

Garage and Home Office

at

**The Tithe House
Church Street
Chipping Campden
Gloucestershire GL55 6JE**

NGR: SP 15418 39413



**Heritage Statement
&
Heritage Impact Assessment**

**In conjunction with Richard K Morriss & Associates
Statement and Assessment
for Alterations & Extensions to The Tithe House**

September 2023

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The Tithe House, Church Street, Chipping Campden, Gloucestershire

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With due reference to Richard K Morriss & Associates

Summary

1. Introduction (from previous Heritage Statement as matters of establish fact)

The Tithe House is a property at the northern end of the historic town of Chipping Campden built in a style echoing the 17th century vernacular but actually dating to 1940. It is not listed but is adjacent to many other listed buildings and a scheduled ancient monument - as well as being within the town's conservation area.

There are proposals for alterations and extensions to the Tithe House, a property built at the northern end of the historic town of Chipping Campden in a traditional 17th century style but actually dating from 1940. It is not listed, but is adjacent to several listed buildings and is within the town's extensive conservation area. Consequently, this report has been produced to assess the potential impact of the proposals on those adjacent heritage assets, under the guidelines of the National Planning Policy Framework (NPPF). It is not concerned with other planning matters. It concludes that the proposals would result in no harm – substantial or less than substantial – to any adjacent heritage assets or to the conservation area.

Therefore, neither Sections 66 or 72 of the 1990 Planning Act nor Paragraphs 201-3 of the NPPF would be engaged.

Development Services – Conservation Officer Response Form 23/01677/FUL

This is a proposal to build a garage and home office in the grounds of The Tithe House. Alterations and extension to The Tith House have been granted planning permission Ref: 23/01677/FUL.

The Conservation Officer concluded that this would result in no harm - substantial or less than substantial.

1.1 Report Format (from previous Heritage Statement as matters of establish fact)

The report format is quite simple. After this brief introduction, there are short sections on the requirements of NPPF (Section 2) and Heritage Impact Assessments (Section 3). These are followed by an outline of the setting and history of the site (Section 4) and a description of it (Section 5). Section 6 is a brief discussion. Section 7 outlines the proposals and Section 8 is the heritage impact assessment. Section 9 is a short conclusion, Section 10 a list of the references used for this report.



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2. National Planning Policy Framework Guidelines

2.1 The National Planning Policy Framework

Planning law relating to listed buildings and conservation areas is set out in the Planning (Listed Buildings and Conservation Areas) Act 1990. Section 66 of the Act deals with the responsibilities of local planning authorities – the decision makers - when dealing with planning applications that could impact on heritage assets and states that:

'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall 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'.¹

Section 72 of the same Act states that, in relation to conservation areas:

'with respect to any buildings or other land in a conservation area, of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area'.²

Government policy and guidance regarding the listed buildings and conservation areas legislation in the 1990 Planning Act changed twice in two years, resulting in the introduction of a new précis of planning guidance published in March 2012 – the National Planning Policy Framework (NPPF) – which replaced all other separate Planning Policy Guidelines and Planning Policy Statements. A revised version was published in July 2018 and another in February 2019. The glossary of the NPPF described 'heritage assets':

'A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).'

An important paragraph in the NPPF states that local planning authorities should require applicants:

'...to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposals on their significance'.⁴

2.2 Local Planning Guidelines

Local planning guidelines issued by the local planning authority, Cotswold District, generally echo the national guidelines. The Cotswold District Local Plan 2011-31 was adopted in August 2018.

The relevant policies within the Plan include Policy **EN1** (BUILT, NATURAL AND HISTORIC ENVIRONMENT) which states that *'New development will, where appropriate, promote the protection, conservation and enhancement of the historic and natural environment' by, amongst other things, 'a. ensuring the protection and enhancement of existing natural and historic environmental assets and their settings in proportion with the significance of the asset' and 'e. ensuring design standards that complement the character of the area and the sustainable use of the development'.*

Policy **EN10** restates the guidelines in the NPPF in that:

1. *Development proposals that sustain and enhance the character, appearance and significance of designated heritage assets (and their settings), and that put them to viable uses, consistent with their conservation, will be permitted.*
2. *Proposals that would lead to harm to the significance of a designated heritage asset or its setting will not be permitted, unless a clear and convincing justification of public benefit can be demonstrated to outweigh that harm. Any such assessment will take account, in the balance of material considerations:*
 - *the importance of the asset;*
 - *the scale of harm; and*
 - *the nature and level of the public benefit of the proposal.*

Policy **EN11** relates to conservation areas and their settings:

Development proposals, including demolition, that would affect Conservation Areas and their settings, will be permitted provided they:

- a. *preserve and where appropriate enhance the special character and appearance of the Conservation Area in terms of siting, scale, form, proportion, design, materials and the retention of positive features;*
- b. *include hard and soft landscape proposals, where appropriate, that respect the character and appearance of the Conservation Area;*
- c. *will not result in the loss of open spaces, including garden areas and village greens, which make a valuable contribution to the character and/or appearance, and/or allow important views into or out of the Conservation Area;*
- d. *have regard to the relevant Conservation Area appraisal (where available); and*
- e. *do not include internally illuminated advertisement signage unless the signage does not have an adverse impact on the Conservation Area or its setting.*

3. Heritage Impact Assessments

3.1 General Introduction

The purpose of a heritage impact assessment (HIA) is to meet the relevant guidance given in the NPPF. This outlines the need to inform the planning decisions when considering proposals that have the potential to have some impact on the character or setting of a heritage asset. It is not concerned with other planning issues.

The nature of the heritage assets and the potential impact upon them through development are both very varied. The heritage assets include both designated heritage assets – such as listed buildings, scheduled ancient monuments and conservation area – and non-designated heritage assets, a rather uncomfortable and sometimes subjective category that includes locally listed buildings, field systems, buried archaeological remains and views.

The degree of impact a development could have on such assets is variable and can sometimes be positive rather than negative. The wide range of possible impacts can include loss of historic fabric, loss of historic character, damage to historic setting, and damage to significant views.

Under the requirements of the NPPF and of other useful relevant guidance, such as English Heritage's *Conservation Principles* and *Informed Conservation*, and recent material from the newly formed Historic England, the process of heritage impact assessments can be summarised as involving three parts:

1. understanding the heritage values and significance of the designated and nondesignated heritage assets involved and their settings;
2. understanding the nature and extent of the proposed developments;
3. making an objective judgement on the impact that the proposals outlined in Part 2 may have on the information outlined in Part 1.

3.2 Definition of Setting

Setting, as a concept, was clearly defined in PPS5 and was then restated in the NPPF which describe it as:

'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.'

The latest version of the Historic England guidance on what constitutes setting is virtually identical to the former English Heritage guidance:

'Setting is not itself a heritage asset, nor a heritage designation, although land comprising a setting may itself be designated. Its importance lies in what it contributes to the significance of the heritage asset or to the ability to appreciate that significance.'

The new Historic England guidance also re-states the earlier guidance that setting is not confined entirely to visible elements and views but includes other aspects including environmental considerations and historical relationships between assets:

'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. The contribution that setting makes to the significance of the heritage asset does not depend on there being public rights or an ability to access or experience that setting. This will vary over time and according to circumstance'.

In terms of the setting of heritage assets the approach is the same but the latest Historic England guidance - The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning 3 (GPA3) of 2017 - suggests a five-step approach.

The steps are:

Step 1: identify which heritage assets and their settings are affected;

Step 2: assess whether, how and to what degree 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 the way to maximise enhancement and avoid or minimise harm;

Step 5: make and document the decision and monitor outcomes.

3.3 Definition of Significance

The glossary of the Planning Practice Guidance (PPG) to the NPPF defines significance as:

'The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting'.

The PPG also states that:

'Local planning authorities may identify non-designated heritage assets. These are buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions but which are not formally designated heritage assets. In some areas, local authorities identify some non-designated heritage assets as 'locally listed'.

but cautions that:

'A substantial majority of buildings have little or no heritage significance and thus do not constitute heritage assets. Only a minority have enough heritage interest for their significance to be a material consideration in the planning process'.

3.4 Definition of Harm

Current guidance by Historic England is that ‘change’ does not equate to ‘harm’. The NPPF and its accompanying PPG effectively distinguish between two degrees of harm to heritage assets – substantial and less than substantial. Paragraph 201 of the revised NPPF states that:

‘Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) *the nature of the heritage asset prevents all reasonable use of the site; and*
- b) *no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
- c) *conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and*
- d) *the harm or loss is outweighed by the benefit of bringing the site back into use’.*

Paragraph 202 of the revised NPPF states that:

‘Where a development proposal would 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 proposals including, where appropriate, securing its optimum viable use’.

In regard to the impact on a non-designated heritage asset, paragraph 203 of the NPPF states that:

‘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’.

Recent High Court rulings have emphasised the primacy of the 1990 Planning Act – and the fact that it is up to the decision makers in the planning system to *‘have special regard to the desirability of preserving the [listed] building or its setting’.*

As stated by HH Judge David Cooke in a judgment of 22 September 2015 regarding impact on the setting of a listed building:

‘It is still plainly the case that it is for the decision taker to assess the nature and degree of harm caused, and in the case of harm to setting rather than directly to a listed building itself, the degree to which the impact on the setting affects the reasons why it is listed.’

The judgment was endorsed by Lord Justice Lewison at the Court of Appeal, who stated that:

‘It is also clear as a matter both of law and planning policy that harm (if it exists) is to be measured against both the scale of the harm and the significance of the heritage asset. Although the statutory duty requires special regard to be paid to the desirability of not harming the setting of a listed building, that cannot mean that any harm, however minor, would necessarily require planning permission to be refused’.

4. Setting and Outline History

4.1 Chipping Campden

Chipping Campden is an ancient Cotswold market town on the northern tip of Gloucestershire. Campden is derived from the Old English *campa-denu*, meaning a valley with camps or enclosures in it; it is referred to as *Campsætena gemære* in a deed of 1005. In the later-Saxon period the town belonged to Earl Harold and at the time of the Domesday Survey in 1086 *Campedene*, given by the new King William to Hugh, Earl of Chester, was one of the largest settlements in the northern Cotswolds.

The prefix 'Chipping' is a later addition to the name and simply means a 'market' - as in Chipping Norton and Chipping Sodbury; the first recorded reference is in 1315 when it is referred to as *Cheping Caumpedene*.¹⁵ However, there were already 75 $\frac{3}{4}$ burgages in the settlement by 1273 and an apparent charter of 1180 referred to burgesses.

It has been suggested that the topography of the long linear town indicates that a planned borough was grafted onto the older settlement by the late-13th century.¹⁷ It certainly has several of the classic ingredients of such a development; it is detached from the parish church and the old manorial site; has a High Street with swollen centre capable of holding the markets; and narrow burgage plots running back from the High Street to service lanes roughly parallel to it.

As well as being an important market town for the region, it was also a prosperous wool town throughout the medieval period and well into the 17th century – its wealth demonstrated by the size and quality of its parish church. St. James' is one of the great 'wool churches' of the Cotswolds, on a par with that at Northleach and not too dissimilar in scale to that at Cirencester. Although it contains earlier work, particularly of the 14th century, it was radically rebuilt and remodelled in the late Perpendicular style in the second half of the 15th century - the work probably continuing until early in the 16th.

In 1609 the manor of Chipping Campden was bought from Anthony Smith by Sir Baptist Hicks, the son of a Gloucestershire man who had set up a mercer's business in London; Baptist took over the business and was successful, even supplying costumes for the coronation of James the First in 1603.

Hicks also dabbled seriously in money lending - particularly to James the First's Scottish courtiers and on occasion to the king himself. He evidently benefited from the contacts made in court circles by his brother, Sir Michael, confidant of Lord Burghley. For services to the king he was knighted in 1604 and created Baron Hicke of Ilmington and Viscount Campden in 1628.

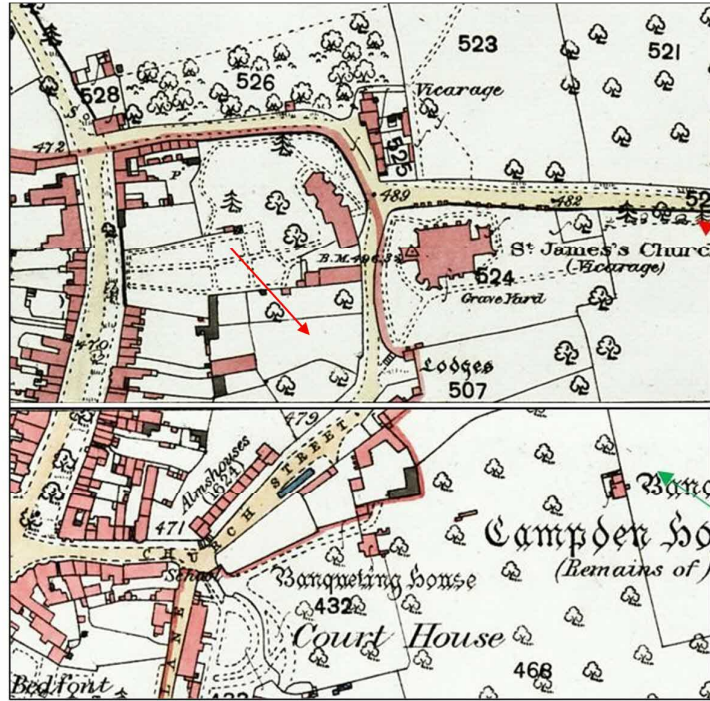


Fig.2: Extract from the 1st edition 1:2500 Ordnance Survey map, surveyed in 1883.

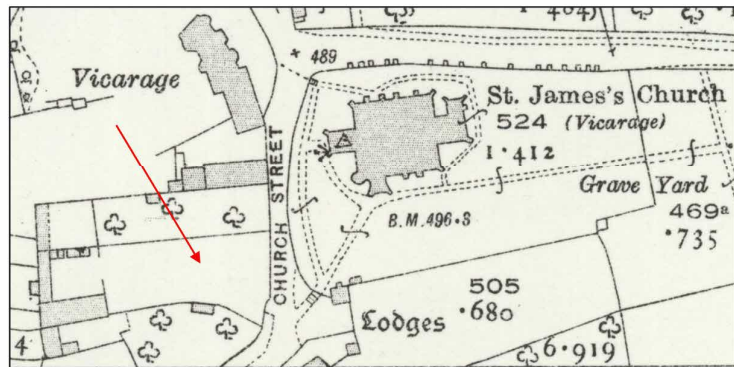


Fig.3: Extract from the 1921 revision of the 1:2500 Ordnance Survey map

In Chipping Campden, Hickes built a fine house close to the parish church and surrounded it with extensive and expensive formal gardens. He also became an important benefactor to the town, building several landmark buildings in the town that still survive – the Alms-houses literally by his garden gate in 1612; the Conduit, part of a new water supply in the same year; the arcaded Market Hall in 1627; extensions to the old Grammar School in 1628; and gifts to the church including a new pulpit and lectern.

His new Campden House was said to have cost £29,000 to build and £15,000 to furnish - and it is not clear if these huge sums include the costs of the gardens and their outbuildings. Hicks' son chose the Royalist side during the Civil War and Campden House was garrisoned briefly before being deliberately burnt by the fleeing troops.

All that is left is a fragment of walling, but the sheer size of the building is clear; matching banqueting houses do survive – both recently restored by the Landmark Trust - along with the grand gateway and the earthworks and walls of the formal gardens.

Although Sir Baptist compounded for his Gloucestershire estates no attempts were made to rebuild Campden House, the materials being sold to the Steward, William Harrison. Baptist's mother, who died in 1680 aged 95, seems to have more interest in Campden than her son and was buried in the church. Baptist's son, Edward, was created Earl of Gainsborough in 1682 but although the Chipping Campden estate continued in the family's ownership, their main interests were in the east Midlands.

In about 1696 the redoubtable traveller Celia Fiennes travelled through this part of the Cotswolds and wrote that *'att the foote of this hill lyes Camden Town which I went through; its built all of stone as is the Church which is pretty, for such a little town its large...'* By the mid-18th century, however, the town's fortunes had declined and *'the Merchndyse and Manufactures of Early Days were totally lost'*.

In 1835 it was said to consist:

*'principally of one street, nearly a mile in length, neither paved nor lighted: the houses are in general ancient, and some of them fine specimens of the style of domestic architecture prevailing about the time of Elizabeth...'*²¹

The town changed relatively little in the next century, despite the opening of a railway in 1853; this, a branch of the Oxford, Worcester & Wolverhampton Railway (later part of the GWR), passed well to the east of the town and its station closed in 1966. There has been increasing development since the middle of the 20th century, the town being a very popular place to live and to visit.

4.2 The Tithe House

The Tithe House lies at the northern end of the town, on the western side of Church Street close to the parish church and opposite the entrance gates to the ruins of Campden House. Despite appearing as if it has part of the townscape for centuries, it was actually built as recently as 1940 on what had been an empty close, with a masonry wall to the street that incorporated a simple gateway (see Pl.1).



Pl.1: 1929 aerial view the north, Tithe House arrowed (Britainfromabove © EPW026861).

The house was designed by the local and long-lived Arts & Craft architect Norman Jewson (1884-1974) for a local poet and historian, Christopher Whitfield. Jewson had arrived in the area in 1907 and had worked as an assistant to Ernest Gimson; he also wrote *A Little Book of Architecture* for the OUP in 1940.

A photograph of the front, or east, elevation just after it was finished shows it to have then been a fairly modest house with an integral garage – a feature not anticipated by the early Arts & Crafts pioneers at the start of the century (see Pl.2).

An aerial photograph of this part of the town in 1946 shows that the house had already been altered – with the garage apparently converted into part of the accommodation with a window replacing the garage doors, and the loft at the northern end of the property raised from a cat'sslide to a full two-storeys for additional first-floor accommodation (see Pl.3).

By the start of the 1950's it was the home of Lieutenant-Colonel J Farquhar, whose widow seems to have been living there at her death in the early-1970's, after which it was the home of the Whitworth family. In the 1980's the house was further extended southwards by continuing the main frontage range; in addition, new outbuildings including a garage were attached to the north side of the house and, following consent granted in 1997, a large new conservatory was added.

5. Description

This is a proposal for a single storey triple garage with attic store above with a smaller side return for a home office.

Previously for an application (Ref: 23/01677/FUL) to alter and extend The Tithe House the Conservation Officer found favour with the proposals and planning permission was granted.

The proposed ancillary building is set to the south of The Tithe House on an adjoining part of the domestic curtilage or a garden which has trees and shrubs along the boundary both of Church Street and the Almshouses next door.

The plan is essentially a rectangle shape for the functional accommodation of the motor car the short side of which is placed at right angles to the stone wall to Church Street offering a gable above the walls to viewers walking or driving by. A similar right angled historic arrangement is also visible at The Couch House which previously served the vicarage but this building is two storey with a hipped roof facing the street.

The building is a simple vernacular form with a pitched roof with simulated stone tiles laid to diminishing courses. The walls of the gable and garage elevations are clad in waney edge oak boarding with oak straight boards and oak frames for the garages windows and doors which will be exposed to lighten to a grey hue over time.

The home office wing of the proposal is kinked on plan to align with The Tithe House and this component of the vernacular design is clad in stone to match the facades of the house.

Overall this is a modest proposal for a single storey building set in the mature front garden of The Tithe House.

6. Overview

Whilst The Tithe House is a good interpretation of the Cotswold style and attractive in this setting among important building it is a non-listed house and due to the alterations carried out after the early Norman Jewson dwelling it is not considered to be a non-designated heritage asset. The proposals for this ancillary outbuilding are therefore to be reviewed in the context of a change of limited impact to the setting of a non-listed building in the Conservation Area.

7. The Proposals

There is a substantial area of land to the south (side on to the Tithe House) which was previously an overgrown coppice of trees and shrubs which has been thinned and cleared with planning permission leaving important trees and vegetation on all boundaries. Within a clearing of these mature trees there is sufficient land to build garages and a home office. The form of the building is single storey under a pitched roof of subservient scale where the ridge height of the proposal is lower or equal to the eaves of The Tithe House. The building is set back from the street and behind a substantial stonewall and solid wooden gates.

8. Heritage Impact Assessment

8.1 Impact on the Property

With due reference to the previous non contested Heritage Statement by Richard K Morriss Associates:

For the reasons outlined in Section 6 it is not considered that the house, however attractive it may be and however well it sits within the streetscape, is not of sufficient heritage merit to warrant being considered to be a non-designated heritage asset. Given its 1940 date it would need to have a far greater degree of surviving primary character to warrant such a designation. Consequently, Paragraph 203 of the NPPF would not be engaged. The proposals are well designed and proportionate and designed to echo the overall architectural style and material palette of the building and thus can be seen as a continuation of its careful evolution.

8.2 Impact on Adjacent Heritage Assets

With due reference to the previous non contested Heritage Statement by Richard K Morriss Associates:

The parish church of St. James lies to the east of the site and the Hicks Alms-houses to the south; both are Grade I listed. On the opposite, east, side of Church Street is the main entrance to the ruins of the early-17th century Campden House with its Grade II* listed distinctive 'pepper-pot' lodges and gateway, beyond which the remnant of the house is Grade II listed and the restored Banqueting houses either end of its terrace are both Grade II*; also associated with the grounds are the Almonry and Barn, separately listed Grade II. Most of the extensive remains of the formal gardens are a designated scheduled ancient monument.

Most changes are to the west or garden front. The gardens of the property are secluded and were created in what had been open closes – its western boundary formed by the rear boundaries of properties along the east side of Leysbourne – the northern part of the main road through the town. The long and narrow grounds of these houses – mostly Grade II listed - presumably reflect the development of burgages in the medieval town. However, those closest to Tithe House are the six terraced houses of the Vicar's Cottages, built in the mid 19th century. The relationship between the burgaged properties to the west of the gardens of the Tithe House and its grounds will not be altered, and the visual impact of the proposals on those buildings will be negligible due to the boundary treatments, topography, and distances involved. Any change would not result in harm – substantial or less than substantial.

The proposals for a low scale outbuilding set back behind walls and gates will not harm the setting of Church Street. In particular the simple gable of waney edge oak boarding will be a welcome feature above the wall between the verdant foliage of the mature vegetation. This and other glimpses of the building between trees and shrubs will not be untypical of a townscape and will have a negligible visual impact on the settings of adjacent listed buildings and the wider Conservation Area. The relationship between the burgaged properties to the west and the almshouses to the south will not be substantially altered and the visual impact of this single storey vernacular building will be negligible due to the boundary treatments, topography and separating distances involved. Any change to this setting with this modest proposal will not result in any harm – substantial or less than substantial.

8.3 Impact on the Conservation Area

The Chipping Campden Conservation Area includes most of the historic town. Conservation areas, first created in 1967, are designated heritage assets under the auspices of the National Planning Policy Framework and have been protected – with a varying degree of success - from the adverse impact of unsuitable development through the passing of various planning Acts, the last being the consolidation Planning Act of 1990.

As outlined above the main proposals are low scale and set back behind existing stone wall sand gates and set in a landscaped clearing. Any glimpses of the modest ancillary building will not have a significant impact on the Conservation Area or cause any harm to its character or significance.

8.4 Archaeological Issues

The site appears to have been open fields outside the main burgaged part of the medieval town until the present house was begun in 1940. The degree of required groundworks for the new wing is fairly limited and within an already partly landscaped and altered part of the grounds.

Notwithstanding its proximity to the parish church and the grounds of Campden House, it is not considered that the archaeological potential of the site is high. However, it is suggested that discussions be had with the LPA's archaeological advisor in case there could be a need for appropriate monitoring of groundworks.

9. Conclusions

The proposals are considered to be well-considered and proportionate and meet the requirements of both national and local planning guidance. For the reasons outlined above it is concluded that there would be some changes made to the building itself, but it is neither listed or a non-designated heritage asset. Even had it been a non-designated heritage asset the proposals represent part of the continuous sympathetic evolution of the property.

In the recent past, planning guidance has recognised that change to historic buildings and their settings is part of their history and that buildings are not and should not be fossilised. The prospect of change, even to listed buildings, is anticipated in the government's National Planning Policy Framework, but was more clearly expressed in earlier guidance from 1996, Planning Policy Guideline No.15 (PPG 15).

That document stated – in relation to listed buildings that:

'Many listed buildings can sustain some degree of sensitive alteration or extension to accommodate continuing or new uses. Indeed, cumulative changes reflecting the history of use and ownership are themselves an aspect of the special interest of some buildings, and the merit of some new alterations or additions, especially where they are generated within a secure and committed long-term ownership, should not be discounted.'

Despite its location within the historic town and the proximity of several important listed buildings ranging from Grade II to Grade I listing status – and the scheduled ancient monument that is the gardens of Campden House – there will be minimal visual impact on the settings of such buildings and no impact on their significance. Consequently it is considered that neither Section 66 of the 1990 Planning Act nor Paragraphs 201-3 of the NPPF would be engaged.

Similarly, conservation areas are not and were not designed to stifle development but to guide such development and change so that it does not impact adversely on the special character of a conservation area that led to its initial designation. This is summarised in the foreword to the current Historic England guidance which states that:

'Change is inevitable. This guidance sets out ways to manage change in a way that conserves and enhances historic areas through conservation area designation, appraisal and management'.²³

That change in conservation areas does not equate to harm in law was also made clear in one of the key High Court judgements by Lord Bridge, *South Lakeland District Council vs. Secretary of State for the Environment*. He stated that whilst all developments within a conservation area 'must give a high priority to the objective of preserving or enhancing the character or appearance of the area', where a development would not have any adverse impact and met other planning requirements:

'... One may ask rhetorically what possible planning reason there can be for refusing to allow it. All building development must involve change and if the objective of Section 277(8) [of the 1971 Planning Act, substantially the same as Section 72(1) of the 1990 Act] were to inhibit any building development in a conservation area which was not either a development by way of reinstatement or restoration on the one hand ('positive preservation') or a development which positively enhanced the character or appearance of the area on the other hand, it would surely have been expressed in very different language...'.²⁴

This proposal is for a single storey pitched roof subservient ancillary vernacular building set back behind walls and gates within a clearing of existing mature trees is a modest continuation of the evolution of an attractive but non designated heritage asset set within the Conservation Area. There is no harm either substantial or non substantial.

10. References

Beresford, M, 1988, *New Towns of the Middle Ages*

Bigland, R, 1791, *Historical, Monumental and Genealogical Collections Relative to the County of Gloucester*

Carruthers, A, Greensted, M & Barley, R, 2019, *Ernest Gimson: Arts & Crafts Designer & Architect*

Clark, K, 2001, *Informed Conservation: Understanding Historic Buildings and Their Landscapes for Conservation*

Department for Communities & Local Government, 2010, *Planning Policy Statement No.5: Planning for the Historic Environment*

Department for Communities & Local Government, 2012, *National Planning Policy Framework*

Ekwall, E, 1970, *The Concise Dictionary of English Place-Names*

English Heritage, 2008, *Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment*

English Heritage, 2011a, *Seeing the History in the View: A Method for Assessing Heritage Significance Within Views*

English Heritage, 2011b, *The Setting of Heritage Assets: English Heritage Guidance*

Lewis, S, 1835, *A Topographical Dictionary of England, Vol. 1*

MacCarthy, F, 1981, *The Simple Life: C R Ashbee in the Cotswolds*

Ministry of Housing, Communities & Local Government, 2019, *National Planning Policy Framework*

Morris, C (ed.), 1947, *The Journeys of Celia Fiennes*

Morriss, R K, 2005, *Campden House, Chipping Campden, Gloucestershire: The Built Legacy (part of the Landmark Trust's Conservation Plan for the site).*

The Planning Inspectorate, 2012, *Advice Produced by the Planning Inspectorate for use by Inspectors*

Williams, A, & Martin, G H (eds.), 2002, *Domesday Book: A Complete Translation*

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With due reference to Richard K Morriss Associates original heritage Statement and Heritage Impact Assessment May 2023

