

Wiltshire Council Planning Consultation Response

24th April 2025

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Wiltshire Council Conservation (Central)

Officer's Name: Gen Collins
Officer's Title: Principal Planning Officer

Application No: PL/2025/02257
Outline planning application (with all matters reserved except access) for residential development, including the construction of up to 149 dwellings, new vehicular access with footways and cycleways, public open space, landscape and associated infrastructure.
Land to the North of Whychurch Farm and West of Crudwell Road, Malmesbury

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

Recommendations:

☐	No comment
☐	Support in principle subject to amendments to the scheme (as set out below)
☐	Support subject to conditions (as set out below)
☒	Object (for reasons set out below)
☐	No objections

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

National Policy and guidance: From the point of view of the historic environment the main statutory tests are set out within the Planning (Listed Building and Conservation Areas) Act 1990. Section 66 (PP) requires that **special regard** be given to the desirability of preserving or enhancing listed buildings and their settings.

Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 also requires the Council to pay **special attention** to the desirability of preserving or enhancing the character or appearance of designated Conservation Areas. In this case the site is outside the Malmesbury Conservation Area but consideration has been given to whether there is any impact on its setting.

The NPPF outlines government policy, including its policy in respect of the historic environment. Section 16 of the NPPF 'Conserving and enhancing the historic environment' sets out the Government's high-level policies concerning heritage and sustainable development. Paragraphs 214-16 of the NPPF require a balanced approach with any harm which would be caused being weighed against the potential public benefits which might be achieved. Paragraph 210 requires local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and of new development making a positive contribution to local character and distinctiveness.

National Planning Practice Guidance provides guidance on interpreting the NPPF.

Specialist conservation guidance is provided by Historic England - the following points are taken from the Historic England document "The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning 3" (HE GPA3) that are considered to be particularly relevant:

HE GPA3 Part 1:

"The NPPF makes it clear that the setting of a heritage asset is 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."

"The extent and importance of setting is often expressed by reference to visual considerations. ...views of or from an asset will play an important part..."

"The importance lies in what the setting contributes to the significance of the heritage asset or to the ability to appreciate that significance."

Local Policy: The 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."

The Council's Core Strategy CP 57: Ensuring high quality design requires a high quality of design in all new developments. Proposals are required to "demonstrate how the proposal will make a positive contribution to the character of Wiltshire through (amongst other things) "enhancing local distinctiveness by responding to the value of the natural and historic environment, relating positively to its landscape setting and the existing pattern of development" and "responding positively to the existing townscape and landscape features in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape and rooflines to effectively integrate the building into its setting."

Proposal: the application seeks outline consent for the construction of up to 149 dwellings. Outline permission has already been granted for the northern area of housing shown in the current Illustrated Masterplan and, whilst the details remain under consideration as part of a reserved matters application, the principal and broad outlines of the developable area in this zone are established. This response therefore focuses on the southern half of the site.

Relevant planning history:

PL/2021/08453 - Land to the north of Whychurch Farm and to the south of Filands, Malmesbury. (i.e. the northern section of the site referred to above). Allowed at appeal.

PL/2023/08687 – reserved matters pursuant to the above consent. Under consultation.

Site: the site comprises three fields within a relatively level agricultural landscape. The land is level and the single field which makes up the southern half of the site currently under consideration is open and without internal planting or subdivision. Field boundaries are largely hedged, with the exception of that to the north of the farmstead itself and to the main road (to the south of the water tower) which are fenced only.

Issues: impact on the settings of listed buildings, impact on the Malmesbury conservation area.

Information considered/provided: Paragraph 207 requires that applicants describe the significance of any heritage assets affected, including any contribution made by their setting. This should include sufficient information to provide a clear understanding of the significance of the heritage asset and its setting and the potential impact of any proposals on that significance. In this case, the applications are accompanied by a "Built Heritage Statement" which provides sufficient information to understand the impact of the proposals and is proportionate to their scope. The requirements of the NPPF are therefore met in this respect.

The Built Heritage Statement describes the assets which are likely to be affected by the development and provides assessment of their significance and of the impact of the proposals on this significance. I agree generally with the methodology for identifying affected assets, with the list of these identified and scoped

into the more detailed assessment and with the broad description of their significance and the contribution of the site to this, made within the document, which is sufficient for this purpose. The designated assets identified as being impacted include Whychurch Farmhouse (Grade II) and an outbuilding to the northwest of Whychurch Farmhouse (Grade II) located to the immediate south of the site and, at greater distance, the Abbey Church of St Mary and St Aldhelm (Grade I); St Paul's Bell Tower (Grade I); and Malmesbury Conservation Area. However, whilst the presence of heritage assets (other than those which are specifically designated) within the Whychurch farmstead is acknowledged, there is limited discussion of their status. Taking into account the relationship with the farmstead as a whole and the ownership and use of the farm, I would consider that all of the older structures within the farmstead (including an historic barn to the west) should be considered as curtilage listed and forming 'part' of the primary listed building (ie the farmhouse).

With regard to the impact assessment, I also agree with the finding that whilst the agricultural fields that comprise the southern half of the site constitute part of the wider setting of all of the assets considered and impart a generally rural agricultural character, in the case of the more distant assets (ie the Abbey and the Conservation Area) the contribution made by the site is of secondary importance and that its development will therefore have only a limited impact....with a low level of harm being identified to the significance of the Abbey Church only (ie not to the Conservation Area) via development within its wider setting.

With regard to the more nearly related assets, the report acknowledges a greater level of harm to the Whychurch farmstead which lies immediately to the south of the site. It identifies "an historic and current functional and ownership association" between the asset and the site and varying levels of intervisibility between the southern section of the site and the farmhouse and buildings within the farmstead, with the development of these areas concluded as likely to result in low-moderate harm to the farmhouse; and moderate harm to the separately listed outbuilding. I do consider, however, that the contribution made by the site to the significance of the farmhouse itself has been somewhat understated due to the assessment of the visual connection between this asset and site as being "filtered intervisibility of the asset, of aspects of the building's rear and western elevations – most particularly elements of the asset's roof, from the south-eastern portion of the Site. The screening is delivered by the noted trees and other buildings in the farmstead" whereas, in reality, inspection on site suggests that there is wide and clear visibility of the farm and buildings to the west from across the southern half of the site which is borne out by the viewpoints illustrated in the LVIA, with only the very south-eastern corner being screened during summer months.

Whilst the Illustrative Masterplan allows for a relatively generous landscaped buffer between the proposed dwellings and the heritage assets at Whychurch Farm which will provide some mitigation of the impacts of the built development from a purely aesthetic viewpoint, the mitigation itself will also result in change to the current agricultural landscape, imparting a more formal and suburban parkland character which will tend to appear as alien in this context. Taking into account that the historic section of the farmstead is focussed to the north, it will be separated from the remaining undeveloped agricultural land to the south via the modern farmyard. The development, including the mitigation proposed under the Illustrative Masterplan, will therefore result in the loss of the last surviving agricultural fields which have a visual and functional relationship with the listed buildings, removing the ability to experience these assets within their historic agricultural setting and resulting in a diminution of their significance and of the understanding of their development.

Summary: the proposed development would result in less than substantial harm to the heritage assets at Whychurch Farm and, to a lesser level to the Abbey Church by way of a change within their setting. The assets themselves would be unaltered and it is agreed that the harm should be considered as "less than substantial" harm for the purposes of interpreting the NPPF but the development to Whychurch farm will result in the loss of the last of its connected agricultural landscape and should be considered as moderate harm within this category.

No heritage benefits are argued or will result from the proposals.

Conclusion: the proposed development would result in harm to the setting and significance of the grade II listed Whychurch Farmhouse and the associated Grade II listed "outbuilding to the west north-west" and to

the curtilage remnants of its farmstead. In addition, there would be some harm resulting from further development within the wider setting of the Grade I listed Abbey Church.

Taking into account the **special regard** required by Section 66 of the Act to be given to the desirability of preserving the setting of listed buildings and the **great weight** ascribed to the conservation of designated assets by paragraph 212 of the NPPF, it is clear that the proposals should be subject to a high level of scrutiny. Paragraph 208 of the NPPF also requires that local authorities take opportunities to avoid or minimise conflict with heritage objectives.

The proposals are also at odds with the requirements above and with those of Core Policies 57 and 58 which require the preservation or enhancement of the settings of heritage assets. From the viewpoint of the built historic environment only, there are no **heritage benefits** which will stem from the application which would outweigh the harm caused to the historic environment and I must therefore object to the proposals.

In due course it will fall to the Case Officer to assess the benefits which will accrue and to weigh these against the heritage harm which will be caused and any other planning constraints and to reach a view on the final planning balance. During this process close scrutiny will need to be given to the level and nature of the need and the opportunities for providing the public benefits which would be delivered either in other ways/on other sites which could have a lesser adverse impact.

n.b. it should be noted that this site was assessed as part of the consideration of sites potential housing sites during the review of the Local Plan. The area which comprises the southern half of the current site was considered as part of a wider site and the advice given noted that development in this zone was unlikely to be justified.