Wiltshire Council Planning Consultation Response

Application No: PL/2023/07437
Address: Land at Back Lane, Ramsbury
Case Officer: Jonathan James

Please find following comments in respect of the above application(s).

Recommendations:

	No Comment
	Support
	Support subject to conditions (please set out below)
X	Object (for reasons set out below)
	No objections

Scope of comments: the following comments relate to the built historic environment.

National Policy and Guidance:
Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 – requirement 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.

Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 – requirement to pay special attention to the preservation or enhancement of the character or appearance of the surrounding Conservation Area.

The National Planning Policy Framework (2021) outlines government policy, including the historic environment (Section 16). National Planning Policy Guidance provides guidance on making changes to Heritage Assets.

Historic England's *Advice Note 2 – Making Changes to Heritage Assets* is also relevant guidance for applying the policies within the NPPF.

Historic England's "Conservation Principles" provides policy and guidance for the "sustainable management of the historic environment". Additional guidance is also contained within their publications:

- *Historic Environment Good Practice Planning Advice Note 2 – Managing Significance in Decision-Taking in the Historic Environment*
- *Historic Environment Good Practice Planning Advice Note 3 – The Setting of Heritage Assets (2nd edition)*

Local Policy:
Wiltshire Council's Core Strategy Policy CP57 'Ensuring high quality design and place shaping': A high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complementary to the locality.

Wiltshire Council's Core Strategy Policy CP58 'Ensuring the conservation of the historic environment' requires that "designated heritage assets and their settings will be conserved, and where appropriate enhanced, in a manner appropriate to their significance."

Site:
The site is an area of land along Back Lane enclosed by significant boundary walls. Although unlisted, these are historic features that give a positive contribution to the character along Back Lane. Opposite the site is the grade II* Parliament Piece and its grade II barn, to the east is the grade II Old Vicarage and adjoining the site to the south is the churchyard of the grade I listed Church of the Holy Cross.

The historic boundary walls that from the proposal site are understood to have had a close historic association with Parliament Piece, a significant grade II* listed property to the north of the application site. From the information available to the Council, these historic walls are considered to be curtilage listed, as they originally formed the kitchen garden to Parliament Piece, and were in ownership and ancillary in use at the time of listing (22nd August 1966). These walls have recently been subject to an application to Historic England to consider the walls for listing within their own right. Historic England's report concluded that the walls should not be added to the statutory list however it also stated the following findings:

> *'The walled kitchen garden is known to have once been that for the Grade II*-listed Parliament Piece, owned from the early C18 by the Batson family. The site was certainly in their ownership by the time of the 1839 Enclosure map when it was in use as a paddock and garden. Throughout the time of its connection to Parliament Piece the walls are thought to have been standing; the west wall and most of the north wall in particular are anticipated to date to the late C17 when the house was enlarged…*
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> *The historic connection to Parliament Piece, which can be taken to date from at least the late-C17 and certainly from the 1830s, has been severed in recent times with changes in ownership. However, the walls are visually coherent in character with other structures in this part of Ramsbury and the open space also provides views to the tower of the Church of the Holy Cross…*
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> *The walls and their internal space also add to the contrasting character between the loosely-planned [sic] properties with gardens on Back Lane and the denser High Street built on burgage plots. Therefore, although the walls to the former kitchen-garden do not meet the criteria for listing, they justify their inclusion as a positive contribution to the conservation area.'*

The character of Back Lane is very different from the High Street. It is much quieter in atmosphere and it does not have the runs of terraces and cottages that form the High Street. At the entry points either end of the lane, the development is slightly denser as buildings have continued around the corners of the High Street yet the central section of the lane is of a marked character, with a few well-dispersed larger houses set in large garden plots. The site is almost bang in the middle of Back Lane, at the very point where there is little development and the larger garden spaces between the existing historic houses form an important and defining element of the character and appearance of this part of the conservation area and the setting of many important listed buildings, including the church and Parliament Piece.

The adopted Ramsbury Conservation Area Statement has the following on the character of Back Lane:

> *'From its western end Back Lane is relatively narrow with small scale buildings close to the road but as the road climbs the character changes. Brick walls, hedges and trees become more prominent and the buildings less so. Views to the north open out to open country. Back Lane contains some of the more imposing houses in Ramsbury, in particular Ramsbury Hill and Parliament Piece which look down over the village. The gates and gatepiers to Parliament Piece, together with the yew hedging, are notable and attractive features…*
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> *The houses on the south side of Back Lane sit in generous gardens, often behind high brick walls so that the character of Back Lane reflects its name. Turning south at the Church Hall is*

a pedestrian link to the High Street which runs through the churchyard. This is an attractive and tranquil area much enhanced by careful management and by the trees. The unpaved approach to the Old Vicarage provides an appropriate setting for the building and the approach to the church…
The churchyard is an important open space within the village and there is a much used footpath between Back Lane and the High Street on the western side of the church…
The widely spaced housing in walled gardens and the paddocks along Back Lane contrast with the more dense road frontage development of the High Street. These areas provide additional space for planting and contribute to the open character of the area.'

Most importantly, the statement also has the following: '*The open areas in Back Lane that form the grounds to some of the larger dwellings in the village make a significant contribution to village character and need to remain undisturbed'.*

Proposal:
Construction of a single storey eco home and associated works, including new access and partial re-building of unsafe boundary wall.

Issues:
Impact upon the preservation of the designated heritage assets, their setting, character and appearance.

Assessment:
The current application is a resubmission of a recently approved application (ref. PL/2022/00916), itself a submission on the back of refused application (ref. 20/11244/FUL) the latter being dismissed at appeal. The appeal cited various reasons for being dismissed, with those relating to Conservation issues as follows:

- Protrusion of the dwelling above the boundary walls, that results in visual intrusion and significant impact on the openness of the appeal site and surrounding area: this was considered to be substantial harm to the character and appearance of the Conservation Area;
- Harm to the setting of grade II* listed Parliament Piece, due to the proposed dwelling interrupting views of the listed building;
- Disruption of views of the grade II listed former Vicarage;
- Harm to the setting of the grade I listed Church of the Holy Cross.

No undue harm to the perimeter wall was found.

Taking into consideration the planning history of the site and the 2022 approved application, it is still necessary to refer to the Inspector's findings and reasons for dismissing the appeal, in assessing any future proposals for the site and the potential impact on the historic built environment. The main reason for identified as being harmful to the conservation area and setting of various listed building of all grades, was the visual intrusion into the area: this caused a harmful disruption of views to the various designated heritage assets that neighbour the site, including the grade I listed Church and grade II* Parliament Piece.

The proposal, as before, is for a detached dwelling, although the design sees an increase in size and with what appears to be a walkway to the north of the building supported with gabions forming a retaining wall, which essentially creates a ditch to the north of the dwelling. The height of the roof has also been increased to be almost level with the top of the boundary wall to the east of the site.

The proposed building is losing the subterranean aim and design of the original approval, which were important design considerations in achieving a dwelling with minimal visual impact on the surrounding designated heritage assets: this was fundamental to the acceptability of a dwelling in this location.

I am concerned that the increase in height (including the slab level within the plot that combines with this increase, which emphasises this increase in height), along with the increase in size and move away from the subterranean design, will result in the increase in visual prominence of a building within this sensitive site.

The proposals seem to have evolved into something that is straying from the overall aims of what was essentially a tight brief by the Planning Inspectorate of what would be acceptable for this site. It was made clear that the visual intrusion into the setting of all the neighbouring listed buildings was limited however the current proposals are evolving beyond this, creating a more prominent building than that approved in 2022. The current proposals no longer integrate into the landscape particularly successfully and the increase in size, now taking up more of the plot, with a long blank east elevation facing the grade II listed former Vicarage, is not particularly sympathetic to the setting of the neighbouring listed building.

For the 2022 application I had commented that '*the proposed flat roof is set well below the height of the existing boundary wall to the north of the site and therefore views across the site of neighbouring listed buildings should no longer be harmed with this proposal'* and concluded that '*the visual intrusion and harm to the character and appearance of the conservation area, and the setting of neighbouring listed buildings of all grades identified within the Appeal statement have now been addressed by designing a subterranean dwelling, with a flat, green 'eco' roof set well below the height of the existing boundary wall to the north of the site. The current proposals keeps visual impact to a minimum and as a result reduces, if not removes, visual harm to the designated heritage assets: the proposal therefore is considered to preserve the significance of the designated heritage assets, preserving their setting, character and appearance'.*

Unfortunately I am not convinced that the evolution of the proposal from the approved design successfully limits the visual impact on the neighbouring designated heritage assets, in particular those to the east of the site. The increase in size of the building and height of the roof can only increase the visual prominence of the proposed dwelling within the site, and other changes, such as the move from a subterranean building to one that is only slightly sunken into the site, also combine to add to this increase in visual prominence: the cumulative impact of all these changes has the potential to introduce a degree of harm to the setting of designated heritage assets, for which there are no public benefits that would outweigh this harm. The proposals are therefore considered to be against the aims of the NPPF and Wiltshire Core Strategy, which seek to preserve or enhance the setting of designated heritage assets.

If the proposals were revised to remove the two 'extensions' to the south i.e. the proposed lounge/study and family room (as the building already has provision for a sitting room), the reduction in overall size could overcome some of the concerns raised above.

Pippa Card
Senior Conservation Officer
Wiltshire Council Planning

Date: 29th November 2023