Historic Environment Paper relating to East Hoathly

and

Planning Application WD/2016/2796/MAO for 205 Houses

This is a joint submission from the owners of four Listed Buildings that are affected by this Application. We strongly object to this Application and urge that you reject it at the earliest opportunity.

There are many reasons to oppose this Application but this paper focusses on the impact on designated Heritage Assets surrounding the proposed development site and the Impact on the East Hoathly Conservation Area.

National Policy

National Policy Planning Framework (NPPF) 2019 at Paragraph 189 requires: "an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting". The detail provided should be sufficient to understand the potential impact of the proposal on their significance. The Local Authority is required under Paragraph 190 to assess the significance of development affecting the setting of a heritage asset. This is reinforced in Policy Planning Guidance (PPG) - Historic Environment (updated 23 July 2019) where it states that "Significance derives not only from a heritage asset's physical presence, but also from its setting". The Applicant has failed to adequately describe or understand the importance of the setting of the heritage assets surrounding the proposed development.

Listed Buildings

There are many Listed Buildings that surround the proposed development but four are of particular importance:

Old Whyly Old Whyly is a Grade 2 Listed Building and one of the oldest buildings in the Parish. Historic England describe it as 18th



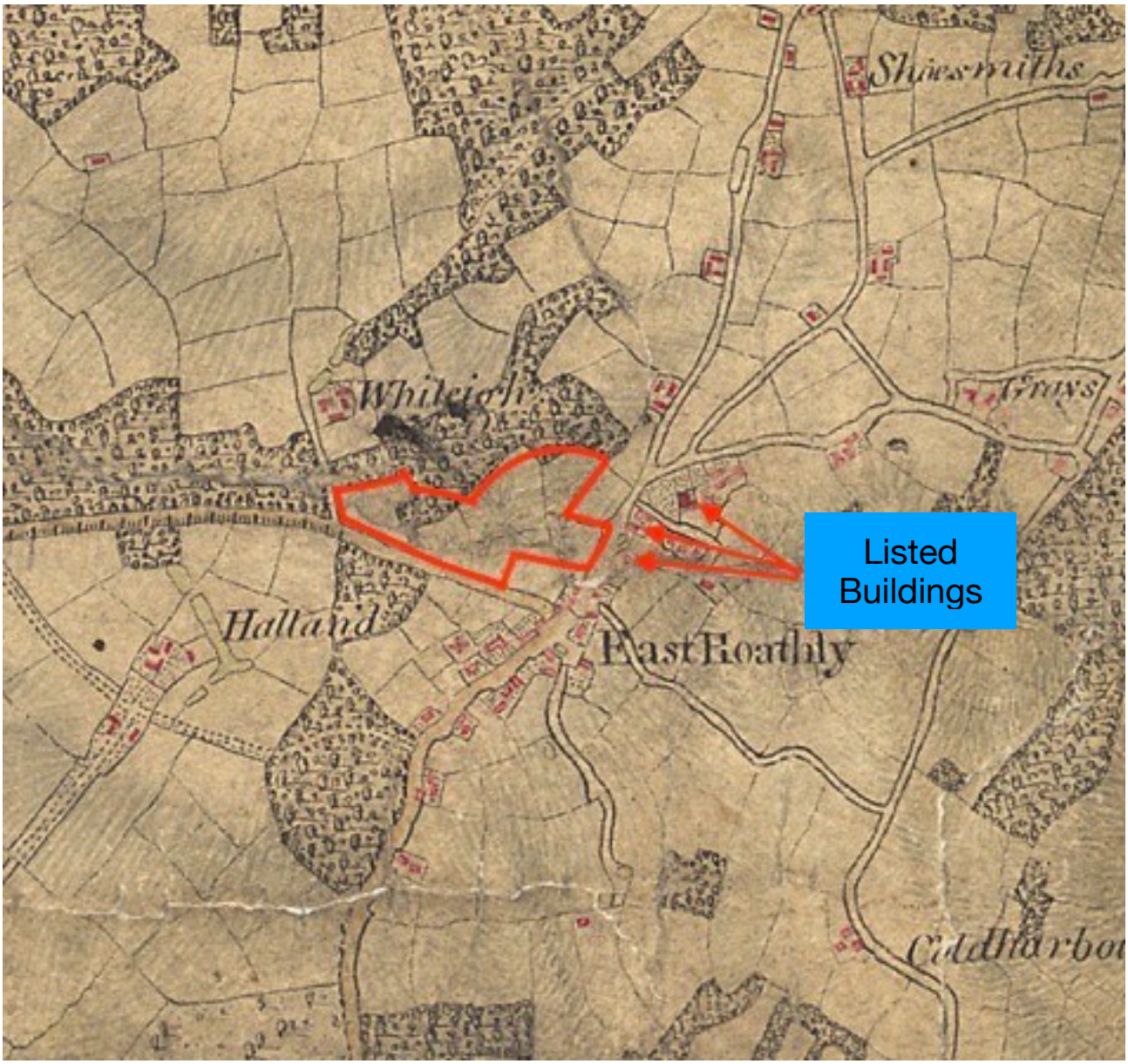
Century. However, the College of Arms records a dwelling here in 1100 and elements of a screen dated to 1400 are still visible in the kitchen area. Thomas Lunsford, perhaps its most notorious occupant, was living there in 1633 when he attempted to shoot Thomas Pelham at the doorway to East Hoathly Church. It has played a significant part in the history of this community and is frequently mentioned in the Thomas Turner Diaries of the mid 1700s. It is a popular destination for walkers and local historians and its setting is largely unspoilt by the intervening 900 years. The approach to Old Whyly from the London Road is an important part of its setting. Flanked on one side by Ancient Woodland alongside Croom Cottage Meadow a Site of Nature Conservation Interest (SNCI) and on the other side by open pasture leading into the surrounding Ancient Woodland. The view from this approach towards the village of East Hoathly has remained unchanged for over 400 years and forms part of the setting for this important Listed Building.



Old Whyly Estate Map 1625 showing overlay of proposed development

Waldron Road

Three large houses sit in elevated positions on Waldron Road leading North from East Hoathly. They form a significant and striking combination. They are all Listed Buildings and their collective stature emphasises the importance of the setting onto which they face. The Pevsner Guide notes them as "The three best houses" and remarks that East Hoathly "is distinguished for the excellence and neatness of its houses". This concept is supported by PPG - Historic Environment Paragraph 13, which states that "buildings that are in close proximity ……. may have a historic or aesthetic connection that amplifies the experience of the significance of each".



Ordnance Survey Drawing 1789 showing overlay of proposed development

Belmont Belmont is a Grade 2 Star Listed Building. It is described by Historic England as an 18th Century square house that was originally the Rectory for East Hoathly. It is probable that it was built in 1764 for the Rector Thomas Porter and the event is recorded in the Thomas Turner Diaries. As the Rectory it played an important part in village life and was also home to Captain Henry Topham Clements who led the scheme to build the Village School in 1863.

It should be noted that only 6% of Listed Buildings are categorised as Grade 2 Star. These are particularly significant Heritage Assets and require an added level of consideration and protection.



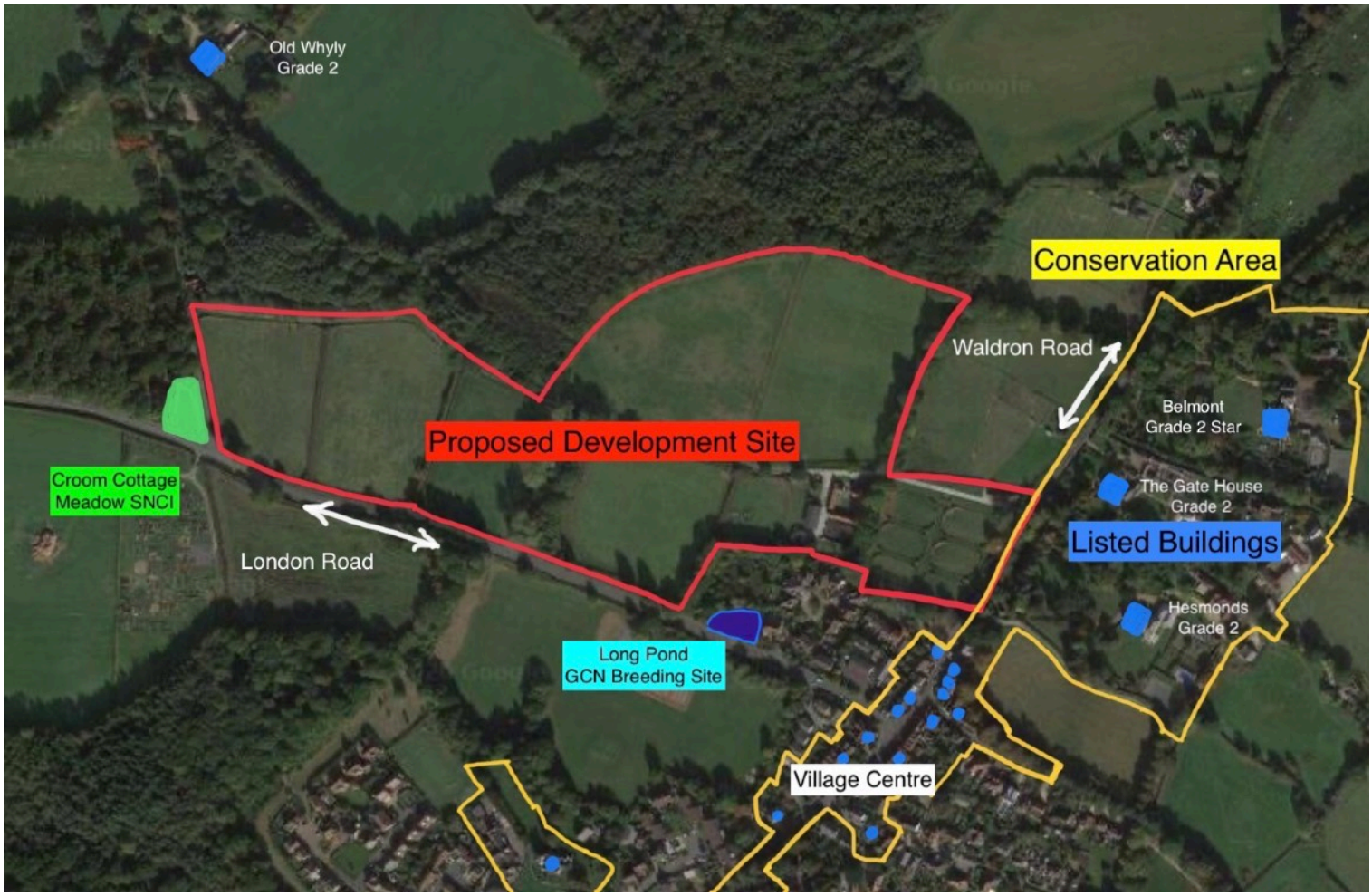
<u>The Gate House</u> The Gate House is a Grade 2 Listed Building. Historic England describe it as early 19th Century but it is shown on the Ordnance Survey Drawing of 1789 and was probably built around 1750. It was the home of Doctor Thomas Holman who owned the first steam powered motor vehicle in the village. When he was using this vehicle to visit patients the house had already been the home of a dynasty of village Doctors for over one hundred years. What is now the Dining Room was the Surgery.



Hesmonds Hesmonds is a Grade 2 Listed Building. It is described by Historic England as an "L" shaped house dating from 1830. However, it was already a significant property when in the ownership of Matthew Martin in 1807. There are references to property on this site during the 18th Century and it is probable that the core of the current house was built in the early part of the 1700s. Until recently the house was the home of the owner of Hesmonds Stud and much of the farming land of the Parish and as such was at the centre of much of the villages business. The well supplying Hesmonds water also supplied its estate cottages and many of the village houses well into the 20th Century.



This triumvirate of houses have been deeply woven into the development of this community since the 1700s and they have looked out onto the pasture land to the West of Waldron Road with views to the Ancient Woodlands beyond. The connection of the unspoilt frontages of these houses brings a timeless quality to this approach to the village. The glimpses of these much admired houses and their gardens provides an aesthetic quality to this part of the Conservation Area that is enjoyed by those passing along the Waldron Road. The pastoral scene onto which they face is very much part of this aesthetic and is a tangible reminder of the former links of these houses to the development and functioning of the village.



The approach to the village along the Waldron Road is similar to that of the approach along the London Road. These approaches are essentially open pasture backed by Ancient Woodland and this forms the character setting for the village. The approaches to the village provide an atmosphere of calm pastoral tranquility. They contribute to the sense of arrival. The proposal to urbanise this open pasture

along the London Road and Waldron Road would have a substantial negative impact on the setting of these Listed Buildings.

It should be noted that the proposed development land and the land in front of The Gate House and Belmont has all been owned by the three houses for at least 200 years. The Gate House still owns the paddocks opposite itself and Belmont. Until the recent separation five years ago of Hesmonds house from the Hesmonds Stud Farm, the whole of the proposed development site was part of the Hesmonds Estate. This reinforces the importance of the views to the settings of these listed buildings. The Hesmonds Stable Block is



believed to date from the mid 20 th Century and was recently refurbished to a high standard. Along with The Gate House Stables it creates a rural setting for the Listed Buildings. Paragraph 194 of NPPF 2019 should prohibit development in front of this important combination of Listed Buildings: "Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification." No such justification is provided.

Paragraph 193 of NPPF 2019 states that "great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be)". The cumulative importance of these Listed Buildings should give even greater weight to the need to preserve this setting and views.

Public Benefit

Sustaining the setting of these listed buildings would provide a public benefit in accordance with NPPF 2019, Paragraph 8. The historic rural approaches to the village and the calm tranquil setting all add to the attraction of living in this community and the health and wellbeing of both residents and visitors. To urbanise this setting would do significant harm to this public benefit.

Wealden Conservation Area Character Assessment

Wealden adopted the new Conservation Area in 2017 but have still not published the East Hoathly Character Assessment to accompany this. When published it will no doubt reflect the importance of this area of East Hoathly's Historic Environment that pertains to this Application.

Flaws in Applicant's Submissions

The Applicant has submitted various reports to support the Application. Those relating to the Historic Environment have significant shortcomings in relation to the impact of this Application on designated Heritage Assets and the Conservation Area. These shortcomings are summarised as:

> The Application was submitted in 2016 and does not reflect the adoption of a new Conservation Area for East Hoathly in 2017 which extends North to include the listed buildings on Waldron Road.
>
> The Wealden Landscape Study of 2014 has been used by the Applicant but does not take account of the change to the Conservation Area.
>
> The Applicants Landscape and Visual Impact Assessment produced in 2016 takes no account of the change to the Conservation Area.

The Applicant has made no amendments to their reports and they therefore lack validity and understate the Landscape and Visual Impact of the proposed development.

Historic Environment Desk-Based Study

The Historic Environment Desk-Based Study submitted by the Applicant contains many errors. The most significant is that it has not been updated to include the Conservation Area adopted in 2017. In addition there are a range of errors typical of a desk-based study done by people who do not know the area.

In Paragraph 7.9 the Applicant's Study determines that there would be no impact on designated heritage assets to the South-East of the site (those Listed Buildings in the High Street/Waldron Road). Its argument is that these designated heritage assets cannot see the site because of buildings or trees masking the view. This completely disregards the concept of the setting for these designated heritage assets. An important part of the setting of these assets is that they are in a small rural village with open countryside and an historic landscape immediately beyond the edge of the built area. To urbanise this landscape would harm the setting for the assets in the High Street/Waldron Road. The residents do not have to be able to see the housing estate, to know that it is there and that when they walk around their rural village that it will have lost much of its character.

Paragraph 7.10 assesses the impact for the Listed Buildings of Belmont, The Gate House and Hesmonds. It uses circumspect language, concluding that: "Both Hesmonds and Belmont House are set back from Waldron Road within their own enclosed immediate settings, therefore no potential impacts are predicted for these two properties. The Gate House fronts onto Waldron Road, and the site forms part of its open setting to the west/south-west: as a result the proposed development has the potential to have an impact on the setting of this heritage asset". To say that there are "no potential impacts" on Belmont and Hesmonds is disingenuous. To claim for The Gate House that there is only "the potential to have an impact" is equally disingenuous. It will have a substantial negative impact on all three properties and be of significant harm.

When the Study concludes in Paragraph 12, these impacts have been watered-down further and amounts to the statement: "the proposed development may have some impact on the setting of nearby designated heritage assets". This considerably underestimates the impact that urbanising the setting and view from these important Listed Buildings.

Landscape and Visual Impact Assessment

The Landscape and Visual Impact Assessment submitted by the Applicant misuses the Wealden Landscape and Character Assessment. It has not been updated to include the Conservation Area adopted in 2017. The Wealden Study describes the area of the proposed development as:

> "5.12.14 Landscape Setting Area 4 is considered to make a Major contribution to the Landscape Setting of the Settlement. This area is

> considered to have a strong strength of place as a result of the pockets of Ancient Woodland. There is also inter-visibility between this area and historic buildings within the historic core. The large areas of Ancient Woodland provide a strong sense of visual containment and enclosure to views north and eastwards from the settlement. They provide a wooded backdrop and interrupt long distance views across the landscape."

The Applicant does not give sufficient importance to the strong wording of Wealden's Assessment, particularly in respect to the "inter-visibility between this area and historic buildings within the historic core".

The Applicant does not acknowledge that to build on this site would remove completely "the strong sense of visual containment and enclosure" because the whole of the open area would be urbanised removing forever the "long distance views across the landscape".

Specifically in relation to the Listed Buildings on Waldron Road. In assessing the impact on "Visual Amenity" at Paragraph 3.16 it concludes that there will be a "slight negative visual impact" on The Gate House, "no notable change" for Hesmonds and it excludes Belmont from the Assessment. In relation to the Waldron Road itself, the report concludes that there would be a "moderate negative" impact. All of these assessments are based on the unmitigated impact, so after waiving a magic mitigation wand the impact is watered-down to have even less impact. The reality is that urbanising this area and planting some screens will not mitigate the loss forever of the historic rural setting and view from these Listed Buildings and Waldron Road.

The Real Visual Impact

The reality of the negative visual impact would be dramatic and significant. This can be seen in the following images with the proposed site boundary shown in red. This represents the site at ground level but the height of the buildings will make the visual impact even more dramatic than is represented in these pictures. The impact would be different for the 2 sides of the proposed development:

Waldron Road

The view from Belmont, The Gate House and Hesmonds overlooks the whole of the proposed development site. Also, the view in these pictures represents one perspective from the Listed Building but will be replicated from the whole of its grounds, associated cottages and outbuildings all of which are protected by the same Listed Building status. These different vantage points would create an even greater panorama of negative visual impact. It must be remembered that the

red boundary shows the proposed development site but the negative impact on the setting of the Listed Buildings includes the area between the curtilage of the Listed Building and the proposed site boundary.







Old Whyly

The approach to Old Whyly from London Road is an integral part of its setting and this would be urbanised along the whole of the Eastern side of the road. The height of the buildings adjacent to this approach would have a significant negative impact on the setting of this historic building and obscure the view to the trees and ancient woodland to the North from London Road.



Emerging Wealden Local Plan

It is regrettable that the Applicant has chosen to disregard the ideas put forward in the recently withdrawn Emerging Wealden Local Plan. Had they been so minded, they would have viewed the new policy section on the Historic Environment and the excellent guidance relating to Listed Buildings and Conservation Areas. They might then have had a better understanding of their responsibilities in this area:

> "40.6 The setting of a heritage asset, including a conservation area, includes the surroundings in which it is experienced. Its extent is not fixed and may change as the asset and surroundings evolve, and does not depend on there being public rights or an ability to access or experience that setting. Where development may affect the setting of a heritage asset, Historic England guidance on the setting of heritage assets should be used to provide an assessment of impact as a series of steps to demonstrate the capacity for the setting to accommodate change without harm to the heritage asset's significance, or to views to the asset, and to demonstrate where change may better reveal significance. Considerations should include the cumulative impact of change on the physical surroundings of the asset, including its relationship with other heritage assets; the asset's intangible associations with its surroundings and patterns of use; the contribution

made by noises, smells, etc. to significance; and the way views allow the significance of the asset to be appreciated."

Precedence - West Dorset

Land Value Alliances LLP appealed against the decision of West Dorset District Council over Planning Application Reference WD/D/17/001831 dated 13 July 2017. This was an Application to build 130 homes in the vicinity of Listed Buildings and a Conservation Area. The Planning Inspector rejected the Appeal under Appeal reference: APP/D1265/W/18/3206269 dated 13 December 2019. The conditions relating to this case were very similar and we urge you to use this precedence and refuse this Application.

Precedence - Cheltenham

William Morrison (Cheltenham) Limited and The Trustees of the Carmelite Charitable Trust appealed against the decision of Cheltenham Borough Council over Planning Application Reference 18/02171/OUT dated 24 October 2018. This was an Application to build 69 homes in the vicinity of Listed Buildings. The Planning Inspector rejected the Appeal under Appeal reference: APP/B1605/W/19/3227293 dated 20 September 2019. The conditions relating to this case were very similar and we urge you to use this precedence and refuse this Application

Conclusion

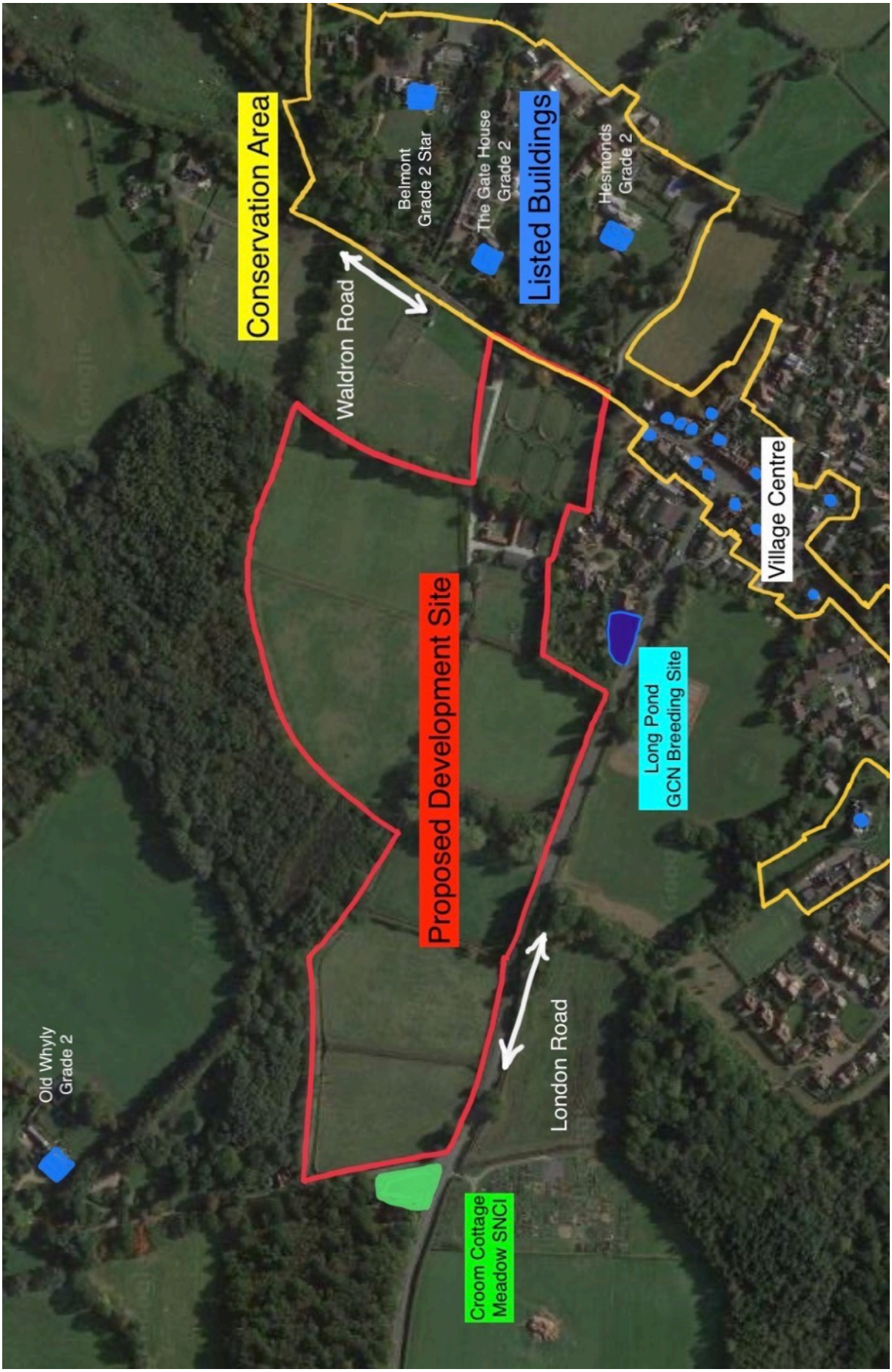
This Application pays no regard to the requirement to protect the character and setting of the Listed Buildings that surround the proposed development. It fails to take account of the 2017 Conservation Area adjoining the proposed site. It ignores the strictures of the NPPF 2019, PPG - Historic Environment and all the Wealden policies, extant and proposed, to protect Heritage Assets. The proposed development would destroy the beautiful pastoral approaches to this historic rural village and devastate the setting of the Listed Buildings on the Waldron Road and the approach to Old Whyly that have remained unspoilt for over 400 years. Please reject this Application at the earliest opportunity.

Annex

A. Maps and Photographs

Annex A to Historic Environment Paper

Maps and Photographs

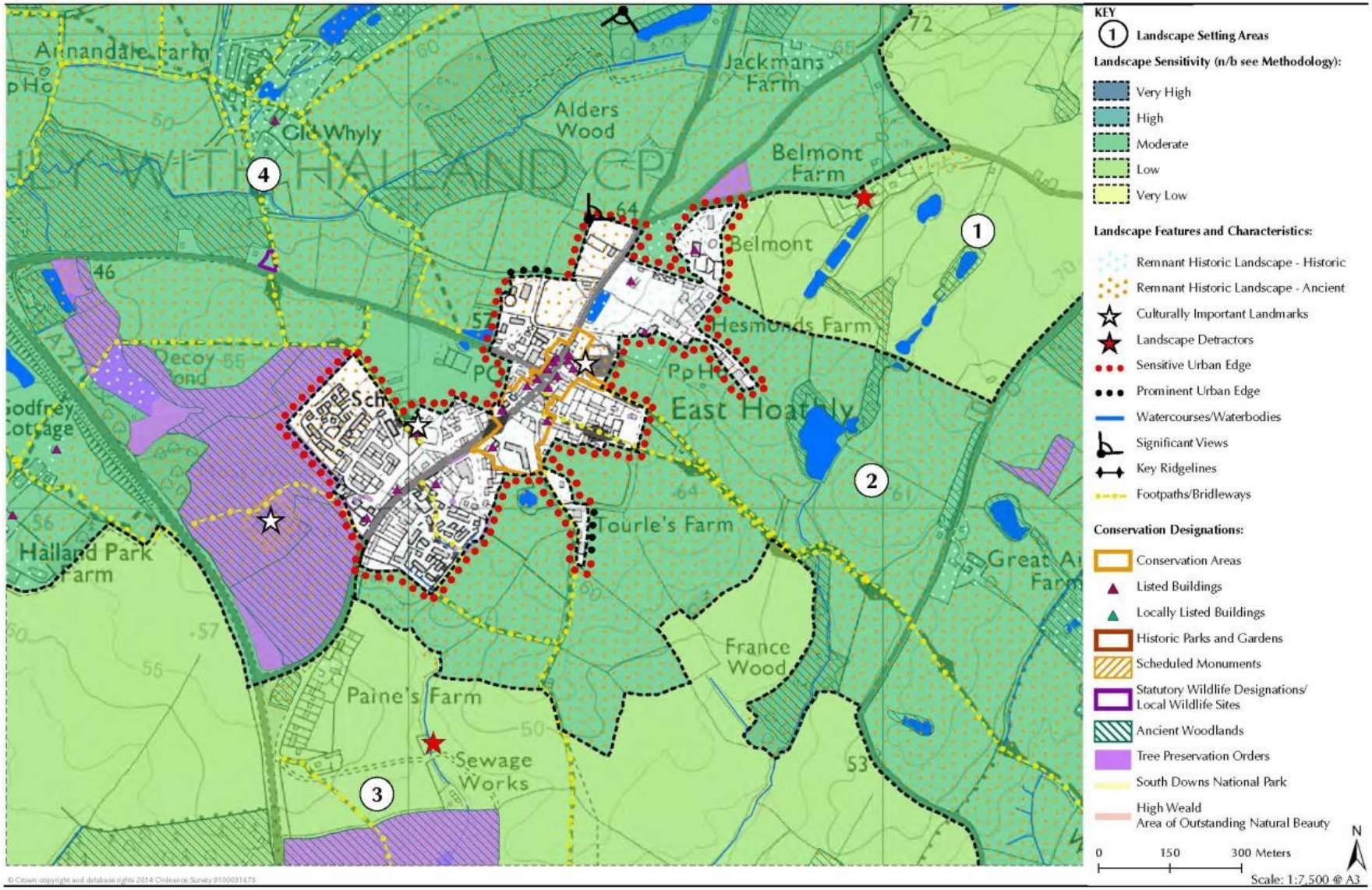



Proposed Site Boundary from Belmont


Proposed Site Boundary from The Gate House


Proposed Site Boundary
from Hesmonds


Croom Cottage
SNCI
Proposed Site Boundary
on Approach to Old Whyly



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CHRIS BLANDFORD ASSOCIATES
landscape | environment | heritage

October 2014

WEALDEN LANDSCAPE & SETTLEMENT CHARACTER ASSESSMENT
WEALDEN DISTRICT COUNCIL

FIGURE 5.5
LANDSCAPE SETTING OF EAST HOATHLY