also advised the Council on heritage matters, considered that there would be no adverse effects. However, the advice from Place Services contains no analysis, no description of setting, no assessment of the appeal site, no consideration of the wider context, no reference to suggest that the author had actually read and understood the suite of supporting information submitted including a heritage analysis and the Councils response, and no discussion on the non-visual aspects of setting.
2. The conclusions of the submitted Environmental Statement in relation to Archaeology and Built Heritage were that the potential effects of the completed proposals on Thornbury Castle, St Mary’s church and on other locally significant assets though change to their setting was neutral in all cases. The report does not include the potential impacts on the setting of the Thornbury Conservation Area, as this was *‘scoped out’* and not considered as it *‘would be unaffected by the proposals’.* I disagree with these conclusions, nor with the conclusion in the ES that harm to Thornbury Castle, St Mary’s church and the Sheiling School can be described as negligible.
3. Whilst the appellants acknowledge that the proposal will cause harm to heritage assets, this is considered to be less than substantial, and at the lower end of the spectrum, and this conclusion was also reached initially by the Council. Nevertheless, the wording in the NPPF on heritage harm does not include the potential for a sliding scale, merely that there is ‘substantial harm’ or ‘less than substantial harm’. If less than substantial harm is identified, then it is harm irrespective of attempts to define it as somehow reduced. The NPPF is also clear that a finding of harm to the setting of a listed building or to a conservation area gives rise to a strong presumption against planning permission being given. Even if it is accepted that there is a relevance to a spectrum ranging from high to low in relation to less than substantial harm, the analysis undertaken in this particular case has not considered the heritage merits of the appeal site itself, which Historic England believes to be of considerable local importance, and its contribution to the setting of highly graded heritage assets. Nor have the non-visual aspects of setting been taken into account. Once these are added to the assessment of the proposals, the less than substantial harm needs to account for the substantial loss of prominent parts of Newe Park, the loss of the rural setting of the heritage assets, including the Thornbury Conservation Area which has been ‘scoped out’ by the appellants and not considered at all, and the suburbanisation of the landscape.

14 Taking both the visual (tangible) and cultural/intellectual (intangible) impacts together, it is considered that the proposal would cause harm to the assets, which would be less than substantial. Both the Council and the appellant acknowledge that the proposal will cause less than substantial harm, and even if the principle of a spectrum metric of harm is accepted, then that can’t be classed as a neutral impact as claimed in the appellant’s heritage reports. If harm is identified, and this has been agreed in the Statement of Common Ground, the proposal simply can’t be claimed to be ‘neutral’ in its impacts. It is clearly not neutral as concluded in the appellant’s assessments, but harmful, and this must therefore carry significant weight. If a matrix or spectrum measuring degree of harm is considered a suitable approach, despite the fundamental assessment agreed by all parties that the proposal causes less than substantial harm, I consider it be medium, and not low or even negligible. This harm should attract very great weight in my view, given that there are numerous assets affected of high importance and significance, and there would need to be a very clear and convincing justification indeed to warrant it.