

**South Gloucestershire Council
Strategic Planning Policy and Specialist Advice Team
Environment & Community Services Directorate
PO Box 2081, BRISTOL, BS35 9BP**

Memorandum to: David Stockdale, Development Management
From: Rob Nicholson, Conservation Team, SPP&SA
Date: 03rd June 2021
Our Reference: P21/03344/F
Telephone: 01454 868635

1) Site: Land South of Badminton Road, Old Sodbury.

2) Proposal: Erection of 35no. dwellings with garages and associated works

3) Affected assets and policy:. The development proposals have the potential to impact upon the setting of the grade II listed Spring Grove House and the grade II listed Hartley House, both located to the north of the site. The proposals could also impact on the locally listed former Post Office located to the north-east. The proposals should therefore be assessed in accordance with the following policies and guidance which seek to protect the significance of designated and non-designated heritage assets and their settings: -

- Planning (Listed Buildings and Conservation Areas) Act 1990
- Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended)
- National Planning Policy Framework (February 2019)
- National Planning Practice Guidance –Enhancing and Conserving the Historic Environment (Revised July 2019);
- Historic England’s Good Practice Advice in Planning Note 2 “Managing Significance in Decision-Taking in the Historic Environment”.
- Historic England’s Good Practice Advice in Planning Note 3 “The Setting of Heritage Assets (2nd Edition)”.
- South Gloucestershire Local Plan Core Strategy (Adopted December 2013):
 - Policy CS1 High Quality Design
 - Policy CS9 Managing the Environment and Heritage.
- South Gloucestershire Local Plan: Policies, Sites and Plan Development Plan Document (Adopted November 2017):
 - PSP17 Heritage Assets and the Historic Environment

In the identification of the designated and/or non-designated heritage assets which are affected, or have the potential to be affected by the application proposal, the South Gloucestershire Historic Environment Record (HER) has been viewed. Where heritage assets are identified as affected, or have the potential to be affected, the information contained on the HER has been used in an assessment of their significance and consideration of the impact on that significance.

4) Comments on the proposal:

The application is supported by a Heritage Statement by Armour Heritage (hereafter the HS).

The submitted HS is comprehensive in its approach and I would agree with its findings in many areas, in particular the scope and methodology of the assessment. As part of its assessment the HS also looks to identify the considered significance of the two main designated heritage assets relevant to this application as noted above.

Of the two designated heritage assets, the significance of Hatley House that is considered to be derived from its setting is considered to be worthy of discussion, for as an historic toll house, the HS identifies that whilst the significance of Hartley House can be considered to be primarily derived from its style and standing fabric, its roadside setting (as an historic toll house) can also be considered to contribute to the historic interest and ultimately the significance of this designated heritage asset.

Where my view and that of the HS differ is that while I would agree that the roadside position of an historic toll house can be considered to add to the significance of the designated heritage asset, the spatial relationship between the former toll house and the village of Old Sodbury is also considered to be of interest. Consequently, while I would agree with the HS that the contribution of the setting of Hartley House makes to its significance is limited in comparison to its standing fabric and architectural appearance, its roadside location but also its rural setting can also be considered to contribute to its setting and accordingly and proportionally its significance.

In trying to understand the potential visual impact of the development proposals on the setting of both designated heritage assets, I would also agree with the HS that the potential levels of inter-visibility will clearly be mitigated by the existing established vegetation to the northern site boundary. I would however expect that there will be views of the first floor upwards of the new buildings from both Spring Grove House and Hartley House. While access has not been sought to confirm, I would also suggest that there will be clear views of the site from the upper floors of both buildings looking south although the planting to the front of Spring Grove House would itself provide for some additional visual enclosure. Along with potential intervisibility, there would also be potential co-visibility between Hartley House and the development site in views from the east and west. The loss or impact on views from the PROW to the south that runs through the middle of the application site will also require consideration, but from walking the site previously, any impact should be limited.

Overall, there is agreement with the findings of the HS that the proposals would add a further urbanising element to the rural setting of both Hartley House and Spring Grove House. In my view however the impact and loss of setting will be greater than the HS suggests, as the urbanising effect on the character of the site and its surroundings would clearly be perceptible and will detract from the existing setting of the listed buildings with the rural setting of Hartley House in particular contributing to its significance.

In respect of the potential magnitude of harm, while I would suggest the impact of the development proposals on the setting and in turn significance of the designated heritage asset would be greater than the HS concludes, it would still be limited in scope and so as noted above, the difference in position between the HS and myself can be considered to be just a few degrees of harm. However, while the impact of the urbanisation of this site on the significance of the designated heritage assets may still

be considered limited or could be defined as having a minor or moderate adverse impact, fundamentally the impact of the development proposals on the significance of the designated heritage assets would be harmful. Accordingly, the existing setting of the listed buildings and in turn their significance would not be preserved, contrary to the requirements of local plan policy, section 66(1) of the Act and the para.193 of the NPPF.

Therefore, while I would concur that the impact of the development proposals will be non-physical and limited, the impact of the proposals will ultimately fall under the “less than substantial” category of harm as per the NPPF. In regards to the considered magnitude of harm, this is set out under the “Conclusion” heading.

For completeness, the urbanisation of the land to the rear of the locally listed former Post Office would also have an impact on its significance, but to a very limited degree.

I would however advise that comments from both the Council’s Landscape and Urban Design Officer as sought, as the impact of the development would erode the rural landscape of this space that sits between Colts Green to the west and Old Sodbury to the east. In particular as you would approach the site from the west looking east with the hills beyond as a backdrop, the views of the roofscape of the proposed development and potentially the rear of the upper floors would be incredibly visually intrusive. In elevated views to the east looking westwards also, the appearance of the cluster of proposed houses would appear equally intrusive and discordant. This is where the views of the Urban Design Officer would be helpful, as it is difficult to see how this scheme responds positively to its context in respect of street pattern. Old Sodbury is a distinct linear settlement with houses lining both sides of its roads. What is proposed is a very suburbanised layout and it may be that a reduction in units and a less formal layout could help integrate the development into its context, as while matters of detailed design are left for others to comment on, the proposed scheme does appear like a standard estate scheme for a cul-de-sac has been dropped into this rural site.

Overall, a large urban cul-de-sac is not something that can be considered to characterise the prevailing street scene although it can be noted that Old Sodbury is set some distance to the east and the context in which the proposals will be considered are very much rural.

I would therefore strongly advise such consultation is sought as in my view I fail to see how this proposed scheme can be considered to comply with CS1 or PSP1, as the rural character of the immediate locality and the spatial break it provides in separating the Colts Green area to the west and Old Sodbury to the east clearly makes a positive and material contribution to the sense of local distinctiveness. A 30 plus unit residential cul-de-sac scheme in this location would only serve to significantly detract from the existing character of this rural site.

5) Conclusion

As noted above, by reason of scale and siting the proposals would cause harm to the setting of the grade II listed Spring Grove House and the grade II listed Hartley House and so would neither sustain nor enhance the significance of these designated heritage

asset contrary to CS9 and PSP17 and section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

In accordance with the Framework, I would consider that the proposals would result in less than substantial harm towards the lower end of the spectrum to the significance of the grade II with the impact on Spring Grove House being slighter further down the spectrum.

The application is therefore to be considered within the context of paragraph 196 of the NPPF, which is matter for the decision maker. I would however advise that as harm has been identified, compliance with the requirements of paragraph 193 of the NPPF has not been achieved and so as established through case law and reflected in paragraph 196 of the NPPF, the finding of harm gives rise to what can be regarded as a statutory presumption against the granting of permission.

Subsequently, unless in the “weighing-up” exercise as required by paragraph 196 of the Framework robust material considerations are identified that are considered sufficient to outweigh the identified magnitude of harm, refusal is therefore recommended.

Rob Nicholson
Conservation Officer