

**OAKLEY FARM, PRIORS ROAD, CHELTENHAM  
GLOUCESTERSHIRE GL52 5AQ**

# **REBUTTAL PROOF ON HERITAGE MATTERS**

**ON BEHALF OF ROBERT HITCHINS LTD**

**Prepared by:** GAIL STOTEN BA (Hons) MCIFA FSA

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## **1. BACKGROUND**

- 1.1 My name is Gail Stoten. My qualifications and experience are set out in my Proof of Evidence.
- 1.2 The evidence which I have prepared and provided for this appeal is true; it has been prepared and is given in accordance with the guidance of my professional institution; and I confirm that the opinions expressed are my true and professional opinions.

## **2. INTRODUCTION**

- 2.1 This short Rebuttal Proof of Evidence addresses a number of points raised in the Proof of Evidence of Mr William Holborow.
- 2.2 The rebuttal naturally does not cover every point raised in Mr Holborow's proof of evidence, and my not referencing each point below should not be taken to necessarily indicate my agreement with Mr Holborow's approach, analysis or findings.

## **3. OAKLEY FARM BUILDINGS**

- 3.1 Mr Holborow includes the buildings of Oakley Farm as a non-designated heritage asset in his table on pages 28 to 29 of his proof, when it is agreed common ground that these building are not a heritage asset (Heritage Statement of Common Ground, paragraph 2.3, bullet point 5). I have seen no evidence to justify this position which appears to be founded upon no prior analysis or recognition of these buildings as such. They are not identified as non-designated heritage assets in the very brief description of them in the main text of Mr Holborow's Proof, at section 5.7.
- 3.2 In the light of Mr Holborow's evidence I have considered whether there is any justification for the buildings being given an elevated status in policy terms and I can see no such case. They are unremarkable buildings most likely to date form the late 19<sup>th</sup> and 20<sup>th</sup> centuries of no particular architectural or historic merit, nor are they particular exemplars of their type. They are the remnants of the

complex, the formerly associated farmhouse having been demolished, and are themselves in poor condition.

#### 4. PRESTBURY AND CENTRAL CHELTENHAM CONSERVATION AREA

4.1 Mr Holborow set out that he considers that the Conservation Areas of Prestbury and Central Cheltenham would experience a “negligible” level of harm to their Heritage significance through changes in setting in the table at the end of his Proof of Evidence, on his pages 28 and 29. This is in contrast to assets such as Battledown Camp Scheduled Monument for which a level of ‘No Harm’ is stated.

4.2 Harm to the two Conservation Areas was not asserted in the putative Reason for Refusal nor the Council’s Statement of Case.

4.3 It is agreed common ground (Heritage Statement of Common Ground, paragraph 2.3, first bullet) between Mr Holborow and myself that:

*No harm will be caused to the heritage significance of any designated heritage assets beyond the Hewlett’s Reservoir complex, including the Battledown Scheduled Monument, Bouncer’s Lane Cemetery (Registered Park & Garden and the listed buildings and structures within it), **and Conservation Areas in Cheltenham and Prestbury.***

4.4 Mr Holborow’s position in the main text of his proof on whether harm would occur to Prestbury Conservation Area is not entirely clear, as he reproduces and endorses a quotation from the RPS statement that:

*‘the appeal site makes no legible contribution to the overall significance of the Prestbury Conservation Area’*

4.5 Yet, he goes on to identify negligible harm as occurring in the table, and I therefore question whether this is a typographic error on his part or a mis-reading of the RPS statement.

4.6 Similarly, he agrees with the statement given in the RPS Heritage Statement with regards to the Central Cheltenham Conservation Area (which itself does not make any sense):

*“Whilst the Site allows for some appreciation of individual assets within the Conservation Area, it is not considered that this contributes to the overall*

*significance and understanding of the Conservation Area, which is defined by its architectural and historic special interest, is **at very most** negligible.” (emphasis added)*

- 4.7 If the site does not contribute to the significance of the asset (as apparently stated and accepted), there is no sensible basis for the identification of any harm. To that end I do not understand why RPS concluded that there would be even negligible harm, albeit that I note that it is said to be “at the most”, and therefore presumable the likely effect is in their view less than negligible. No further evidence is provided in Mr Holborow’s proof for the identification of harm in the table at the end, and I consider the identification of harm to these to assets to be unjustified and contrary to agreed common ground.
- 4.8 Considering these assets in line with Historic England Guidance, Step 1 of the assessment process is to identify which heritage assets and their settings are affected.
- 4.9 In my view, the Conservation Areas do not get beyond this initial stage of consideration as whilst there are views from the site to the assets, these are distant and undistinguished, being of the type that are commonly available from numerous locations on the higher ground to the east.
- 4.10 As such, the assertion of harm to the Conservation Areas by Mr Holborow is unevicenced and following an initial consideration of the asset in line with Step 1 of the Historic England guidance, I do not consider that their heritage significance is susceptible to development within the site, and I consider that that no harm would occur.

## **5. SITING OF THE RESERVOIRS**

- 5.1 Mr Holborow States at his section 5.1 (final paragraph) that, with regards to No. 1 Reservoir:

*“The wider rural setting is of importance as its location was chosen due to its ability to collect water from Northfield Springs and the adjacent hill slopes which are located to the east of the reservoir and to feed this water to the town of Cheltenham which lies below to the west. The appeal site forms part of this setting as it provides views of the Listed structures of Hewlett’s Reservoir and provides a rural context to the reservoir complex.”*

- 5.2 However, the key source on the matter is clear that the reservoir was sited due to its elevation and its relationship to the water source, not its rural locality – as stated on page 6 of *'Troubled Waters'*, Core Document H10. Water was collected from the slopes in the 'wider rural context', but only from the higher ground on the other side of the reservoir complex from the site, at a higher elevation. Water clearly was not collected from the lower-lying site. Hence asserting that all of the rural context around the complex contributes to its setting for this reason is unjustified.
- 5.3 The same unevidenced assertion is given in the final paragraph of Mr Holborow's section 5.2 on No. 2 reservoir.

## **6. 'MANOR HOUSE' SETTING**

- 6.1 With regards to the pavilion, Mr Holborow states that:

*"As noted in the list description, it has the appearance of a country house garden building, designed to form a focal point in the landscape"*

- 6.2 This is not what the Listing description states, as it makes no reference to the pavilion being designed to form a focal point in the landscape – see Core Document H13, Listing descriptions.

- 6.3 Mr Holborow expands his point to argue that:

*The appeal site therefore has a relationship to the Reservoir complex which can be compared to a parkland landscape and its relationship to the enclosed pleasure garden of a manor house.*

- 6.4 I do not consider this to be correct for a number of reasons.

- 6.5 Firstly, this interpretation of the site as being designed to be viewed as parkland is not one that is legible when viewing the assets. This is clearly illustrated by the CCB making a different interpretation of the comment in the HE guidance to Mr Holborow, interpreting this to mean that the site is meant to be seen as a "countryside" backdrop to the complex, rather than "parkland". The lack of agreement between the objectors on the supposed role of the site illustrates that neither interpretation is readily legible.

- 6.6 Also, and most importantly, Mr Holborow makes no consideration of the tradition of giving fine architectural treatments to civil engineering works of this period, and no reference to key guidance on this matter, published by Historic England in their guidance *The Historic England Register of Parks and Gardens Selection Guide on Institutional Landscapes*, Core Document H11.
- 6.7 The HE guidance is explicit that works were sometimes used to impress and reassure, and as explained in my Proof of Evidence (paras 6.46 to 6.48), the Cheltenham Waterworks Company were in need of achieving both these aspirations. As also explained in my proof of evidence (paras 6.47 and 6.89), this interpretation of the use of detailing to celebrate the works rather than to disguise or hide them, is corroborated by the incorporation of the crest of the Company into the gate piers and the primary façade of the Stone Lodge, and indeed the giving of fine treatment to works that were not publicly visible (in celebration of their function, rather than the impression from the outside looking in of any particular use), such as the portal to No. 1 Reservoir (my proof, plate 1, page 11).
- 6.8 I have always recognised that the site contributes to the heritage significance of the pavilion as it allows views to it and from it, however, as I explain in my proof, the intrinsic character of the site is not part of this contribution (para 6.64). This may be something that Mr Holborow is in agreement with as projecting a parkland use onto what is currently agricultural land suggests that the agricultural character of the site does not contribute to the heritage significance of the pavilion.
- 6.9 Furthermore, if Mr Holborow considers that the site contributes through being read as parkland, and I do not accept that it does, then the use of the closest area of the site to the pavilion for public open space, with mainly grassland use and scattered planting, would be closer to parkland than agricultural land. The presence of access drive is also compatible with a parkland area, as such areas are invariably crossed by driveways.
- 6.10 Finally, with regards to Mr Holborow's statement that the pavilion was designed to be a focal point of the landscape (which, as outlined above, is his own comment and does not come from the Listing description), Mr Holborow makes no later recognition of the benefits of opening up close range views to the asset from the public open space within the proposed development.

## **7. MATTERS RELATING TO ADDITIONAL SECURITY**

7.1 Mr Holborow asserts in his section 6.4.5 that:

*Currently there is barbed wire strung between galvanised metal brackets which are bolted to the external face of the listed boundary wall. It is likely that this would need to be replaced with something far more substantial to maintain the security of the Reservoir compound, for example a higher security fence, additional CCTV or lighting along the perimeter of the Reservoir complex. These additional security measures would be harmful to the appearance and setting of the listed wall and the Reservoir complex as a whole.*

7.2 However, the anticipated requirement for additional security is entirely unevicenced. Someone determined to trespass onto the site could do so now via the gated access from Harp Hill, and the development is more likely to result in greater public surveillance of the reservoir boundary that exists today.

7.3 Furthermore, Severn Trent who own the reservoir provided a consultation response dated 20<sup>th</sup> July 2020 in which they confirmed that they had no objections to the proposals and raised no concerns or requests with regards to security issues.

## **8. RIDGE AND FURROW**

8.1 With regards to ridge and furrow, Mr Holborow asserts that the ridge and furrow within the area of public open space within the site would experience such a degree of loss as to render any remains almost worthless. Taking account of the road and pathways (the design of the pedestrian routeways could be fixed at a detailed design stage), earthworks in this area would still be legible and would not be worthless.

8.2 Furthermore, Mr Holborow does not take account of the fact that is the earthworks within the wider vicinity of the historic township that make up the heritage asset, not just the earthworks within the site, as set out in Core Document H9, Turning the Plough, Sections 4.1 and 5.



**9. CONCLUSIONS**

- 9.1 In conclusion, I have considered Mr Holborow's evidence and this does not alter the views I expressed in my original Proof of Evidence.