

PLANNING REPORT

Site Name : The Cottage, Low Street

Site Location : North Wheatley, Retford, DN22 9DR.

Heritage Assessment: Low Street.



Mr & Mrs Davies.

March 2023.

Job Number C/0349/1

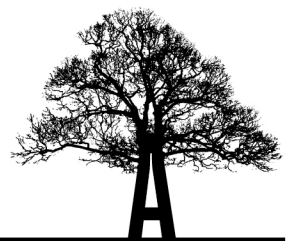
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1. Introduction.

- 1.1. This Heritage Assessment accompanies the planning application for the erection of a 6 berth garage.
- 1.2. The report was commissioned by Mr & Mrs Davies and has been prepared by Neil Boughey BA (Hons), LLB Laws, DipTP, MRTPI. It has been produced using the Historic England's Conservation Principles, Policies and Guidance (April 2008) and Advice Note 10: Listed Buildings and Curtilage (February 2018). A site survey was undertaken on 6 March 2023.
- 1.3. North Wheatley, Nottinghamshire, located 9.6km (6 miles) north-east of Retford.
- 1.4. North Wheatley is a village with a church, chapel, three shops, village hall and other amenities. The village has a number of 17th century brick houses. The Old Hall on Low Street/Church Hill is dated 1673. The parish church of St Peter and St Paul was restored in 1896.
- 1.5. The proposal site is located on the southern edge of the village, on the south side of Low Street, some 20m east of the junction of Stone Lane and Low Street. To the immediate west is a large converted barn dwelling in red brick, 91 Low Street. The site backs onto open fields to the south.

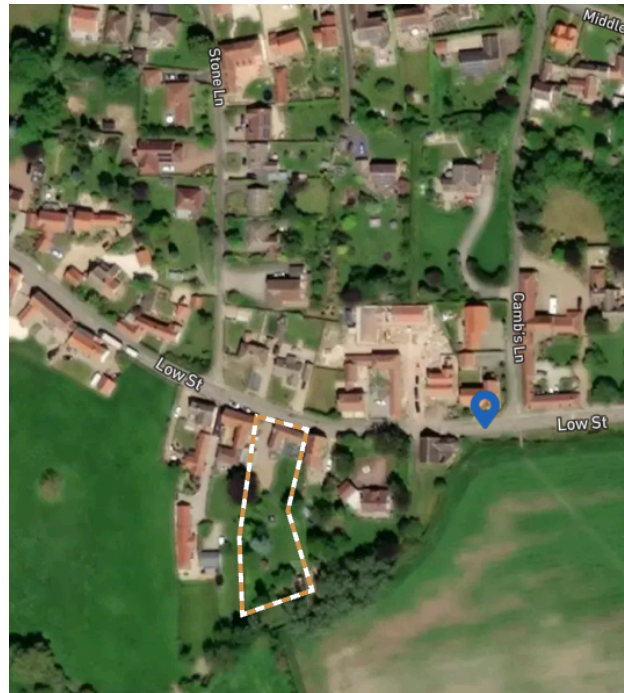
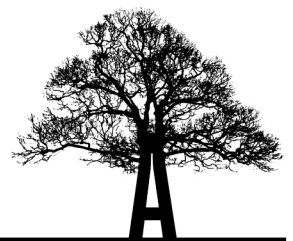


Fig 1 – Site Location.



- 1.6. Information on the history of the site has been drawn from a number of sources. The list of sources used in the preparation of the report is presented on p.23.



2. Heritage Designations.

- 2.1. The property is within 150m of the Grade II Listed “Bar Gate Farm House and Out-buildings” to the north east on the opposite side of Low Street. Grade II buildings are deemed as buildings that are of special interest; 92% of all listed buildings are in this class. The list entry (list entry number 1276041) reads as follows:

“Farmhouse. Early C18, with C18 and C19 alterations and additions. Brick with steep pitched and hipped pantile roofs. Cogged and dentillated eaves, tumbled coped gables, central ridge stack and single rear gable and rear wall stacks. 2 storeys plus garrets, L-plan. Main south front has central C19 reeded doorcase with hood, flanked by single plain sashes. Above, central C20 casement with segmental head, flanked by single plain sashes. To left, rear addition has to left, 3 C20 casements and to right, door. West front has to left, 2 glazing bar sashes and to right, C20 casement and bow window. Stable to north has to west a pair of central doors with basket arched head; to left, door, and beyond, slatted opening. To right, small door with segmental head”.

- 2.2. The property is within 250m of the Grade II Listed “Jasmine Cottage” (list entry number 1276113) and the Grade II Listed “Barn to east of Post Office” (list entry number 1276042) to the west along Low Street, on the north and south side of Low Street respectively. The list entries read as follows:

“Jasmine Cottage.

House. Mid C18. Brick with steep pitched C20 interlocking tile roof. Partly rendered. Cogged eaves, tumbled coped gables, two gable stacks. Two storeys plus garrets, two bays. South front has central panelled door in plain jambs, flanked by single plain sashes with rubbed brick heads. Above, two similar plain sashes. West gable has a single casement on each floor, with segmental heads, and a small light to the garret.

Barn to East of Post Office

Barn. 1789. Brick with pantile roof. Rendered plinth, dentillated eaves, coped gables with kneelers. 4 bays. North side has pair of off-centre barn doors with timber lintel flanked to left by a slatted casement and to right by single blocked breather. Above, 3 diamond breathers. West gable has ties in the form '1789'. East gable has ties in the form 'J S'."



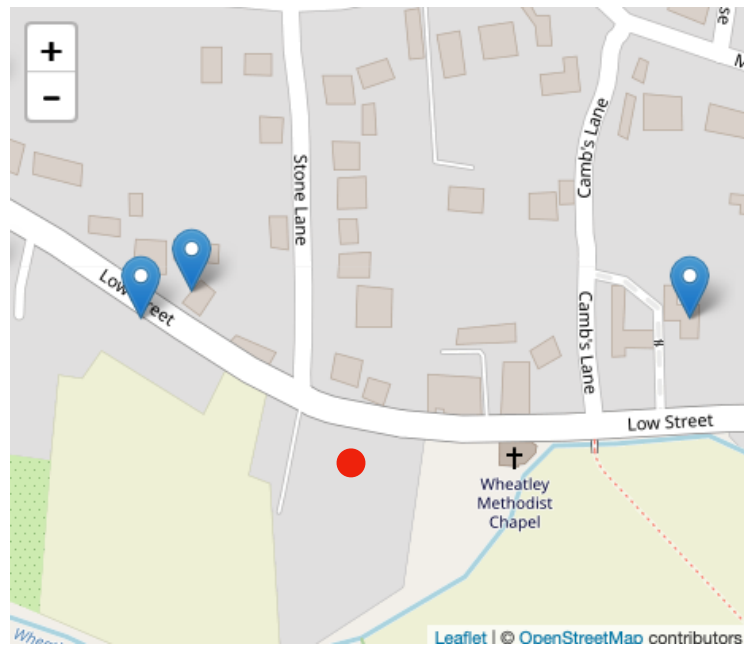


Fig 2 – Location of statutorily Listed Buildings (site location indicated in red, Listed Building in blue).

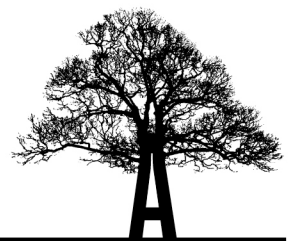
- 2.3. The proposal site is within the boundary of the Wheatley Conservation area, the site location in relation to the Conservation Area boundary which Fig 3 below illustrates.



Fig 3 – Site Location in relation to Conservation Area boundary.



- 2.4. Given the proposal site is within the conservation area boundary, this heritage assessment has been undertaken to assess impacts on the setting of these designated heritage assets. Given distance and lack of inter-visibility, it is considered that the 3 Grade II Listed Buildings are entirely out-with the setting of the proposal site and hence assessment of the impact of the development proposal on these designated heritage assets is not considered to be warranted.



3. Planning Policy and Guidance – Heritage Setting.

3.1. National Planning Policy Framework (NPPF) – Conserving and Enhancing the Historic Environment.

3.2. Chapter 16 of the NPPF (2021) states the following in paragraph 199;

“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.”

3.3. NPPF also states the following in paragraph 202;

“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”

3.4. In respect of non designated heritage assets, which includes Buildings of Special Local Interest, NPPF para 303 provides:

“The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. 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.”

3.5. The Planning (Listed Building and Conservation Areas) Act 1990.

3.6. The Planning (Listed Building and Conservation Areas) Act 1990 (“the Listed Building Act”) requires decision makers to have special regard to the desirability of preserving the building, its setting and any features of special architectural or historic interest which it possesses.

3.7. The statutory duty is reflected in the policies in the Bassetlaw Core Strategy and Development Management Policies DPD, Adopted December 2011, the most relevant policy being Policy DM8: The Historic Environment.



3.8. Bassetlaw Core Strategy and Development Management Policies DPD, Adopted December 2011.

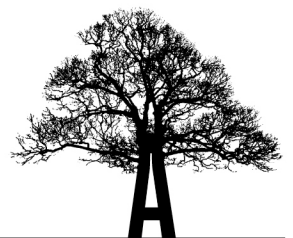
3.9. **Policy DM8: The Historic Environment** provides, inter alia, that:

“B. Development Affecting Heritage Assets

There will be a presumption against development, alteration, advertising or demolition that will be detrimental to the significance of a heritage asset.

Proposed development affecting heritage assets, including alterations and extensions that are of an inappropriate scale, design or material, or which lead to the loss of important spaces, including infilling, will not be supported. The setting of an asset is an important aspect of its special architectural or historic interest and proposals that fail to preserve or enhance the setting of a heritage asset will not be supported. Where appropriate, regard shall be given to any approved characterisation study or appraisal of the heritage asset. Development proposals within the setting of heritage assets will be expected to consider:

- i. Scale;*
- ii. Design;*
- iii. Materials;*
- iv. Siting; and*
- v. Views away from and towards the heritage asset.”*



4. Heritage Setting Guidance.

- 4.1. Heritage Setting guidance is proved in the Historic England Good Practice Advice in Planning Note 3 (Second Edition).
- 4.2. The Good Practice Advice states that its purpose is to provide information on good practice to assist local authorities, planning and other consultants, owners, applicants and other interested parties in implementing historic environment policy in the NPPF and the related guidance in the national Planning Practice Guide (PPG).

It states that it should be read in conjunction with Good Practice Advice notes 1 (The Historic Environment in Local Plans) and 2 (Managing Significance in Decision-Taking in the Historic Environment). This good practice advice acknowledges the primacy of the NPPF and PPG, supporting the implementation of national policy, but does not constitute a statement of Government policy itself, nor does it seek to prescribe a single methodology or particular data sources.

4.3. Guidance – Settings and Views.

- 4.4. Part 1 of the Historic England Guidance, ‘Settings and Views’, refers to NPPF Glossary; ‘Setting of a heritage asset’ which describes ‘setting’ as follows;

- *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.*
- *A thorough assessment of the impact on setting needs to take into account, and be proportionate to, the significance of the heritage asset under consideration and the degree to which proposed changes enhance or detract from that significance and the ability to appreciate it.*
- *Setting is the surroundings in which an asset is experienced and may therefore be more extensive than its curtilage. All heritage assets have a setting, irrespective of the form in which they survive and whether they are designated or not.*



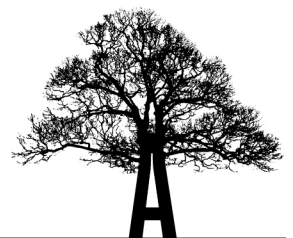
- *The extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust and vibration 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.*

4.5. The Guidance recommends the following broad approach to assessment, undertaken as a series of steps that apply proportionately to the complexity of the case, from straightforward to complex:

- Step 1: Identify which heritage assets and their settings are affected.
- Step 2: Assess the degree to which these settings make a contribution to the significance of the heritage asset(s) or allow significance to be appreciated.
- Step 3: Assess the effects of the proposed development, whether beneficial or harmful, on that significance or on the ability to appreciate it.
- Step 4: Explore ways to maximise enhancement and avoid or minimise harm.
- Step 5: Make and document the decision and monitor outcomes.

4.6. The Guidance states the following;

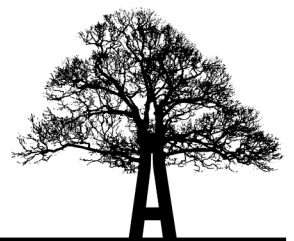
'Development proposals involving the setting of single and less significant assets and straightforward effects on setting may best be handled through a simple check list approach and can usefully take the form of a short narrative statement for each assessment stage'.



4.7. The Guidance suggested checklist, considers the significance of the heritage asset itself and then the contribution made by its setting as follows;

The asset's physical surroundings

- Topography
- Aspect
- Other heritage assets (including buildings, structures, landscapes, areas or archaeological remains)
- Definition, scale and 'grain' of surrounding streetscape, landscape and spaces
- Formal design e.g. hierarchy, layout
- Orientation and aspect
- Historic materials and surfaces
- Green space, trees and vegetation
- Openness, enclosure and boundaries
- Functional relationships and communications
- History and degree of change over time



5. Case Law on Setting of Conservation Areas.

- 5.1. I consider it useful to state the current legal position regarding issues relating to impact on the setting of designated built heritage assets in planning decisions.
- 5.2. The High Court recently handed down judgment in *R.(oao James Hall and Company Limited) v City of Bradford Metropolitan District Council and Co-Operative Group Limited [2019] EWHC 2899*. Her Honour Judge Belcher found for the Claimant on all grounds of challenge. In doing so, the Learned Judge clarified a number of important points concerning heritage policies.
- 5.3. In that decided case, the site was within the setting of the Haworth Conservation Area, albeit not within the Conservation Area itself. **Thus it was agreed that the duty within s.72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 did not apply, but national and local policy concerning the setting of heritage assets did apply.**

- 5.4. In addressing harm, the Court held there are only 3 categories of harm:

“34. In my judgment the three categories of harm recognised in the NPPF are clear. There is substantial harm, less than substantial harm and no harm. There are no other grades or categories of harm, and it is inevitable that each of the categories of substantial harm, and less than substantial harm will cover a broad range of harm ...”

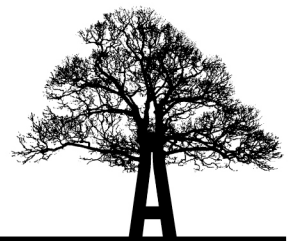
Hence the Court determined that even limited or negligible harm was enough to fall within the bracket of ‘less than substantial harm’.

- 5.5. In relation to degrees of harm and planning judgement, the Court determined:

“34.... It will be a matter of planning judgement as to the point at which a particular degree of harm moves from substantial to less than substantial, but it is equally the case that there will be a number of types of harm that will fall into less than substantial, including harm which might otherwise be described as very much less than substantial. There is no intermediate bracket at the bottom end of the less than substantial category of harm for something which is limited, or even negligible, but nevertheless has a harmful impact. The fact that the harm may be limited or negligible will plainly go to the weight to be given to it as recognised in Paragraph 193 NPPF. “



- 5.6. It is therefore clear that while most harm will fall within the category of “less than substantial harm”, it is the weight that is given to limited or negligible harm in the planning balance against public benefit that is commensurately reduced. It is not the case that less than substantial harm is given overriding weight in the planning balance irrespective of degree of harm or weight of public benefit.



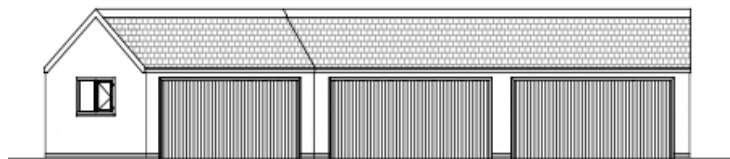
6. Description.

- 6.1. The proposal site is a substantial detached dwelling in white render, situated in a private curtilage. It is characteristic of historic cottages in this part of the Conservation Area.

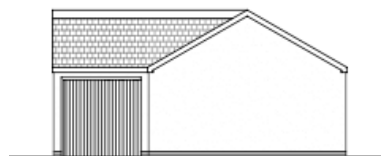


Image 1 – frontage view onto the proposal site looking south from Low Street.

- 6.2. The development proposed is the provision of a single storey 6 berth garage range.

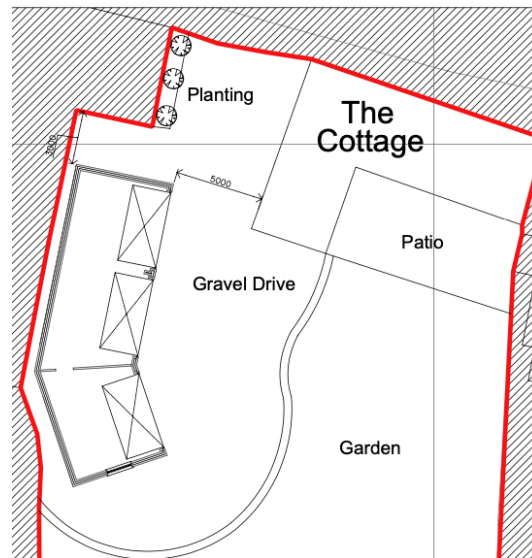


East Facing



North Facing





Images 2 – proposed development in elevation and plan form.

- 6.3. The original Designation Statement for Wheatley Conservation Area (June 2010) provides some detail on characterisation of the North Wheatley part of the Conservation Area, it provides:

“North Wheatley is characterised by historic farmsteads, including Westfield, Plum Tree, Westmoor, Bargate, and Old Mill. There are also a large number of barns and cottages between, which provide a strong rural character. Despite occasional modern infill and housing development of a variable quality, particularly in the northeast area of the village, the overall character and appearance is cohesive, with historic buildings retaining much of their setting in the streetscape. Quality green verges and hedges add further special interest.”

- 6.4. The proposed single storey building site is set some 12m from the edge of the carriageway, and replaces a somewhat visually unappealing concrete sectional garage, which, as Image 3 below illustrates, somewhat detracts from current views into the site from Low Street and the main body of the Conservation Area:

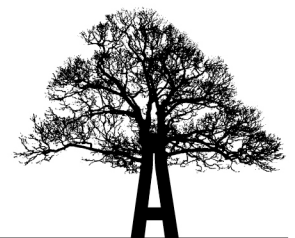




Image 3 – south facing view onto the driveway of the proposal site with concrete sectional garage in background.

- 6.5. The same view of the proposed garage range, as shown at Images 2 above, will be onto the north facing, which will be onto a single storey white rendered gable end which will more sympathetically reflect the style and finishing of the existing cottage.
- 6.6. The fact that the proposed development is set back down an existing driveway, and already somewhat obscured by the frontage of the neighbouring 91 Low Street, will result in only limited passing views from vehicles and pedestrians passing the site along Low Street:





Image 4 – east facing view onto the proposed development, note facing of 91 Low Street already partially obscures long views onto the existing concrete sectional garage, the proposal being of approximately the same scale, massing and siting..

- 6.7. There are no direct longer views from Low Street in either a easterly or westerly direction, the existing frontage dwellings almost totally obscuring the proposed development and preventing any inter visibility from the main body of the Conservation Area along Low Street:



Image 5 – East facing view onto the the proposal site from Low Street, confirming no inter visibility.





Image 6 – West facing view onto the the proposal site from Low Street, confirming no inter visibility.

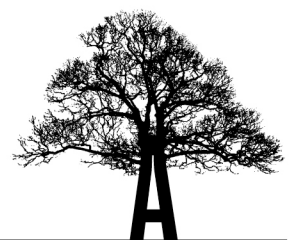
- 6.8. A Public Right of Way (PROW) runs east–west from Sturton Road, the entrance of which is some 400m to the south east of the proposal site, the closest point on the public footpath to the proposal site being some 200m south of the proposal site. Mature trees and hedgerow will entirely obscure views onto the proposal site from this public right of way:





Approximate
location of proposal
site

Image 7 - north west facing view onto proposal site from entrance to PROW on Sturton Road, note dense vegetation cover obscure views onto the proposal site, confirming no inter visibility.

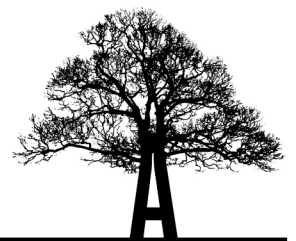


7. Assessment of Significance.

- 7.1. Physical Impacts on Listed Buildings and other Heritage Assets within the proposal site.
- 7.2. There are no statutorily listed buildings or other designated heritage assets in proximity to the site that will be altered or directly impacted or affected by the proposal.
- 7.3. Contribution made by site to setting.
- 7.4. As the NPPF makes clear, setting comprises ‘the surroundings in which a heritage asset is experienced’ (Annexe 2 Glossary). Consequently, the contribution of setting goes beyond purely visual relationships to take in other aspects of a Site’s use. The NPPF also notes, the ‘extent is not fixed and may change as the asset and its surroundings evolve.’
- 7.5. The impacts of the proposal on the setting of the Wheatley Conservation Area have been assessed using the guidance contained within the Historic England document, Good Practice Advice in Planning – Note 3: The Setting of Heritage Assets (December 2017), which recommends a staged approach to assessment.
- 7.6. It is apparent that the proposal site has no inter visibility or functional connection with the wider surrounding built heritage assets. It is a relatively modest contemporary single storey outbuilding sited to the rear of an existing detached rustic cottage dwelling, visually separated from the rest of the historic core of the Conservation Area by its setting (well back from the predominant form of the built frontage along Low Street) and existing trees to the south.
- 7.7. The proposal will not visually intrude on any important views onto, or out of, the Grade II Listed buildings to the distant east and west.
- 7.8. The proposed works will therefore not visually intrude on the setting of the Conservation Area. Principal views in and out of the conservation area have been assessed and it is clear that the application proposal will only be visible in close passing views and will not impose on, or be apparent in, any important long views in or out of the Conservation Area.

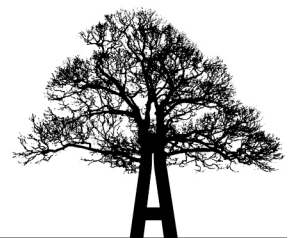


- 7.9. In design terms, the proposed extension will enhance the setting of the existing dwelling by way of the removal of a somewhat functional concrete sectional garage, resulting in moderate visual enhancement to the immediate townscape.



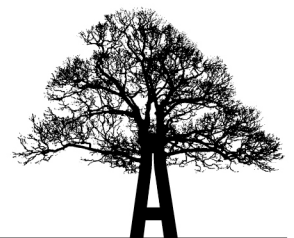
8. Heritage Impact Assessment.

- 8.1. The proposal does not intervene, interrupt or negatively impact on any important long views into or out of the main part of the Conservation Area, due to the lack of inter visibility and the ability of the existing frontage dwellings to absorb the scale, massing and visual impact of the proposed development. I therefore assess that there will be **no harm** on the setting of this part of Wheatley Conservation Area.
- 8.2. Should the Council not concur with my view and consider that some harm results to the setting of the Conservation Area, albeit surely at the very “lower end” of Less than Substantial Harm for the purposes of para 193 NPPF, any harm assessed as resulting from the proposal must be balanced by the public benefit the proposal will make in terms of visual enhancement to the proposal site through securing the removal of the existing concrete sectional garage, and through generally enhancing the amenities of the dwelling to ensure it maintains a flexible living space throughout the lifetime of the applicants occupation without them having to move from the community and/or uptake alternative accommodation. In the context of the “Bradford” case discussed in Section 5 above, the minimal impact of the proposed alterations to the dwelling to me indicates that in such circumstances “harm” should be given minimal weight against public benefit when considered in the “planning balance”.



9. Conclusions

- 9.1. This Heritage Statement assesses the impact on the proposal on the setting of Wheatley Conservation Area.
- 9.2. The proposal does not intervene, interrupt or negatively impact on any important long views into or out of the main part of the Conservation Area, due to the lack of inter visibility and the ability of the existing frontage dwellings on the south frontage of Low Street to absorb the scale, massing and visual impact of the proposed development. I therefore assess that there will be **no harm** on the setting of this part of Wheatley Conservation Area.



SOURCES USED IN THE REPORT

- Historic England Good Practice Advice in Planning Note 3 (Second Edition).
- Designation Statement for Wheatley Conservation Area (June 2010), Bassetlaw District Council.

