

Oakley Farm, Priors Road, Cheltenham
Planning Application Ref: 20/01069/OUT

Appellant: Robert Hitchins Ltd

PINS Reference: APP/B1605/W/21/3273053

Proof of Evidence to the Public Inquiry

HERITAGE

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1. INTRODUCTION

- 1.1 My name is William Holborow, BA, BArch, ARB, MA (Conservation Studies), CAABC, IHBC. I am an Associate and Senior Heritage Consultant at Purcell, a (UK) national architectural practice specialising in work to historic buildings. I am registered with the Architects Registration Board (ARB), a member of the Institute of Historic Building Conservation (IHBC) and a Consultant Architect Accredited in Building Conservation (CAABC).
- 1.2 Following qualification as an architect I have worked in conservation and heritage for over thirty years. After working for a number of local authorities I spent almost twenty years at English Heritage / Historic England, including ten years as Head of the Government Historic Estates. I have written numerous reports and guidance notes published by English Heritage/ Historic England.
- 1.3 For the past five years I have worked as a Senior Heritage Consultant with Purcell, a national architectural practice. My work involves the detailed analysis of heritage assets – ranging from buildings and monuments to archaeology and landscapes. I am frequently commissioned to prepare assessments of the significance of heritage assets and to assess the impacts of development upon them, both positive and negative, in line with the National Planning Policy Framework and other relevant policies and guidance.
- 1.4 I was appointed by Cheltenham Borough Council in June 2021 to provide specialist heritage advice with regard to this appeal. I visited the development site and surrounding area on 27th July 2021, including the reservoir site managed by Severn Trent. Photographs taken during this visit are included in Appendix B.
- 1.5 I have exercised impartial and independent professional judgement in preparing my advice on this case. My advice is governed by the IHBC Code of Conduct which dictates that IHBC Members should act with competence, honesty and integrity, providing informed professional advice on behalf of the historic environment.

2 AIMS AND SCOPE OF THIS PROOF

2.1 This Proof of Evidence has been prepared for the Public Inquiry into the outline planning application (20/01069/OUT) ('the Application') registered by Cheltenham Borough Council on 16th July 2020. It references application documents submitted in support of the planning application including the illustrative site masterplan 333.P.3.9 (Rev.E, dated 1st August 2019). The Application was supported by a range of reports. Of particular relevance to this Proof of Evidence are a Built Heritage Statement prepared by the RPS Group, dated 13th November 2019, and an Archaeological Desk-Based Assessment (ADBA) report by CgMs Limited, dated July 2019.

2.2 The Built Heritage Statement prepared by the RPS Group, dated 13th November 2019 provides a detailed analysis of identified heritage assets in and around the development site, including:

- No.1 Reservoir (Grade II, list number: 1423571)
- No.2 Reservoir (Grade II, list number: 1423572)
- Pavilion at Hewlett's Reservoir (Grade II, List number: 1104324)
- Gates, gatepiers and boundary walls at Hewlett's Reservoir (Grade II, list number: 1104330)
- Stone Lodge, Hewlett Reservoir (Curtilage listed, Non designated heritage asset)
- Bouncer's Lane Cemetery Registered Park and Garden (Grade II, list number: 1000855) and Associated Listed Buildings
- Two Cemetery Chapels, Cheltenham Cemetery (Grade II, List Number: 1386763)
- Cheltenham Central Conservation Area
- Prestbury Conservation Area
- Agricultural Buildings at Oakley Farm (Non designated heritage asset).

In addition, Reservoir No.3 could also be considered as a curtilage listed structure.

2.3 The Archaeological Desk-Based Assessment (ADBA) report by CgMs Limited, dated July 2019, includes a Gazetteer (Appendix One) which provides a comprehensive list of

Heritage Events and Assets within a 1km radius of the appeal site. There is one Scheduled Monument within this area, a hillfort known as Battledown Camp or Hewlett's Camp (scheduling reference 1002083). Figure 2a of the CgMs report is a map showing the location of heritage events and assets within the study area. The map shows numerous fields of ridge and furrow, including some on the appeal site itself.

2.4 In the Officer's report, the putative reasons for refusal (para 4) is:

The application site lies adjacent to designated heritage assets (grade II listed Hewlett's Reservoir and Pavilion). The proposals would have an unacceptable harmful impact on the setting of the heritage assets within Hewlett's Reservoir. As such, the proposed works are considered not to sustain or enhance the designated heritage assets and would cause harm to the significance of the affected designated heritage assets. In weighing this harm against the public benefits of the proposal, through the provision of housing, the public benefits of the proposals are not considered to outweigh the harm caused to the significance of the affected heritage assets. The proposed development is therefore contrary to Section 66(1) of the Planning (Listed Building and Conservation Area) Act 1990, Policy SD8 of the Joint Core Strategy 2017, Policy CE6 of the Cotswold AONB Management Plan 2018-23 and Chapter 16 of the National Planning Policy Framework.

2.5 A Statement of Common Ground on heritage matters has been agreed with Pegasus. Areas of Disagreement are confirmed in para.3 of the Statement of Common Ground on heritage matters. They concern:

- Whether the development could be implemented without any harm to the heritage significance of the Grade II Listed Gates, Gatepiers and Boundary Walls at Hewlett's Reservoir.
- Whether the development could be implemented without any harm to the heritage significance of the Stone Lodge at Hewlett's Reservoir

- The degree of less than substantial harm to the heritage assets at the Reservoir complex including the Grade II listed Pavilion, Grade II listed Reservoir No.1 and Grade II Reservoir No.2.

2.6 Separate proofs of evidence have been prepared by Paul Instone of Applied Town Planning, in respect of general planning matters, and by Stuart Ryder of Ryder Landscape Consultants in respect to landscape matters.

3 STATUTORY PROVISIONS, PLANNING POLICY AND GUIDANCE

3.1 The relevant statutory provisions are contained in the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.

3.2 The relevant statutory duty relating to development affecting a listed building is contained in Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. This makes it a duty for a local planning authority, in considering whether to grant planning permission for development which affects a listed building or its setting, to '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'. As the settings of a number of listed buildings would be affected by the appeal proposals, the statutory duty under s66 (1) is directly engaged in this instance.

3.3 The courts have held (Ref. South Lakeland DC v Secretary of State for the Environment [1992] 2 AC 141) that '*preserving means doing no harm*'. They have further established that, where a proposal would cause some harm, the desirability of preserving a listed building or its setting, or character of a conservation area, should not simply be given careful consideration, but should be given '*considerable importance and weight*' when the decision-maker carries out the planning balance (Ref. Barnwell Manor Wind Energy Ltd v. East Northamptonshire District Council, English Heritage, the National Trust and the Secretary of State for Communities and Local Government [2014] EWCA Civ 137).

3.4 The Development Plan policies

3.4.1 The local planning policy context is provided by the Joint Core Strategy for Gloucester, Cheltenham and Tewkesbury (adopted jointly by the three local authorities in December 2017) and the policies in the Cheltenham Plan (2011-2031), adopted in July 2020.

3.4.2 Policy SD8 (Historic Environment) of the Joint Core Strategy is a strategic heritage policy that has been cited in the reason for refusal and is therefore relevant to this appeal. The full wording is reproduced in Appendix A1. The policy states that development should make a positive contribution to local character and distinctiveness, having regard to valued and distinctive elements of the historic environment, and that designated and undesignated heritage assets and their settings will be conserved and enhanced as appropriate to their significance, and for their important contribution to local character, distinctiveness and sense of place.

3.4.3 Cheltenham Borough Council Local Plan 2011-31

The Cheltenham Plan was adopted by the Borough Council on the 20 July 2020. It contains additional policies of relevance to this Appeal, including Policy L1: Landscape and Setting which states that 'Development will only be permitted where it would not harm the setting of Cheltenham including views into or out of areas of acknowledged importance'. Policy HE1 concerns 'Buildings of Local Importance and Non-Designated Heritage Assets'. This states that 'Development proposals that would affect a locally important or non-designated heritage asset, including its setting, will be required to have regard to the scale of any harm or loss to the significance of the heritage asset.' Policy L1 and Policy HE1 are reproduced in Appendix A3.

3.4.4 Cotswolds AONB Management Plan 2018- 2023

This plan includes Policy CE6 Historic Environment and Cultural Heritage, which is reproduced in Appendix A2. It also includes a Statement of Significance, listing the special qualities of the Cotswolds AONB. Amongst these, and of particular relevance to this appeal, are:

- the Cotswold escarpment, including views from and to the AONB;
- the tranquillity of the area, away from major sources of inappropriate noise, development, visual clutter and pollution;
- significant archaeological, prehistoric and historic associations dating back 6,000 years, including...ridge and furrow fields...

3.5 The National Planning Policy Framework (NPPF), as revised July 2021

Following the submission of the planning application and appeal to which this inquiry relates, the National Planning Policy Framework has been amended, resulting in re-numbering of the following paragraphs in Section 16 which are of relevance to this Proof. However, the text of the following paragraphs has not been amended.

NPPF February 2019	NPPF as revised July 2021
Proposals affecting heritage assets	
189	194
190	195
192	197
Considering potential impacts	
193	199
194	200
195	201
196	202
197	203
200	206

At Paragraph 197 the NPPF (July 2021) states that in determining planning applications, local planning authorities should take into account, inter alia, of '*the desirability of new development making a positive contribution to local character and distinctiveness.*'

At Paragraph 199, the NPPF (July 2021) advises that '*When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*'

Paragraph 200 of the NPPF (July 2021) states that '*Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.*'

Where potential harm to designated heritage assets is identified, it needs to be categorised as either less than substantial harm or substantial harm (which includes total loss) in order to identify which policies (Paragraphs 200-202 of the NPPF, July 2021) apply. It is common ground that the development should be categorised having less than substantial harm on heritage assets.

The Glossary of the NPPF (Appendix 2) defines the setting of a heritage asset thus:

The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

3.6 Planning Practice Guide

The Planning Practice Guide is online guidance issued by the Ministry of Housing, Communities and Local Government, last updated on 23 July 2019. It includes guidance on the Historic Environment. At Paragraph 13 (Reference ID: 18a-013-20190723), it

considers the question: *What is the setting of a heritage asset and how can it be taken into account?*. It advises that:

All heritage assets have a setting, irrespective of the form in which they survive and whether they are designated or not. The setting of a heritage asset and the asset's curtilage may not have the same extent.

The extent and importance of setting is often expressed by reference to the visual relationship between the asset and the proposed development and associated visual/physical considerations. Although views of or from an asset will play an important part in the assessment of impacts on setting, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust, smell and vibration from other land uses in the vicinity, 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 of way or an ability to otherwise access or experience that setting. The contribution may vary over time.

3.7 Historic England guidance on setting

The Statement of Common Ground confirms the relevance of Historic England's Good Practice Advice Note 3: *The Setting of Heritage Assets* 2nd edition 2017.

Under paragraph 36, on p.13, the Advice Note includes a checklist of the potential attributes of a development affecting setting that may help to elucidate its implications for the significance of the heritage asset. These attributes include:

- Change to built surroundings and spaces
- Change to general character

Paragraph 40 of the Advice Note considers the issue of screening and advises that:

As screening can only mitigate negative impacts, rather than removing impacts or providing enhancement, it ought never to be regarded as a substitute for well-designed developments within the setting of heritage assets.....good design may reduce or remove the harm, or provide enhancement. Here the design quality may be an important consideration in determining the balance of harm and benefit.

4.0 HERITAGE ASSETS LIKELY TO BE AFFECTED BY THE DEVELOPMENT

4.1 Relevant heritage assets

As agreed in the Statement of Common Ground, the designated heritage assets relevant to this appeal are:

- No.1 Reservoir (Grade II, list number: 1423571)
- No.2 Reservoir (Grade II, list number: 1423572)
- Pavilion at Hewlett's Reservoir (Grade II, List number: 1104324)
- Gates, gatepiers and boundary walls at Hewlett's Reservoir (Grade II, list number: 1104330)
- Stone Lodge, Hewlett Reservoir (Curtilage listed,)

4.2 Other designated heritage assets in the vicinity are Hewlett's Camp, a Scheduled Monument lying to the south, and to the north, Bouncer's Lane Cemetery, a Grade II Registered Park and Garden with a number of associated Grade II listed buildings and structures, most notably the Cemetery Chapels.. As agreed in the Statement of Common Ground, the development will not result in harm to the significance and setting of these designated heritage assets due to their distance and intervening modern development.

4.3 Cheltenham Central Conservation Area. There are views from the appeal site across the Cheltenham Central Conservation Area which lies to the west of the appeal site (see

Figure 13 below). These views are noted in the Built Heritage report (RPS, November 2019) submitted with the application. Views of the appeal site from the Conservation Area will be distant and partial views of open space from limited locations. I accept the conclusion of the RPS report:

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.

- 4.4 Prestbury Conservation Area. There are views from the appeal site across the Prestbury Conservation Area which lies to the north of the appeal site. These are noted in the Built Heritage report (RPS, November 2019) submitted with the application. I accept the conclusion of the RPS report that the appeal site makes no legible contribution to the overall significance of the Prestbury Conservation Area.
- 4.5 Ridge and furrow. The survival of ridge and furrow on the appeal site is confirmed by Lidar imagery and by on-site observation – see Figs.5, 6, 12 & 13 in Appendix B. It is recorded in the Gloucestershire HER record 12165 ('RIDGE & FURROW. Harp Hill, N of Battledown Camp. Continuation of ridge and furrow in field to the N.'). This was noted in the archaeological report submitted with the application (CgMs, 2019).



Lidar image reproduced from CgMs report (Fig.12), July 2019. Source: Environment Agency.

The CgMs report (para 4.9.1) observes that 'The majority of ridge and furrow is aligned north by south, running downslope, with a small east by west portion surviving within the south-western corner of the study site'. There are extensive remains of ridge and furrow fields in the surrounding area, as shown on Figure 2a of the CgMs report.

5.0 SIGNIFICANCE AND SETTING OF THE HERITAGE ASSETS

5.1 No.1 Reservoir

No.1 Reservoir is located immediately to the east of the former Custodian's House, with which it is contemporary.

The history and significance of Reservoir No.1 was assessed by Historic England in 2015, at the time of its listing. In summary, it is described as 'An underground reservoir with a capacity of 413,000 gallons, built in 1824 for the Cheltenham Water Works Company to designs by James Walker (1781–1862), civil engineer of Limehouse.'

It is listed at Grade II, for the following principal reasons:

- Technological interest: the reservoir is the earliest surviving example of an underground reservoir so far identified, and was designed by James Walker (1781-1862), one of the most distinguished civil engineers of the C19;
- Architectural interest: the chambers are constructed largely in stone rather than the more common brick, and the reservoir has a good above-ground portal with sweeping flanks;
- Intactness: the reservoir remains largely unaltered since its completion;
- Group value: as an important component in this early reservoir complex, forming part of a good group of buildings, which also includes No.2 Reservoir, the gates, piers and boundary walls, and the pavilion, all listed at Grade II.

The roof of the reservoir is formed of brick jack arches, which are covered with earth and turf. The only external manifestation of the structure is the stone portal, now ivy covered, which faces the driveway of the Stone Lodge.

The structure of Reservoir No.1, being fully roofed, is not readily accessible or appreciated, it nonetheless retains a presence in the landscape and has a setting. Its immediate setting is the walled enclosure which surrounds the Hewlett's Reservoir site. The wider rural setting is also of importance, as its location was chosen due to its ability to collect water from the 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 No.2 Reservoir

No.2 Reservoir is located immediately to the east of No.1 Reservoir and to the south of No.3 Reservoir.

The history and significance of Reservoir No.2 was assessed by Historic England in 2015, at the time of its listing. In summary, it is described as ‘An underground reservoir with a capacity of 2 million gallons, built in 1839 for the Cheltenham Water Works Company to designs by James Walker (1781–1862), civil engineer of Limehouse.’

It is listed at Grade II, for the following principal reasons:

- Technological interest: the reservoir is, after Reservoir No.1 on the same site, one of the earliest surviving examples of an underground reservoir so far identified, and was designed by James Walker (1781-1862), one of the most distinguished civil engineers of the C19;
- Intactness: the reservoir remains largely unaltered since its completion;
- Group value: as an important component in this early reservoir complex, forming part of a good group of buildings, which also includes No.1 Reservoir, the gates, piers and boundary walls, and the pavilion, all listed at Grade II.

The roof of the reservoir is formed of brick barrel-vaulted arches, which are covered with earth and turf. The curved profile of these arches is legible on the surface – see Fig.9 and Fig.10 below. Otherwise there is no external manifestation of the structure beneath.

The structure of Reservoir No.2, being fully roofed, is not readily accessible or appreciated, it nonetheless retains a presence in the landscape and has a setting. Its immediate setting is the walled enclosure which surrounds the Hewlett’s Reservoir site. The wider rural setting is also of importance, as its location was chosen due to its ability to collect water from the 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 itself 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.

5.3 Pavilion at Hewlett’s Reservoir

This octagonal pavilion is located at the north-west corner of Reservoir No.3, with a commanding view of the appeal site which lies below it. See Fig.4, 5 & 12 below.

The pavilion – assumed to be built originally as a Valve House – was first listed in 1983. The current list description was issued in 2015. This describes the pavilion as a probable former valve house dating from c.1870. It listed at Grade II, for the following principal reasons:

- Architectural interest: the building is an ornamental pavilion with picturesque detailing, which belies its functional purpose and instead gives the appearance of a country house garden building;
- Group value: the pavilion forms part of a good group of buildings at this, the earliest surviving complex of covered reservoirs, which includes Reservoirs 1 and 2, and the gates, piers and boundary walls, all listed at Grade II.

The external appearance of the pavilion is largely unchanged apart from the replacement uPVC windows. It retains several ornamental features including the corner quoins (applied clinker on brickwork, in imitation of vermiculated stone), fish-scale pattern roof slates, and a delicate iron verandah on all sides. It has a consciously picturesque quality which transcends its functional purpose. The interior is a single room with no notable fittings related to its original function.

The setting of the pavilion includes the walled enclosure which surrounds the Hewlett's Reservoir site and the fields to the west, which form part of the appeal site. The appeal site therefore makes an important contribution to the setting and significance of the listed pavilion.

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. 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.

5.4 Gates, gate piers and boundary walls at Hewlett's Reservoir

The iron gates and decorative stone gate piers are located on Harp Hill – see Fig,1 below. They stand at the entrance drive leading to the Stone Lodge, which is now in separate ownership from the adjacent reservoir site owned by Severn Trent. The gate piers are set within a brick boundary wall that extends around the whole of the reservoir site, including Stone Lodge and all four reservoirs. On the west of the reservoir site this brick wall forms the boundary with the appeal site – see Figs.4, 5, 6, 7 & 8 below. It is buttressed on the inner side of the reservoir site.

The gates, gate piers and boundary walls were first listed in 1983. The current list description was issued in 2015. This describes them as 'Gatepiers with gates, dating from 1824, and flanking boundary walls, 1824 and 1850s, to the Hewlett's Reservoir complex.'. The listing description makes it clear that all of the boundary walls around the reservoir complex are covered by the listing. They are listed at Grade II, for the following principal reasons:

- Architectural interest: the gates and piers are elaborate, well-designed and survive well, and the brick boundary walls are well made and neatly bonded; their appearance belies their functional purpose and instead helps give the complex the appearance of a country house garden;
- Group value: the structures form part of a good group of buildings at this, the earliest surviving complex of covered reservoirs, which includes Reservoirs 1 and 2, and the pavilion, all listed at Grade II.

The setting of the boundary walls includes the enclosure which they surround and the field that lies below to the west, which forms part of the appeal site. The appeal site therefore makes a low to moderate contribution to the setting and significance of the listed walls.

5.5 Stone Lodge

This building is the former Custodian's House and is dated 1824 – the date is inscribed on a stone shield above the entrance porch, see Fig.2. The Lodge remained in its original use until purchased by the current occupant. The external appearance has been considerably altered on the north and west sides by the addition of a two-storey rendered extension, visible in Figs.3 & Fig.8.

It is common ground that the Lodge has the status of a curtilage listed building. It is the Council's position that the Lodge is curtilage listed through its historic association with Hewlett's Reservoir and being mentioned in the list descriptions for both No.1 Reservoir and No.2 Reservoir, which state, "The custodian's house was altered and extended in the later C20."

The primary setting of the Lodge is its own garden and grounds, which have a private and secluded character, and to a rather lesser degree the remainder of the Reservoir site. The appeal site, despite its proximity, makes only a low contribution to the significance of the Lodge.

5.6 No.3 & No.4 Reservoirs

No.3 Reservoir dates from 1847, and was designed by Henry Dangerfield, the County Surveyor. It was originally an open reservoir holding 9 million gallons. However a concrete cover on piers and a low concrete perimeter wall were added in 1966. The roof has a level earth-covering and the grass is kept mown.

No.4 reservoir was a large open reservoir with lobed brick walls, completed in 1857. It abandoned in 1965 and demolished in the 1990s. Its location can be seen in Fig.11 below.

Although neither of these two reservoirs are listed in their own right, they are mentioned in the statutory descriptions for the earlier listed reservoirs (No1 & No.2). Reservoir No.3 meets the criteria for a curtilage listed structure, as it is mentioned in the

list descriptions for the adjacent designated assets, is located within the curtilage of the Reservoir complex, was in the same ownership at the time of listing and has an historic association with the site's function.

The immediate setting of these two reservoirs is the area within the boundary wall of the reservoir site. However there are wide views of the surrounding landscape from the grassed roof of Reservoir No.3 and from the site of Reservoir No.4. The rural quality of these surroundings has been diminished to some extent by the recent housing development on the former GCHQ Oakley site, now known as Oakley Grange, which lies immediately to the north of Reservoir No.4. In Fig.11 below, the most recent extent of this development can be seen in views from the Reservoir complex. The proposed development would add to the cumulative impact of development on the Reservoir's rural surroundings.

5.7 Agricultural buildings at Oakley Farm

A group of agricultural buildings forming Oakley Farm is located on the appeal site – see Fig.14, 15 & 16. They are in a very poor state of repair and are of low to no significance. The former farmhouse was demolished in 2019 (Ref.19/000042/DEMO). The proposal to demolish the remaining buildings is not contested.

5.7 Ridge and furrow fields

The survival of ridge and furrow on the appeal site has been confirmed by the appellant's archaeological report (CgMs, 2019) and is described above at para 4.5. Examples of the surviving areas of ridge and furrow can be seen in Fig.5, 6 and 13 below. The archaeological evaluation submitted with the planning application (Worcestershire Archaeology, 2019) stated: 'The furrows and other drainage features are of negligible significance, all being products of medieval to modern agricultural activity'. However, I do not accept that an area of well-preserved ridge and furrow in the AONB can be classed as being of negligible significance.

Ridge and furrow fields are characteristic of medieval farming practice, whereby arable fields were farmed communally and in rotation, such that each open field was left fallow every three years. Farmers ploughed their strips so that they were ridged towards the middle, allowing rainwater to run off in the intermediate furrows. This ridge and furrow form was once one of the commonest types of archaeological earthwork in lowland England¹. However, in the 1970s and 1980s, European subsidies and more powerful tractors and ploughs saw the ploughing flat of huge swathes of ridge and furrow and it is now far scarcer than previously. Some examples have been scheduled, generally in association with designated settlement remains, demonstrating the relationship between the two.

As a non-designated heritage asset, I assign medium-to-low significance to the surviving ridge and furrow on the assumption that it is of local rather than regional significance. This judgement is based on a number of factors:

- There is a good rate of survival of ridge and furrow across the site, and it remains legible on the ground.
- The current field divisions are post-medieval and the appeal site is no longer associated with a medieval farmstead or settlement.
- There is a relatively high rate of survival of ridge and furrow in the locality.
- There have been high rates of loss of this type of asset nationally, especially within the past 50 years.

6.0 ASSESSMENT OF THE PROPOSED DEVELOPMENT AND ITS IMPACT

6.1 Description of the proposed development

The appeal relates to an Outline planning application for development comprising of up to 250 residential dwellings including provision of associated infrastructure, ancillary facilities, open space and landscaping, demolition of existing buildings and formation of new vehicular access from Harp Hill. All matters are reserved except for means of access

¹ <https://historicengland.org.uk/images-books/publications/dssg-agriculture/>

to the site from Harp Hill. An indicative site layout is shown on the masterplan drawing, ref.333.P.3.9., dated 01.08.2019.

6.2 The development site

The application site lies wholly within the Cotswolds Area of Outstanding Natural Beauty (AONB). The site is bounded by Harp Hill to the south, the Oakley Grange residential development to the east and north and Wessex Drive to the west. The Grade II listed boundary wall to Hewlett's Reservoir forms part of the east site boundary. The land rises steeply south towards Harp Hill and is sub-divided into separate field parcels, delineated by extensive rows of established and mature hedgerow and trees. A number of established trees occupy other parts of the site, some of which are subject to Tree Preservation Orders.

6.3 Area to be developed

The masterplan drawing shows in outline a housing development occupying the lower part of the site, leaving the southern part of the site – which amounts to about one third of the total area – as a green space crossed by the access road from Harp Hill, and by a pedestrian route parallel to Harp Hill. In addition, an indicative landscape strategy has been provided plus various drawings indicating preliminary access design and layout, access and movement links, building heights and general land use across the site. Site section drawings and a series of photomontages have also been provided. A building heights parameter plan included in the Design & Access Statement indicates two zones, one near the centre of the site with a maximum building height of upto 12m and the surrounding areas having a maximum building height of 10.5m.

6.4 Impact on the setting of heritage assets at Hewlett's Reservoir

6.4.1 Methodology

The setting of each asset and its significance has been described above in Section 5 of this Proof. However, it is the impact on the setting of the reservoir complex as a whole which needs to be considered above all, as it is a well-defined and coherent group.

The methodology for assessing impacts on the setting of heritage assets is confirmed in the Statement of Common Ground, paras 4.28 – 4.30. The recommended approach is set out in Historic England’s guidance on setting (see para 3.7 above). This states that, in general, the assessment should address the attributes of the proposed development in terms of its:

- location and siting
- form and appearance
- wider effects
- permanence

In this case, the proposed development is of a permanent nature, and it is therefore the issues of location, siting, form, appearance and wider effects which are considered below.

6.4.2 The wider setting of the Reservoir complex

The significance of the appeal site’s landscape setting is analysed in detail by Mr Ryder in his Landscape Proof of Evidence. The area closest to the Reservoir is a large open field. This is described in the applicant’s Character Area Analysis (DAS, para 2.10.1) as Area G ‘Sloping pasture, well contained with ridge and furrow, open field allows views from Harp Hill to listed structures of reservoir’.

It was acknowledged in the Built Heritage report (RPS, 2019) submitted with the application that both Cheltenham and the surrounding rural landscape contribute to the significance of the asset i.e Hewlett’s Reservoir. Spring water was fed into the reservoir from the surrounding hills, and the location of the Reservoirs is closely related to the topography of this landscape. The RPS report noted:

'Its isolated setting allowing for provision of water is therefore a contributor to the significance. In addition, Cheltenham itself contributes to the significance of the asset, as it is the growth and expansion of Cheltenham and Charlton Kings which led to the requirement for the reservoirs. The Site is immediately adjacent to the asset and provides a degree of separation between the asset and Cheltenham town as well as providing a rural character to the assets. The direct contribution that the rural character provides to the overall significance of the asset is limited, with this being secondary to the architecture and innovation of the structure itself.'

I concur with this assessment of the wider setting. However, even if the rural setting is of secondary importance, it is nonetheless an important aspect of the Reservoir's significance, especially when the group of listed assets is considered as whole.

6.4.3 Impact of the proposed main estate road

This road entering from Harp Hill would create a breach in the existing roadside hedge and a further breach in the hedge dividing the upper fields. This road is shown curving to the east and then dividing into two spurs, one providing access to the western part of the site and the other providing access to the eastern part of the development. The road is shown with pavements on along both sides and with avenue trees within the open area on the southern part of the site. This road would detract from the rural setting of the listed pavilion and the listed boundary wall as it crosses the upper pasture slopes and approaches the Reservoir site. The pavement edge of the access road comes within about 57 metres from the curtilage listed wall and the footpath 4.5m, measured from Drawing 333.P.3.9. When stood on top of Reservoir No.3 or next to the Pavilion, the access road and the traffic movements along it would be a highly intrusive feature in the foreground. Furthermore, any infrastructure associated with the road - not yet defined but likely to include kerbs, turning places, crossing points, signage and lighting – would further detract from the rural setting of the designated heritage assets. It is not confirmed whether the footpaths crossing the open area of the site will require lighting.

6.4.4 Impact of new housing development

There has already been some intrusion into the rural setting of the Reservoir complex by the recent 'brownfield' development at Oakley Grange which has replaced the former GCHQ site. The western part of this development can be seen intruding into views from the Reservoir complex – see Fig.11 below. The proposed development of 250 houses on the appeal site will significantly add to this intrusion, changing the character of the site from an entirely rural one to an urban extension on the lower slopes; this would cover the majority of the site, with a retained open area on the upper section crossed by an access road and new pedestrian routes.

The proposed screening of the new housing by a tree belt would not overcome the encroaching effect of the proposed housing development. From the lower slopes below the proposed tree belt there is unlikely to be any clear view of the reservoir structure and pavilion from the public realm. In addition to the main east-west tree belt running the full width of the site, the indicative masterplan shows a considerable amount of tree planting along the new road in the upper part of the site and on either side of new footpaths. This planting will entirely change the character of the pasture slopes and will both constrict and foreshorten views from the listed pavilion and towards it. Historic England's guidance advises that:

As screening can only mitigate negative impacts, rather than removing impacts or providing enhancement, it ought never to be regarded as a substitute for well-designed developments within the setting of heritage assets.

The change in the landscape character of the appeal site is considered in more detail in the evidence of Mr Ryder.

6.4.5 Possible security measures

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.

6.5 Impact on the ridge and furrow on the appeal site

The appellants' archaeological desk-based assessment acknowledges the widespread survival of ridge and furrow across the appeal site – see 4.5 above. In the area earmarked for housing development, any ridge and furrow would be completely lost in the course of building operations, construction of roadways and relandscaping works. In the upper part of the site, shown as a green corridor next to Harp Hill, the construction of the main access road as well as a pedestrian route traversing the site, would cause such a degree of loss as to render any remains almost worthless.

6.6 Overall assessment of impact

A recognised methodology for assessing the impact on heritage values is contained in the *Guide to the Conservation of Historic Buildings* (British Standards Institute, 2013).

This states that:

The magnitude of impact of change should be assessed in relation to the significance and value of the historic building. The magnitude of impact can range from a neutral impact where the value is low or negligible and there is no change, to very large where the value is very high and the impact is major.

In the table below, I have used the following categories of significance. These are consistent with the NPPF and with the 'Levels of Significance' described at para 4.31 in the Statement of Common Ground:

Designated assets of the highest significance include Scheduled Monuments, Grade I and Grade II* listed buildings and Grade I and Grade II* Registered Parks and Gardens

Designated heritage assets of less than the highest significance include Grade II listed buildings, Grade II Registered Parks and Gardens and non-designated assets of national or regional significance. In the table below their significance is described as 'High'.

Non-designated heritage assets. I have assessed these as being of 'medium' or 'low' significance where they are of regional or local significance, or where their significance is unknown. However, by describing an asset of being of low significance, I do not mean to imply that it is unimportant. The NPPF advises at Para 203 that 'In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'

Taking the magnitude of impacts as a whole, together with the relative significance of the various heritage assets affected, I conclude that the overall impact on heritage value is a low-to-moderate level of less-than-substantial harm. The NPPF requires that 'great weight' must be given to the desirability of preserving the significance of a designated heritage asset' (para 199 of the NPPF) '*irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance*' and that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, that the public benefit balancing exercise be undertaken (para 202 of the NPPF).

Name and type of asset	Significance	Contribution of the appeal site to asset's significance	Harm to asset's significance from proposed development
No.1 Reservoir . Grade II listed.	High	Low	Low
No.2 Reservoir. Grade II listed.	High	Low	Low
Pavilion / Valve House. Grade II listed.	High	High	Moderate
Gates, gatepiers and boundary walls. Grade II listed.	High	Low - Moderate	Low
Stone Lodge / former Custodian's House: Curtilage listed	Medium	Low	Low
No.3 Reservoir: Curtilage listed.	Medium	Low	Low
Bouncer's Lane Cemetery: Registered Park and Garden and associated Listed Buildings	High	Negligible	No harm
Battledown Camp Scheduled Monument	Very High	Negligible	No harm
Cheltenham Central Conservation Area	High	Negligible	Negligible
Prestbury Conservation Area	High	Negligible	Negligible

Buildings at Oakley Farm: Non designated heritage asset	Negligible	N/A	N/A
Ridge and furrow: Non designated heritage asset	Low to Medium	High	Moderate

7 CONCLUSIONS

I conclude that:

- The central issue is the impact of the proposed development on the setting of designated heritage assets at Hewlett's Reservoir, especially the two listed reservoirs, the listed pavilion and the listed boundary wall.
- The open and outward looking character of the existing setting of these heritage assets will be compromised by the proposed development including the new belt of tree screening and access road from Harp Hill;
- The overall impact is to extend a form of urban development into the rural setting of the designated heritage assets;
- The overall effect is to cause a low to moderate degree of less than substantial harm to the setting of the designated heritage assets;
- Furthermore, the development will result in the erasure of a large area of medieval ridge and furrow on the appeal site;
- Considerable importance and great weight must be given to the desirability of preserving the setting of a heritage asset and therefore the Inspector is respectfully requested to dismiss the Appeal.

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10th August 2021

APPENDIX A – LOCAL POLICIES

A1 Adopted Joint Core Strategy, Policies SD7 and SD8:

Policy SD7: The Cotswolds Area of Outstanding Natural Beauty (AONB)

All development proposals in or within the setting of the Cotswolds AONB will be required to conserve and, where appropriate, enhance its landscape, scenic beauty, wildlife, cultural heritage and other special qualities. Proposals will be required to be consistent with the policies set out in the Cotswolds AONB Management Plan.

This policy contributes towards achieving Objectives 4 and 9.

Policy SD8: Historic Environment

- 1. The built, natural and cultural heritage of Gloucester City, Cheltenham town, Tewkesbury town, smaller historic settlements and the wider countryside will continue to be valued and promoted for their important contribution to local identity, quality of life and the economy;*
- 2. Development should make a positive contribution to local character and distinctiveness, having regard to valued and distinctive elements of the historic environment;*
- 3. Designated and undesignated heritage assets and their settings will be conserved and enhanced as appropriate to their significance, and for their important contribution to local character, distinctiveness and sense of place. Consideration will also be given to the contribution made by heritage assets to supporting sustainable communities and the local economy. Development should aim to sustain and enhance the significance of heritage assets and put them to viable uses consistent with their conservation whilst improving accessibility where appropriate;*
- 4. Proposals that will secure the future conservation and maintenance of heritage assets and their settings that are at risk through neglect, decay or other threats will be encouraged. Proposals that will bring vacant or derelict heritage assets back into appropriate use will also be encouraged;*
- 5. Development proposals at Strategic Allocations must have regard to the findings and recommendations of the JCS Historic Environment Assessment (or any subsequent revision) demonstrating that the potential impacts on heritage assets and appropriate mitigation measures have been addressed.*

This policy contributes towards achieving Objectives 1, 2, 4 and 5.

A2 Cotswolds AONB Management Plan 2018-2023, Policy CE6:

**Policy CE6:
Historic Environment and Cultural
Heritage**

1. The historic environment and cultural heritage of the Cotswolds AONB, both designated and undesignated²⁵, should be conserved and enhanced through effective management.
2. Designated historic environment sites, such as Scheduled Monuments and listed buildings, should be protected, in line with national policy and guidance.
3. Proposals that are likely to impact on the historic and cultural heritage of the Cotswolds AONB should have regard to these features and seek to conserve and enhance them. This should include respecting historical features, buildings, sites, layout and context, including the relationship between the existing feature or settlement and the landscape.
4. Historic Environment and Cultural Heritage should be a key component of future agri-environment, land management and rural development support mechanisms in the Cotswolds AONB.

A3 The Cheltenham Plan, July 2020, Policy L1

POLICY L1: LANDSCAPE AND SETTING

Development will only be permitted where it would not harm the setting of Cheltenham including views into or out of areas of acknowledged importance.

This policy contributes towards achieving the Cheltenham Plan Vision: Theme A - objective a; Theme C – objectives a, b and f.

POLICY HE1: BUILDINGS OF LOCAL IMPORTANCE AND NON-DESIGNATED HERITAGE ASSETS

Planning permission will only be granted where it would involve the demolition of, or substantial alteration to, the external appearance of:

- a) any building designated as being of local importance on the Local List, and
- b) any non-designated heritage assets

when it can be demonstrated that:

- a) all reasonable steps have been taken to retain the building, including examination of alternative uses compatible with its local importance; and
- b) retention of the building, even with alterations, would be demonstrably impracticable; and
- c) the public benefits of the redevelopment scheme outweigh the retention of the building.

Development proposals that would affect a locally important or non-designated heritage asset, including its setting, will be required to have regard to the scale of any harm or loss to the significance of the heritage asset.

This policy contributes towards achieving the Cheltenham Plan Vision: Theme A - objective a; Theme C - objective a.

APPENDIX B – PHOTOGRAPHS



Fig.1 Entrance gates and boundary wall



Fig.2 Front façade on the Stone Lodge



Fig.3 East side of the Stone Lodge facing No.1 Reservoir



Fig.4 Pavilion. Oakley Grange development in rear background (right), appeal site (left). A recent post-and-rail fence can just be seen on the left of the image marking approximately the line of the proposed tree belt.



Fig.5 View from the pavilion towards the lower (northern) part of the appeal site. A recent post-and-rail fence can just be seen crossing the site marking approximately the line of the proposed tree belt.



Fig.6 View from the pavilion towards the upper (southern) part of the appeal site, showing the well-defined ridge and furrow



Fig.7 Buttressed brick wall and earth bank of Reservoir No.3.



Fig.8 Brick boundary wall facing the appeal site and west side of the Stone Lodge



Fig.9 Covered roof over Reservoir No.2, looking east



Fig.10 Covered roof over Reservoir No.2, looking west



Fig.11 View from Reservoir No.3 to the site of former Reservoir No.4



Fig.12 View from the appeal site towards the pavilion and the earthen bank of Reservoir No.3



Fig.13 View across the appeal site towards the west boundary of the site, showing area of ridge and furrow



Fig.14 View across the lower (northern) part of the appeal site towards the farm buildings



Fig.15 Farm buildings at Oakley Farm



Fig.16 Farm buildings at Oakley Farm