

LAND AT WHITE STREET, WEST LAVINGTON, WILTS SN10 4HR – Objection**Rebuttal to Applicant's Heritage Statement & Conservation Officer's Comments**

Representation for: Mr Andrew Doman & Jordina Evins, West Lavington Manor, Church Street, West Lavington

Application: PL/2026/02443

Date: 30/6/26

PURPOSE OF THE REPRESENTATION

Part A : This representation is a rebuttal to the Applicant's Heritage Statement submitted to the Council to provide an assessment of the heritage assets in the vicinity and the predicted impacts of the development scheme on those heritage assets.

Part B: Is a response to Wiltshire Council's Conservation Officer's Consultee Comments.

The representation is made by Jen Nixon BA(Hons), PgDipArchCon, an appropriately qualified and experienced conservation and design consultant.

Part A: APPLICANT'S HERITAGE STATEMENT (HS - Section 4)**Re: West Lavington & Little Panell Conservation Area (WL & LP CA):**

The following comments are in response to statements made in the Applicant's HS that specifically relate to the West Lavington section of the CA.

The HS states the following points should be taken into account in any LPA planning assessment in line with NPPF Chapter 16 Para 208:

1. The western boundary of the Conservation Area, (behind the High Street), **is defined by its open spatial character**, created by the open land and views across relatively level farmland, extending across the valley floor to meet the base of the scarp slope of Strawberry Hill.

(This information has been extracted by the Applicant from the WL & LP CAA)

However, this means:

- **The Proposed Development Site is therefore confirmed to be located within this highly sensitive, natural, open, buffer zone that provides the characteristic soft, western edge to the historic Conservation Area, and is an important contributor to the CA's setting.**

2. This flat area of land has also been designated as a ***Special Landscape Area***, due to its **contribution to the local character**.

(The map evidencing this designation is shown within the Adopted CAA)

(The designation is also backed by separate local policies, which have already been identified in other Letters of Objection received by the LPA)

However, this means:

- The designation instigated to highlight the importance of this specific site to the locality, and therefore protect it from harm is being overlooked and threatened by the proposed development within this space.

3. There are a number of key views that criss-cross the Proposed Site, both inward sightlines towards the CA and outwards ones connecting the CA with the surrounding open countryside.

These have been identified as:

- a) From Strawberry Hill Footpath towards the CA -
 - Appendix 2: Visual Amenity Baseline & Impact Assessment (HS) assesses the view from the ridge as having a ***“Moderate”*** impact on the ***“Sensitivity/Value/Susceptibility”*** of the view, ***“given that the Site is in full view, due to the elevation position over the application site”***.

However, this means:

- The site will impact the heritage assets and Conservation Area, as it will be seen juxtaposed with the backdrop of the listed and historic dwellings, located along the western side of the High Street, a view that contributes to the character, appearance and setting of the CA.
- b) View from the (eastern RoW) western boundary of the Conservation Area is noted as important and **the proposed development will be part of a “recognised view”**
 - Appendix 2, assesses the **threat as being at the higher end of the range *High-Moderate*** “on the ***Sensitivity/Value/Susceptibility*** of the view.
 - c) View from the RoW along the western side of the site, in the Appendix 2 Impact Assessment it also constituted a level of ***Sensitivity/Value/Susceptibility*** upwards to

Moderate, due to the available views of any proposed modern development within this flat open space.

However, this means:

- The development will impact the inward and outward views, which presently provide an appreciation of the rural setting of the settlement.
- These are views and sightlines that are highlighted in the Adopted CAA as being part of the designated area's significance and setting.

In Summary:

The taking into account the above points, as advocated by the Applicant's HS, the proposed scheme **will impact on the setting and significance of the Conservation Area** and will be contrary to Conservation Area guidance.

In addition, the Applicant's HS Assessment of the Conservation Area's significance appears to be lacking in its depth, and has **failed to**:

- a) Clarify, that the Proposed Development Site has **NOT been adopted as an accepted site** by the Neighbourhood Plan, as otherwise implied.

In fact, the site was rejected for development, due to failing the criteria:

- The proposed development site being located within a protected area. (Point 2 above)
- Inadequate access and visibility.
- Harm to White Street from widening.
- Harm to the CA setting.
- Other site options available in the village.
- Conclude that demonstrable harm was not outweighed by benefits.

- b) Highlight key features pinpointed within the LPA's Adopted WL & LP Conservation Area Appraisal document text.

As such, it is considered that, as well as the points highlighted above, **the following from the CAA should also be taken into consideration**, given that they contribute to the "*special character and appearance*" of the designated Area **and will be At Risk** as a result of this proposed development.

The significance of the West Lavington section of the Conservation Area lies in:

1. The key historic core is centred on the church and the network of narrow one-track lanes around it, including White Lane, **which contribute to its unspoilt character, and historic, evidential and aesthetic value.**

Hence:

- This is a highly sensitive historic section of the CA, with a richness and density of heritage assets and includes White Lane and the environs.

As a result, the CAA states:

- Development opportunities are stated as being severely limited, particularly around the nucleus of W. Lavington, ***and development in depth of the High Street or in backland sites is not considered in keeping***, with only one site in Littleton Panell deemed an option.
 - ***“Expansion outside the villages with forms of development of significant impact on the countryside would not be appropriate”*** (CAA).
 - ***“It is important to recognize the form and grain of the village by taking into account historic boundaries and overall density”***.(CAA)
2. The soft edges to the side lanes located on both sides of the main road, are considered special and stated as worthy of preservation, so **contributing to the Conservation Area’s special character, appearance and setting**.
 3. ***“Trees, verges and other landscape features are important but can be vulnerable to change. Efforts will be needed to protect the various elements that make up the special character of the village to ensure its long term survival for the benefit of existing and future residents, businesses and visitors”***. (Extract CAA)
 4. **The important survival of the linear planform** of the village, which both evidences the historic inter-relationship of the Conservation Area with the landform of the surrounding rural landscape;
 5. and the latter’s influence on the evolution of the settlement’s historic planform through the medieval period and C18/C19.

In terms of the Listed Building and Non-Designated Heritage Assets in the vicinity:

The Applicant’s HS has identified a number of Listed Buildings in the vicinity. In summary, it notes that the majority are located on the eastern side of the High Street and as such, the impact of the scheme on them directly and their setting is negligible.

However,

1. There is one listed building (No.52 High Street - LB) and a number of non-designated heritage assets (NDAs) in the form of adjacent historic cottages, on the western side of the High Street, that back onto the proposed site.

- It is noted that the Applicant's HS makes no mention of any non-designated heritage assets in its assessment.
 - Such are required under the NPPF to be assessed in terms of the effect of any development.
- b) The potential for first floor views from both LBs of the proposed development are identified in the Appendix 2 Impact Assessment, and would similarly impact on the adjacent non-designated heritage assets.

The NPPF Glossary **considers the significance** of a heritage asset to derive ***not only from a heritage asset's physical presence, but also from its setting.***

Therefore:

- **The proposed development will impact their settings, (despite this not being flagged by the CO in their formal response).**
- c) Reference is made to the existence of hedge screening along the line between the rear gardens of the High Street dwellings and the adjacent RoW and hence site

However:

- **It is never best practice to rely on natural screening to overcome the impact of an inappropriate development**, as there are no long term guarantees to the condition or height of a hedge.
And in this case a condition cannot be applied for the hedge maintenance given it is in the ownership of the existing residents not developer.
2. In addition, there are a number of further LB's considered in the Applicant's HS, which include the Grade II Manor, Archway, Wall and Grade I Church.
- The high status, **Grade I church is a prominent** landmark and highly noted in the various views of the village.
 - The church yard with its large number of historic monuments, some listed, is an important aspect of its significance and contributes positively to the church's setting and Conservation Area, providing group value.
 - The HS recognises that such views incorporate both the church tower and the proposed site within the same vista.(RoW Strawberry Hill)

Historic England recognise that the setting of a heritage asset ***is all of the land from which it can be experienced***, and hence can extend well beyond the HA's curtilage.

Therefore, this means that:

- For the church, with its landmark status and hence multiple viewpoints, **means that the proposed site is within the setting of the Grade I church and hence this existing**

designated open space makes a positive contribution to the significance of this high status listed building.

Furthermore:

- a) The church setting is characterised by its semi-isolated enclave setting, set in the midst of a network of narrow lanes within peaceful green open space of the churchyard in close proximity to the historic Old Manor and Parsonage.
 - **The Applicant's Heritage Statement failed** to include any assessment of the **impact on the setting of the church or the adjacent listed buildings** that for a historic group at the core of the Conservation Area, **in terms of the potential for** this contemplatory setting to be **impacted due to increased traffic movement** from the development.
- b) The Manor House, a high status building within the main street with a historic relationship with estate lands, Its group value with its entrance archway and boundary wall contribute positively to the significance of the Conservation Area.
- c) The Arch itself is a prominent feature and is located directly opposite White Lane, so having a direct relationship with the proposed new entrance to the development site.

Therefore,

- As such the **proposed highway works to provide modern pavements and associated engineering to the 5.5m entrance will clearly impact on the setting of the historic Grade II arch** by changing the historic and rural character of the lane opposite and junction.
- Contrary to the statement within the HS, there will be a direct impact on the setting of this heritage asset.
- Combined with this, the development will clearly result in an increase in traffic movement via White Lane.
 - As defined by Historic England, **setting can be impacted not just physical means but also due to noise, smells and other matters such as traffic**

PART B: CONSERVATION OFFICER'S (CO) CONSULTEE COMMENTS

Issue is raised with the conclusions drawn by the CO in the formal response provided to the Planning Case Officer, due to:

1. **A conflict within the text** between the acknowledgement of how the existing site and the associated views play an important and recognised part in the significance of the Conservation Area, contributing positively to its setting and enabling an appreciation of its planform and spatial character; **and the final assessment of "No Objection".**

2. **Also, the CO raised concerns relating to** the proposed materials, in particular excessive brick, lack of boundary plans and streetscene to assess impact, proposed poor quality ground surfaces, lack of trees within the layout, proposed cranked building form and pyramidal roofs which were deemed inappropriate and **yet the CO's recommendation is not one of Scheme Amendments.** (Option 2 on the Consultee template)
3. **A conflict between final assessment of “No Objection”** and the quoted heritage legislation, national and various local policy, by which any assessment of impact by the CO, and final decision-making by the LPA should be measured, **the said documents requiring regard to be given for the:**

“special desirability of preserving or enhancing the appearance of designated Conservation Areas” (Section 72 of Planning: Listed Building & Conservation Areas Act:1990)

“desirability of preserving, and enhancing listed buildings, their settings or and special features of special architectural or historic interest which they may possess” (Section 66 of Planning: Listed Building & Conservation Areas Act:1990)

NPPF Para. 210 the desirability of new development making a positive contribution to local character and distinctiveness.

(Para.212) great weight should be given to the asset's conservation

(Para.213) Any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification.

Para.215 Where a development proposal will lead to less than substantial harm this harm should be weighed against the public benefits

(Para.216) The effect of an application on the significance of a non-designated heritage asset should be taken into account i

(Para.219) opportunities for new development within Conservation Areas to enhance or better reveal their significance.

Local Core Strategy CP58 also states that ensuring the conservation of the historic environment , and its heritage assets and their settings is paramount.

In Summary:

- The CO has acknowledged and agreed the fact in the formal response, that the Conservation Area Appraisal considers this natural, open space to the western boundary of the Conservation Area to be a key feature of the CA's significance, along with the views and sightlines it enables; the spatial context it provides for the historic village; and the safeguarding of the historic linear planform;
- Despite emphasis having been made to the fact that a key view to Strawberry Hill is to be preserved, it should be noted that at present there are open views towards the hill, from

along the eastern RoW (boundary of CA), many of which would still either be restricted or available only with the proposed development in the foreground, **so completely changing the spatial character and context of the Conservation Area.**

- In addition, the proposed layout **takes no reference from the historic planform of the village, totally submerging and obscuring the latter** (other than the tops of the existing roofs), in regard to views from Strawberry Hill and therefore changing the whole context of the Conservation Area setting.
- The proposed access works while being described as modest, will result in the erosion of White Street's character, with a 5.5m wide vehicle entrance with splays and its soft verges replaced with a modern 2m wide pavement leading to the main road junction, changing the whole character of this historic lane, contrary to the CAA's guidance (above).
- **it therefore cannot then be said, that** the resulting physical and visual intrusion of the proposed scheme of development on these key features **would not contribute *Less-than-Substantial Harm* to the Conservation Area and its setting.**
- As such, it **also cannot be said** that the scheme is in-line with the quoted heritage legislation and policies, **as it neither preserves or enhances or safeguards** the significance of setting of the Conservation Area or the setting of the various heritage assets.
- Where a **public benefit may exist, it should be noted that the great weight is stipulated in the NPPF to be given in favour of safeguarding heritage assets** providing a tilted balance in favour of their conservation.

However, it should be noted that:

- **Contrary to the NPPF requirements** the CO's response **fails to conclusively state the type of harm the scheme imposes**, in line with the categories available: Substantial Harm, Less-than-Substantial Harm or no harm.
- **Neither is the level of harm within the selected category stated, again contrary to the NPPF requirements.**
- In such a case, **the level of harm identified cannot be justifiably balanced with any public benefit** by the Case Officer **in undertaking an informed and supportable decision**
- **Consequently the proposed planning application is considered contrary to legislation and policy and in direct opposition to the protective designation placed on the site, and should be refused.**