

Built Heritage Statement

Former Pier View Hotel, Oldminster Road, Sharpness, GL13 9NA

On behalf of GFC Property Ltd.

Date: 23/10/2023 | Pegasus Ref: P22- 1949

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1. Introduction

1.1. Pegasus Group have been commissioned by GFC Property Ltd. to prepare a Built Heritage Statement to consider the proposed development at the former Pier View Hotel, Oldminster Road, Sharpness, as shown on the Site Location Plan provided at Plate 1.

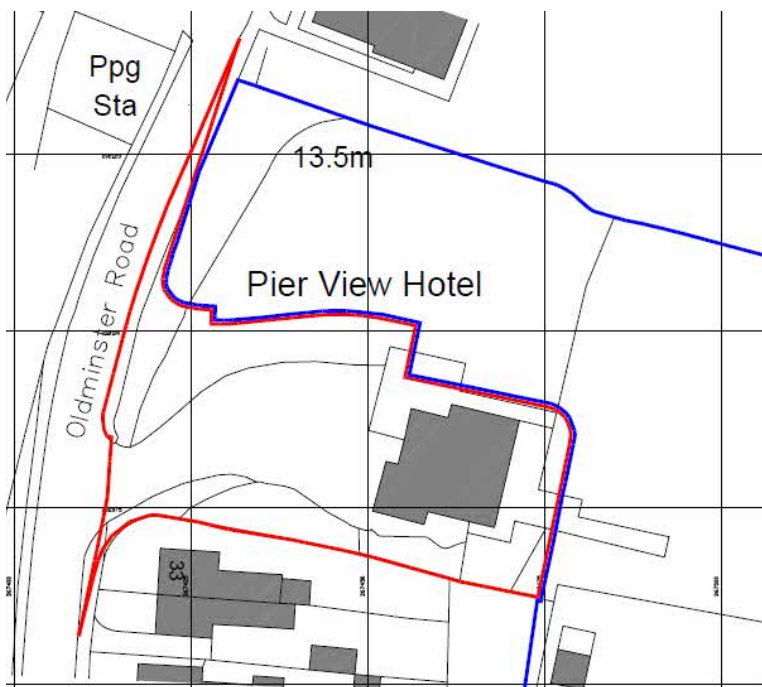


Plate 1 Site Location Plan, with the area of proposed development outlined in red, and the landholdings associated with the former Pier View Hotel outlined in blue.

1.2. There are no designated heritage assets located within the bounds of the Site, nor is the Site located within a Conservation Area. In addition, there are no designated built heritage assets within the immediate environs of the Site. The former Pier View Hotel has, however, been identified by the Local Authority, and the Planning Inspectorate, as a non-designated heritage asset.

1.3. Full Planning Permission is sought for the conversion and extension of the Pier View Hotel to create 5no. residential flats and the re-landscaping of the wider Site.

1.4. This Assessment provides information with regards to the significance of the historic environment to fulfil the requirement given in paragraph 194 of the Government's *National Planning Policy Framework* (the *NPPF*) which requires:

"..an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting".¹

1.5. In order to inform an assessment of the acceptability of the scheme in relation to impacts on the built historic environment, following paragraphs 199 to 203 of the *NPPF*, any harm to the historic environment resulting from the proposed development is also described, including impacts on significance through changes to 'setting'.

¹Department for Levelling Up, Housing and Communities (DLUHC), *National Planning Policy Framework (NPPF)* (London, July 2021), para. 194.



16. As required by paragraph 194 of the *NPPF*, the detail and assessment in this Report is considered to be "*proportionate to the assets' importance*".²

² DLUHC, *NPPF*, para. 194.

2. Site Description and Planning History

Site Description

- 2.1. The Site comprises the built form of the Pier View Hotel and an area of hardstanding and mature planting to the west. The boundaries of the Site to the north and east are open to the remainder of the landholdings associated with the Pier View Hotel, with the route of Oldminster Road to the west. The Oldminster Road boundary is currently marked by a close boarded timber fence, and the southern boundary by mature planting.
- 2.2. To the south of the Site is a grouping of late 19th- century / early 20th- century semi- detached properties which line Oldminster Road and are near contemporary with the construction of the former Pier View Hotel.
- 2.3. Vehicular access to the Site is via an existing access from Oldminster Road, with a gap in the mature vegetation in this location. The access point allows for clear views of the principal elevation of the former Pier View Hotel, and across the northern part of the Site.



Plate 2: Aerial photograph of the Site (approximate boundary shown in red) and its environs.



Plate 3: View east across the Site from Oldminster Road.

Site Development / Map Regression

- 2.4. The former Pier View Hotel was built in the mid-late 19th century, with this date supported by archival sources and the architectural detailing of the exterior of the property. The construction of the hotel is likely to have been influenced by the growth of Sharpness Docks, to the northwest, and the passing trade that this would have brought to the area.
- 2.5. The first source to depict the hotel building is the Ordnance Survey Map of 1881 (Plate 4). At this date, the hotel comprised the 'L'-shaped principal building and three ancillary buildings to the north, east and west. Historic aerial photographs (see below) detail that these ancillary buildings were single storey in height. The

complex was accessed from Oldminster Road via the existing access route, with areas of hardstanding adjacent to the built form. The Site is believed to have comprised the 'grounds' of the hotel, although no specific garden design is evident.

- 2.6. By 1904, as demonstrated by the Ordnance Survey Map of that date (Plate 5), the ancillary buildings had been subject to extension, and the area to the south of the Site appears to have been incorporated into the associated land holdings (as is the case today). In the environs of the Site, the residential dwellings to the south had been established. A similar arrangement is depicted on the Ordnance Survey of 1921 (Plate 6), although areas to the south of the Site appear to once again have been separated from the principal building via the reinstatement of boundaries.

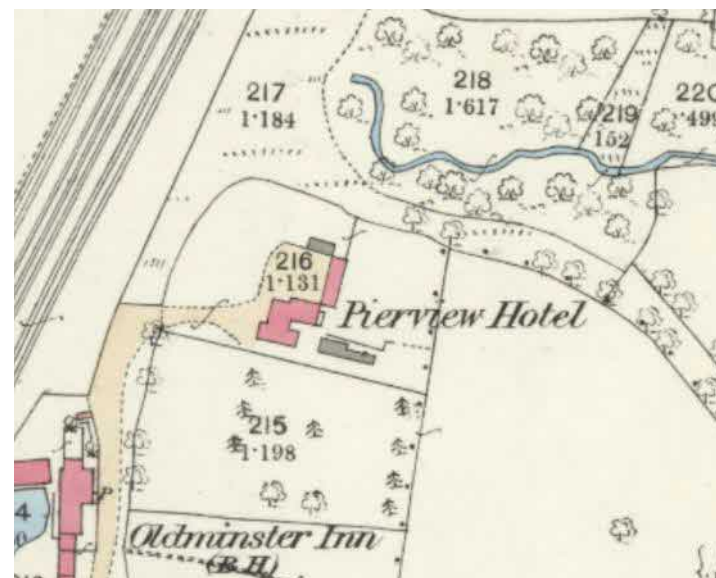


Plate 4: Extract of the 1881 Ordnance Survey Map.



Plate 5: Extract of the 1904 Ordnance Survey Map.

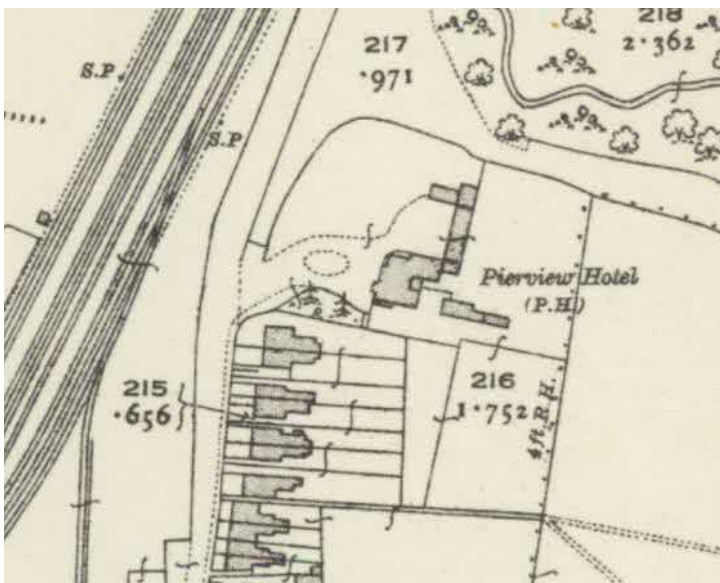


Plate 6: Extract of the 1921 Ordnance Survey Map.

2.7. The form and appearance of the Site and the associated former Pier View Hotel during the early 20th century is detailed on aerial photographs dating to the 1930s and 1940s. These detail the principal hotel building and ancillary building set within a semi-verdant plot, with areas of hardstanding serving the access from Oldminster Road and immediate surrounds of the building.

2.8. In general, this arrangement remains today albeit there have been alterations to the character of the hardstanding to the front, and quality of the grounds. The ancillary building to the east of the principal building is understood to have been demolished in the late 20th century, with the ancillary ranges to the north demolished in the early 21st century. The dense vegetation boundaries to the east and west were also established during the late 20th / early 21st century.



Plate 7: Aerial photograph of the Site as seen from the west, May 1932 (Britain From Above Ref. EPW037753).



Plate 8: Aerial photograph of the Site as seen from the west, November 1947 (Britain From Above Ref. EAW0 121238).



Plate 9: Aerial photograph of the Site as seen from the southeast, November 1947 (Britain From Above Ref. EAW0 121239).

Planning History

- 2.9. In May 2023, an application for Planning Permission for the 'Erection of 9 No. dwellings (Class C3) including 3 No. affordable dwellings, provision of vehicular and pedestrian accesses, estate road, car parking and open space' in the wider landholdings was submitted to Stroud District Council (LPA Ref. S.23/0 921/FUL). The layout submitted under the application is included at Plate 10.
- 2.10. The application was withdrawn in August 2023. Comments from the Local Authority Conservation Officer had not been received prior to the withdrawal of the application.



Plate 10: Layout proposed under LPA Ref. S.23/0921/FUL (extract from DWG No. PL01).

2.11. A Building Control Notice, dated March 2023, pertaining to 'The material change of use and conversion of an existing hotel to 5 new flats (Amendment notice 15/05/2023) and the demolition and replacement of rear extension to be used in association with the conversion' is recorded on the Stroud District Council website (LPA Ref. 20 23/0344/INDOM).

2.12. In January 2021, Planning Permission was refused at the Site for the 'Erection of 14 dwellings, together with new access and associated works' (LPA Ref. 19/2678/FUL). Reason for refusal one, of three, related to the built historic environment and stated that:

"The proposed development by reason of the location of dwellings in front of the existing Pier Hotel and loss of its associated garden area would fail to protect the significance and setting of the Pier Hotel, a historic building of local architectural and social interest. As such the proposal is contrary to policies CP4(2) and ES10 of the adopted Stroud District Local Plan (November 2015) and paragraph 184 of the National Planning Policy Framework."

2.13. Comments from the Local Authority Conservation Officer and Case Officer are not currently available on the LPA Planning Website.



Plate 11: Street scene elevation as proposed under LPA Ref. 19/2678/FUL.



Plate 12: Layout as proposed under LPA Ref. 19/2678/FUL.

2.14. In February 2017, Planning Permission was refused at the Site for the 'Creation of 23 new dwellings, including affordable homes while maintaining an existing amenity in the form of a Public House'(LPA Ref. 16/2378/FUL). The application was refused for seven reasons, with the second reason reading as follows:

"The proposed development by reason of the location of dwellings in front of the existing Pier Hotel and loss of its associated garden area would fail to protect the significance and setting of the Pier Hotel, a historic building of local architectural and social interest. As such the proposal is contrary to policies CP4(2) and ES10 of the adopted Stroud District Local Plan (November 2015) and paragraph 135 of the National Planning Policy Framework."

2.15. Comments from the Local Authority Conservation Officer and Case Officer are not currently available on the LPA Planning Website.



Plate 13: Layout as proposed under LPA Ref. 16/2378/FUL.

2.16. The application was subsequently dismissed at Appeal in January 2018 (PINS Ref. APP/C1625/W/17/3181366), with the following assessment provided by the Inspector:

"15. The design of the dwellings proposed would not complement that of the Pier View Hotel or the pitched roof red brick semi-detached housing that sits adjacent to the site. The different building types within the scheme would share a similar contemporary design and use of materials, with garden roofs, balconies and external staircases. Although paragraph 60 of the Framework states that decisions should not attempt to impose architectural styles, it also states it is proper to seek to reinforce local distinctiveness. Paragraph 58 also states that development should respond to local character. The resulting boxy appearance of the buildings, along with the particular use of materials, would appear jarring against the more traditional forms of the adjacent dwellings and the character of the public house itself.

16. The design and access statement states that there would be no dwelling in front of the pub. However, the submitted plans include one pair of semi-detached dwellings between the pub and the road, with another in front of the building line on the northern side of the proposed access. I must consider the proposal as submitted. The pub is clearly visible through the existing wide access and is an important and prominent feature of the street scene. The setting of this large and somewhat grand Victorian building is enhanced by the open spaces at the front and side. The result of the development would be to relegate the once prominent and important feature the rear of a house. This would not only harm the setting of the non-designated heritage asset, it would also

significantly diminish the contribution the building makes to the current street scene.

17. Even with new landscaping, the dwellings to the front and the side of the pub would still be highly visible components of the street scene. They would also be clearly visible to visitors to the public house. The incongruous nature of the design of these dwellings would therefore be readily apparent from a number of publically accessible vantage points. The juxtaposition of the large Victorian public house set amongst the modern flat roofed dwellings would result in an incoherent and unsympathetic form of development, particularly when also considering the character of other housing in the immediate vicinity. This would constitute harm to the visual quality of the area, which could not be remedied by landscaping.

18. Notwithstanding the conflict with Policy CP15, the dwellings to the rear of the pub would be well screened and not as harmful to either its setting or the street scene. Nonetheless, they would still represent an encroachment into a pleasant open area outside the defined limits of the settlement. This would have an urbanising impact that would add weight to my overriding concerns over the effect of the development on local character.

19. The development as a whole would therefore result in unacceptable harm to the character and appearance of the area and a non-designated heritage asset. Accordingly, there would be conflict with SDLP policies CP4, HC1, CP14 and ES10 which seek, amongst other things, to ensure development is of a layout and design which protects and enhances the built environment, is compatible with the character and

appearance of an area and protects the significance of locally identified heritage assets. There would also be conflict with paragraph 135 of the Framework in relation to the protection of non-designated heritage assets."

- 2.17. In June 2013, Planning Permission was refused for the 'Erection of 10 dwellings and associated access road' (LPA Ref. 13/0533/FUL). The application was subsequently dismissed at Appeal in October 2013. The reasons for refusal did not make reference to the built historic environment, nor were such matters identified as one the main issues to be considered under the Appeal. Specifically, the former Pier View Hotel was not identified as a non-designated heritage asset at this date.

3. Proposed Development

3.1. Full Planning Permission is sought through this application for the conversion and extension of the Pier View Hotel to create 5no. residential flats, alongside the relandscaping of the wider Site and the creation of a new access point.

The construction of a ground floor extension to the southeast; and

The installation of roof mounted PV panels.

3.2. The proposals are detailed on the following plans which form the application package and which this assessment considers:

PL02 – Proposed Layout.

HP0 1– Proposed ground floor.

HP0 2 – Proposed first floor.

HP0 3 – Proposed second floor.

HP0 4 – Proposed southeast and northwest elevations.

HP0 5 – Proposed southwest and northeast elevations.

3.3. External changes to the building are limited to:

The conversion of two existing door openings into window openings (on the northeast and southeast elevations).

The replacement of eight sash windows on the northeast and southeast elevations;

3.4. Internally, the building will be subject to subdivision and new kitchen and bathroom facilities installed.

3.5. The area to the west of the building, currently laid entirely to tarmac, would be relandscaped to include access routes and car parking spaces, all set amongst a new area of lawn. Lawn would also be retained to the east of the building, alongside a series of pathways providing access to the building and ancillary areas such as bin and cycle storage. The latter would be located within a small, enclosed compound to the south of the building.

3.6. Access would be provided via a new access road connecting to a new access point from Oldminster Road.

3.7. **Section 7** of this Report presents an analysis of the impact of the proposed development on identified heritage assets discussed in **Section 6**.

4. Methodology

4.1. The aims of this Report are to assess the significance of the heritage resource within the Site/study area, to assess any contribution that the Site makes to the heritage significance of the identified built heritage assets, and to identify any harm or benefit to them which may result from the implementation of the development proposals, along with the level of any harm caused, if relevant.

4.2. This assessment considers built heritage matters only.

Sources

4.3. The following key sources have been consulted as part of this assessment:

The Gloucestershire Historic Environment Record (HER), accessed via Know Your Place for information on the recorded heritage resource in the vicinity of the site;

The National Heritage List for England for information on designated heritage assets;

Historic maps available online;

Aerial photographs available online via Historic England's Aerial Photo Explorer and Britain from Above; and

Google Earth satellite imagery.

Site Visit

4.4. A site visit was undertaken by a Heritage Consultant from Pegasus Group on 21st July 2023, during which the Site and its surrounds were assessed. Parts of the exterior of the former Pier View Hotel was obscured by scaffolding at this date, and accordingly this report also includes photographs taken on 23rd March 2023 in order for the external elevations to be clearly viewed. It is my understanding that the composition shown in the March 2023 photographs is reflective of the existing situation.

Photographs

4.5. Photographs included in the body text of this Report are for illustrative purposes only to assist in the discussions of heritage assets, their settings, and views, where relevant. Unless explicitly stated, they are not accurate visual representations of the site or development proposals, nor do they conform to any standard or guidance i.e., the Landscape Institute Technical Guidance Note 06/19. However, the photographs included are intended to be an honest representation and are taken without the use of a zoom lens or edited, unless stated in the description or caption.

Assessment Methodology

4.6. Full details of the assessment methodology used in the preparation of this Report are provided within **Appendix 1**. However, for clarity, this methodology has been informed by the following:

Historic Environment Good Practice Advice in Planning: 2 - Managing Significance in Decision-Taking in the Historic Environment (hereafter *GPA:2*);³

Historic Environment Good Practice Advice in Planning Note 3 (Second Edition) - The Setting of Heritage Assets, the key guidance of assessing setting (hereafter *GPA:3*);⁴

Historic England Advice Note 12 – Statements of Heritage Significance: Analysing Significance in Heritage Assets (hereafter *HEAN:12*);⁵ and

Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment.⁶

³ Historic England, *Historic Environment Good Practice Advice in Planning: 2 – Managing Significance in Decision-Taking in the Historic Environment (GPA:2)* (2nd edition, Swindon, July 2015).

⁴ Historic England, *Historic Environment Good Practice Advice in Planning Note 3 - The Setting of Heritage Assets (GPA:3)* (2nd edition, Swindon, December 2017).

⁵ Historic England, *Historic England Advice Note 12 – Statements of Heritage Significance: Analysing Significance in Heritage Assets (HEAN:12)* (Swindon, October 2019).

⁶ English Heritage, *Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment* (London, April 2008).

5. Policy Framework

Legislation

- 5.1. Legislation relating to the built historic environment is primarily set out within the *Planning (Listed Buildings and Conservation Areas) Act 1990*, which provides statutory protection for Listed Buildings and their settings and Conservation Areas.⁷ As detailed in **Section 6**, no Listed Buildings or Conservation Areas have been identified as sensitive to the proposals, and accordingly the 1990 Act is not considered to be of relevance to this application.
- 5.2. In addition to the statutory obligations set out within the aforementioned Act, Section 38(6) of the *Planning and Compulsory Purchase Act 2004* requires that all planning applications, including those for Listed Building Consent, are determined in accordance with the Development Plan unless material considerations indicate otherwise.⁸

National Planning Policy Guidance

- 5.3. National Planning Policy guidance relating to the historic environment is provided within Section 16 of the Government's *National Planning Policy Framework (NPPF)*, an updated version of which was published in July 2021. The *NPPF* is also supplemented by the national *Planning Policy Guidance (PPG)* which comprises a full and consolidated review of planning practice guidance

documents to be read alongside the *NPPF* and which contains a section related to the Historic Environment.⁹ The PPG also contains the *National Design Guide*.¹⁰

- 5.4. Full details of the relevant national policy guidance is provided within **Appendix 3**.

The Development Plan

- 5.5. Applications for Planning Permission in Stroud District are currently considered against the policy and guidance set out within the Stroud District Local Plan, as adopted in 2015.
- 5.6. Details of the policy specific relevant to the application proposals are provided within **Appendix 4**.

⁷ UK Public General Acts, Planning (Listed Buildings and Conservation Areas) Act 1990.

⁸ UK Public General Acts, Planning and Compulsory Purchase Act 2004, Section 38(6).

⁹ Department for Levelling Up, Housing and Communities (DLUHC), *Planning Practice Guidance: Historic Environment (PPG)* (revised edition, 23rd July 2019), <https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment>.

¹⁰ Department for Levelling Up, Housing and Communities (DLUHC), *National Design Guide* (London, January 2021).

6. The Historic Environment

- 6.1. The following Section provides an assessment of elements of the historic environment that have the potential to be impacted upon by the proposed development.
- 6.2. There are no designated heritage assets located within the bounds of the Site, nor is the Site located within a Conservation Area. The former Pier View Hotel has, however, been identified by the Local Authority, and an Appeal Inspector, as a non-designated heritage asset. It shall thus be considered as such for the purpose of this assessment.
- 6.3. With regards to other heritage assets within the surrounds of the site, Step 1 of the methodology recommended by *GPA3* (see methodology), is to identify which heritage assets might be affected by a proposed development.¹¹
- 6.4. Development proposals may adversely impact heritage assets where they remove a feature which contributes to the significance of a heritage asset, or where they interfere with an element of a heritage asset's setting which contributes to its significance, such as interrupting a key relationship or a designed view.
- 6.5. It is however widely accepted (paragraph 207 of the *NPPF*) that not all parts of a heritage asset will necessarily be of equal significance.¹² In some cases, certain elements of a heritage asset can accommodate substantial changes whilst preserving the significance of the asset.
- 6.6. Significance can be derived from many elements, including the historic fabric of a building or elements of its surrounds.
- 6.7. Consideration, based upon professional judgement and on-site analysis, was therefore made as to whether any of the heritage assets present within the surrounding area may include the site as part of their setting, whether the site contributes to their overall heritage significance, and whether the assets may potentially be affected by the proposed scheme as a result.
- 6.8. The nearest designated heritage asset to the Site is the Grade II Listed 'Bucketts Hill Farmhouse and Adjoining Barn', located c.390m to the east.
- 6.9. Assessment has concluded that the Site does not form part of 'setting' of this asset, or others within the wider environs, that positively contributes to their overall heritage significance due to the nature of the asset and a lack of visual connections, spatial relationships or historic connections. Accordingly, the proposed development is not anticipated to result in a change that would impact upon the overall heritage significance of this asset, or other within the wider environs, and they are not taken forward for further assessment.

¹¹ Historic England, *GPA:3*, p. 4.

¹² DLUHC, *NPPF*, para. 207.

- 6.10. It is also highlighted that potential impacts to built heritage assets beyond the Site boundary, via a change in 'setting', have not previously been identified by the Local Authority or Appeal Inspector when considering the previous redevelopment proposals for the Site (see **Section 3**).

Former Pier View Hotel

- 6.11. As detailed in **Section 2**, the former Pier View Hotel was constructed in the mid- late 19th century, most likely in response to the growth of Sharpness Docks during this period.
- 6.12. Stylistically, the architectural detailing of the Pier View Hotel is typical of the mid- late Victorian period, and reflects the presumed date of construction (1850s-1880s) derived from archival sources.
- 6.13. The former hotel is a 2.5 storey building, constructed of red brick with bluff and black bricking banding, and carved stone detailing to the windows. The principal elevation includes a ground floor bay window on the projecting gable, with further articulation to the elevation provided via the inclusion of dormer windows. The principal roof covering, and that of the dormer windows (which are a feature common to all elevations), is slate tiles.
- 6.14. At the time of survey, all windows on the principal elevation were uPVC units with these being a mix of units installed in the early 2¹ century (correlating with Building Control Notices on the Stroud District Council website) and in recent months. With regard to the latter, the inserted uPVC units replaced earlier uPVC units, and thus

the works were undertaken under Permitted Development Rights.



Plate 14: Principal elevation of the former Pier View Hotel.

- 6.15. The majority of window units across the remainder of the building are modern single- glazed casement windows or uPVC units. Such units are not considered to be of architectural or historic interest. A number of sash window units were, however, identified on the northeast and southeast elevations – see Plates 15 and 16. A review of the timberwork and glazing would indicate that the units may have been subject to replacement in the 20th century, although their design does not rule out a 19th- century date.



Plate 15: Southeast elevation with the location of sash windows outlined in blue and single glazed window units of no heritage interest outlined in orange.



Plate 16 : Northeast elevation with the location of sash windows outlined in blue.

6.16. Of the external elevations, the principal elevation is the best preserved, although the changes to the window units is noted. The northeast elevation is also fairly well preserved, although changes have occurred in the form of the blocking in of a former doorway on the ground floor, presumably associated with the removal of the adjacent outbuilding in the early 2nd century.

6.17. The southwest and southeast elevations have been subject to a greater level of change, including the construction of a series of ground floor extensions and insertion of door units at first floor to facilitate fire escapes, as well as the insertion of the fire escapes themselves. A former conservatory style building and single skin brick extension has recently been removed, as referenced within the March 2023 Building Control Notice (see **Section 2**). It is also noted that the stone and brick banding identifiable on the principal and northeast elevations is not continued onto the southeast elevation and is only present on part of the southwest. Accordingly, it is clear that, as originally constructed, the southeast and southwest elevations were treated as secondary in terms of their design and appearance.



Plate 17: Northeast elevation.



Plate 19: Former Conservatory style building and brick extension on the southeast elevation as seen in March 2023, now removed.



Plate 18: Southeast elevation.



Plate 20: Areas adjacent to the southeast elevation as now extant.

6.18. The interior of the building has recently been subject to a programme of strip out works. As the building is not Listed, these works were not covered by planning controls. Furthermore, the removal of internal plasterwork was required in order to address unsafe conditions and damp issues.

6.19. The removal of internal plasterwork has revealed the location of historic partition walls and later partition walls (identifiable by the quality of the timberwork and presence of, or lack thereof, lath and plaster work), alongside former internal openings which had been subject to infill or covering. A review of such fabric alongside the floor plan of the building demonstrates that whilst aspects of the 19th- century layout and hierarchy are identifiable, spaces had been subject to change (including subdivision) in the mid- late 20th century in association with upgrades to the hotel. Changes are also considered to have been made to the layout of the ground floor, with the presence of a large open space spanning the full width of the building not typical for of a hostelry of this type and date.

6.20. The removal of the plaster work also revealed evidence of fire damage in the roof space (/second floor) and other issues with the condition of the roof structure which require rectifying.

6.21. Where fixtures or fittings of architectural interest were identified during the strip out works these have been retained. That said, the presence of such fixtures and fittings were limited, and principally comprise two decorative plaster arches and window surrounds to isolated windows.

6.22. A review of photographs taken prior to the strip out works¹³ has also revealed that a historic bar fitout was not retained to the ground floor, and that all floors had been extensively renovated in the late 20th century with limited historic features present.



Plate 21 View south in front space on the ground floor.

¹³ As provided within Sales Particulars dating to 2021- [http s://morgan-beddoe.co.uk/property/pier-view-hotel-34-oldminster-road-sharpsness-2/](http://morgan-beddoe.co.uk/property/pier-view-hotel-34-oldminster-road-sharpsness-2/)



Plate 22: View north in front space on the ground floor.



Plate 24: View west within the rear space on the ground floor.



Plate 23: Bay window on the principal elevation.



Plate 25: Detail of chimney breast, sash windows and window surrounds on the northeast elevation at ground floor.



Plate 26: First floor space at the front of the property.



Plate 28: Detail of decorative arch at first floor.



Plate 27: First floor space at the front of the property.



Plate 29: Detail of decorative arch and layout at first floor.



Plate 30: Detail of window surround on the first floor.



Plate 31 Second floor space in the southern part of the building.



Plate 32: Second floor space in the southern part of the building.



Plate 33: Second floor space in the rear of the building.

Statement of Significance

- 6.23. The former Pier View Hotel has been identified by the Local Authority as a non-designated heritage asset and is considered to be of local heritage interest.
- 6.24. The heritage significance of the former Pier View Hotel is derived from the historic and architectural interest of its physical fabric as an example of a mid-late 19th-century hostel, constructed as part of the expansion of the area during this period.
- 6.25. The historic and architectural interest is considered to principally derive from the external envelope of the building, with this providing the best evidence and understanding as to the date and historic function. However, the external envelope is not an untouched relic of the 19th-century having been subject to various

changes in the 20th and early 21st centuries including extension, insertion of fire escapes and the insertion of uPVC window units. The principal and northeast elevations are considered to be the best preserved and make the greatest contribution to the overall heritage significance of the building.

- 6.26. The internal layout is considered to make a lesser contribution to the overall heritage significance of the building. Whilst the general hierarchy and use of the various floors can be understood (i.e., main bar areas on the ground floor with letting and private rooms above), it is clear that the layout has been subject to alteration. Where 19th century architectural details survive internally (see above), these contribute to the significance of the building, although again less than the external envelope.
- 6.27. The 'setting' of the asset also contributes to its heritage significance, although the significance derived from the 'setting' is less than that derived from its historic fabric. The principal elements of the physical surrounds and experience of the asset (its "*setting*") which are considered to contribute to its heritage significance comprise:

The position of the building within its associated demise and the experience of the building from this location.

The position of the building in relationship to the Oldminster Road, and the experience and appreciation of the building from this principal route, both individually and alongside late 19th / early 20th century-built form.

- 6.28. Within the context of the above, the wider Site forms part of the 'setting' of the former Pier View Hotel which positively contributes to its heritage significance, forming part of the historic land holdings and an undeveloped area which allows for an experience of the building from Oldminster Road. The level of contribution is, however, reduced by the expanse of modern tarmac which provides a poor frontage to the principal elevation of the building.

7. Assessment of Impacts

- 7.1. This Section addresses the heritage planning issues that warrant consideration in the determination of the application for Planning Permission for residential development at the Site in line with the proposals set out within **Section 2** of this Report.
- 7.2. As detailed above, the *Planning and Compulsory Purchase Act (2004)* requires that applications for Planning Permission are determined in accordance with the Development Plan, unless material considerations indicate otherwise. The policy guidance set out within the *NPPF* is considered to be a material consideration which attracts significant weight in the decision-making process.
- 7.3. Potential impacts to non-designated heritage assets should be considered within the context of Paragraph 203 of the *NPPF*.¹⁴ There is no basis in policy for describing harm to them as substantial or less than substantial, rather the *NPPF* requires that the scale of any harm or loss is articulated whilst having regard to the significance of the asset.
- 7.4. High Court Judgements have confirmed that when considering potential impacts on non-designated heritage assets within the decision-making process, the balanced judgement required is different from the public benefits exercise associated with designated heritage

assets (as set out in Paragraphs 201 and 202 of the *NPPF*).¹⁵

- 7.5. Within a High Court Judgment of 2017, Jarman HHJ confirmed that the only requirement of the *NPPF* in respect of non-designated heritage assets is “*that the effect of an application on the significance should be taken into account*”.¹⁶
- 7.6. This was further expressed in the Bohm decision, which stated that:

[34] “Unsurprisingly, given that an NDHA [non-designated heritage asset] does not itself have statutory protection, the test in para 135 [Paragraph 203 of the 2021 NPPF] is different from that in paras 132-4 [Paragraphs 200-202 of the 2021 NPPF], which concern designated heritage assets. Paragraph 135 [Paragraph 203 of the 2021 NPPF] calls for weighing “applications” that affect an NDHA, in other words the consideration under that paragraph must be of the application as a whole, not merely the demolition but also the construction of the new building. It then requires a balanced judgement to be made by the decision maker. The NPPF does not seek to prescribe how that balance should be undertaken, or what weight should be given to any particular matter.”¹⁷

¹⁴ DLUHC, *NPPF*, para.203.

¹⁵ DLUHC, *NPPF*, paras. 201 and 202.

¹⁶ Travis Perkins (Properties) Limited v Westminster City Council [2017] EWHC 2738 (Admin), Paragraph 44.

¹⁷ Bohm [2017] EWHC 3217 (Admin).

7.7. Part 3 of Policy ES10 of the Stroud District Local Plan sets out that:

“Proposals will be supported which protect and, where appropriate, enhance the heritage significance and setting of locally identified heritage assets, such as buildings of local architectural or historic interest, locally important archaeological sites and parks and gardens of local interest.”

7.8. The Policy continues by stating the following at ‘Part 5’:

“Any harm or loss would require clear and convincing justification to the relevant decision-maker as to why the heritage interest should be overridden.”

7.9. The wording of Part 5 of the Policy is assumed to infer that where harm is identified to a heritage asset (no qualification of designated or non-designated is provided) that this should be considered alongside the wider public benefits and considerations of the application, as per Paragraphs 201-203, as applicable.

7.10. The term 'clear and convincing justification' is reflective of the terminology of Paragraph 200 of the NPPF; however, it is highlighted that Paragraph 200 of the NPPF is only applicable to designated heritage assets. As set out above, under National Policy there is a clear difference in how harm to designated and non-designated heritage assets should be considered.

7.11. The Courts have held that where the Decision Maker works through the sequence for dealing with proposals

which impact upon heritage assets in the context of Paragraph 199-202 of the NPPF and finds that any harm to significance is outweighed by public benefits, then the clear and convincing justification referred to at Paragraph 200 of the NPPF is in place.¹⁸ It is thus considered that the same process would also respond to the 'clear and convincing' justification required by Part 5 of Policy ES10, albeit noting the clear difference in how harm to designated and non-designated heritage assets should be considered under National Policy.

7.12. As discussed in **Section 6**, the heritage significance of the Pier View Hotel is now principally derived from the architectural and historic interest of the external envelope of the building.

7.13. As detailed on DWG No. HP04, no changes are proposed to the principal elevation under this application.

7.14. Changes to the wider external envelope are limited to:

The conversion of two existing door openings into window openings (on the northeast and southwest elevations);

The replacement of six sash windows on the northeast and southeast elevations;

The construction of a ground floor extension to the southeast; and

The installation of roof mounted PV panels.

¹⁸ Pugh v SoS for Communities and Local Government [2015] EWHC 3 (Admin)

7.15. With regard to the two existing door openings which would be subject to alteration:

The opening on the northeast elevation, by virtue of its positioning and design (Plate 34), is considered to be a later insertion, although it may still date to the 19th or early 20th century. When considering the change proposed within the context of the elevation as a whole, and the differing style of this opening to others on the northeast elevation, it is not considered that it would result in a material change in character that would alter the overall architectural interest of the building. Furthermore, it would not result in the removal of a principle opening that would impact upon the understanding of the original design intent or use of the building.

The opening on the southwest elevation is a later insertion on the second floor associated with the provision of a modern fire escape (Plate 35). The proposed alteration to this opening would not impact on the historic architectural design of the building and would result in an improved overall composition to this elevation.



Plate 34: Detail of door to be altered on the northeast elevation (blue).



Plate 35: Detail of door to be altered on the southwest elevation (blue).

- 7.16. The six sash windows to be removed (see Plates 15 and 16) comprise one-over-one timber sashes of varying sizes. A review of the timberwork and glazing would indicate that the units may have been subject to replacement in the 20th century, although their design does not rule out a 19th-century date. The proposed uPVC window units, whilst not sash, would be designed to read as one-over-one units similar to the replacement units which have already been installed elsewhere within the building. The loss of the timber sash windows would result in a change in character to these elevations; however, when considered within the context of the level of change which has already occurred in relation to other window units on these elevations and elsewhere, it is considered that the resulting impact would have only a very minor, at most, impact on the overall heritage significance of the building.
- 7.17. The proposed extension is located to the northeast of the building on the site of a recently removed conservatory structure (see Plates 19 and 20). The extension has been designed to be subservient to the principal building, and would not result in the removal or obscuring of architectural features of merit. Furthermore, by way of being located to the rear of the building, and on an elevation of lesser interest, the extension would not be visible in conjunction with the principal elevation of the asset, in particular from Oldminster Road. Where visible from within the Site, and the wider landholdings, the extension would be viewed as a later introduction to the building, within an area that has already been subject to change, and would not alter the understanding of it as a 19th-century hostel. When considered within the context of the existing baseline, and the recent removal of the former extensions, no harm is considered to arise

from the construction of the extension to the overall heritage significance of the building.

- 7.18. The proposed PV panels, as proposed on the southwest elevation, have been carefully sited in order to not be viewed alongside the principal elevation of the building, in particular from Oldminster Road. Whilst they will be visible from elsewhere within the Site, they would sit comfortably alongside the slate roof and would not detract from the overall understanding and experience and of the building. It is thus concluded that no harm would arise from their installation.
- 7.19. Changes to the interior of the building can be summarised as changes to the existing internal layout and installation of new bathroom and kitchen facilities. The proposed internal layout has been informed by analysis of the building post-strip out works, including the utilisation of existing partition walls and openings where possible, as well as the existing stairs. Nevertheless, a change will still occur to the internal layout of the building, in particular on the ground floor where the former bar area will be subject to subdivision, but not necessarily reflecting that of the original. However, when considering proposed internal layout changes within the context of the existing baseline, it is considered that the result change would have a minor, at most, impact on the overall heritage significance of the building, with this primarily resulting from the subdivision and separation of uses in principle.
- 7.20. It is also highlighted that the identification of the former Pier View Hotel building as a non-designated heritage asset does not impose any planning or legal restrictions on internal works. Accordingly, it is highlighted that unless Planning Permission is required (for example in

association with a change of use), that the interior of the property could be subject to change without the need to consult the Local Authority.

- 7.21. All surviving internal architectural details of merit, such as the plasterwork arch detailing and window surrounds, will be retained. Accordingly, the contribution which these make to the overall heritage significance of the building will be maintained.
- 7.22. Overall, when taking into account the existing baseline, the proposed physical changes to the Pier View Hotel are considered to have only a minor impact on the overall heritage significance of the building. It is also highlighted that the works proposed are associated with securing a long-term future for the building, and in particular the understanding and experience of envelope as viewed from Oldminster Road.
- 7.23. The relandscaping of the area to the front (west) of the Pier View Hotel will reintroduce soft landscaping to this area. Whilst areas of hardstanding will be retained, the proposed arrangement is considered to represent a betterment on the existing arrangement and would be viewed as such from Oldminster Road.
- 7.24. The proposed new access open and road would result in a minor loss of an existing garden area to the northwest of the building; however, this loss would be offset by the enhancements set out above. The mature planting along the southern boundary would be unaltered.

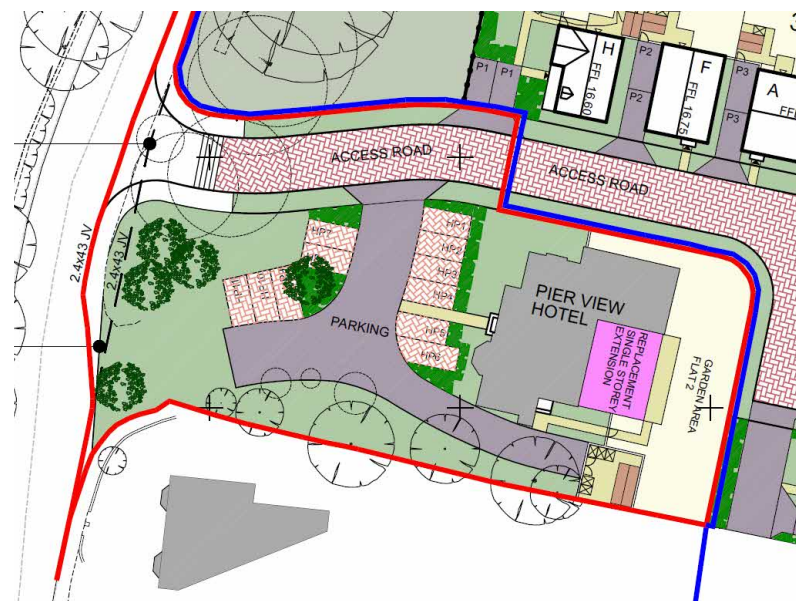


Plate 36: Proposed layout, extract from DWG No. PL02.

- 7.25. The existing access opening will be blocked up; however, the detailing of this could be done in a way that would not prevent views of the former Pier View Hotel from Oldminster Road, and thus no harm has the potential to arise from this change.
- 7.26. The proposed compound to the south of the building (housing bin and bike storage) would be viewed as a discrete ancillary area within the environs of the building and would not alter the overall understanding and experience of it, including when viewed from Oldminster Road.
- 7.27. Overall, the proposed changes in the wider site in general are not considered to result in harm to the overall heritage significance of the Pier View Hotel, with the

proposed changes to west resulting in a betterment on the existing context.

- 7.28. It is understood that the application to which this Heritage Statement relates will be submitted concurrently with a separate Planning application for the residential redevelopment of the wider demise of the hotel building. The scheme proposed under this separate application includes the construction of 9no. dwellings, as detailed at Plate 37.



Plate 37: Proposed combined layout of works proposed under this application and a separate application for the redevelopment of land to the north and east of the hotel, extract from DWG No. PL02.

- 7.29. A detailed assessment of potential impacts arising to the Pier View Hotel, via a change in 'setting', as a result of the scheme proposed under this separate application is provided within a separate Heritage Statement prepared by Pegasus Group, and which forms part of the application package.

- 7.30. The Heritage Statement concluded that the proposals would result in only a minor level of harm to the overall heritage significance of the Pier View Hotel. Whilst the proposals would introduce built form into the surrounds of the asset, it would remain prominent within the Oldminster Road street scene and clearly understood as a mid-late 19th century hostelry set within an extensive landholding. This would principally be achieved via the positioning and massing of the proposed built form, and the informed design intent.

- 7.31. When considering the works proposed under this application and the residential redevelopment collectively, it remains the case that harm arising to the overall heritage significance of the Pier View Hotel, when taking into account the baseline context, would be minor to moderate, at most.

8. Conclusions

- 8.1. There are no designated heritage assets located within the bounds of the Site, nor is the Site located within a Conservation Area. In addition, there are no designated built heritage assets within the immediate environs of the Site. The former Pier View Hotel has, however, been identified by the Local Authority, and the Planning Inspectorate, as a non-designated heritage asset.
- 8.2. Overall, it is concluded that the proposed physical changes to the former Pier View Hotel, as proposed under this application, would result in a minor degree of harm to its overall heritage significance. The proposed changes in the wider site in general are not considered to result in harm to the overall heritage significance of the Pier View Hotel, with the proposed changes to west resulting in a betterment on the existing context.
- 8.3. The minor level of harm identified should be considered in a balanced judgement alongside the scheme as a whole, as per Paragraph 203 of the NPPF. This balanced judgement is considered to represent the 'clear and convincing' justification required by Part 5 of Policy ES10 of the Stroud District Local Plan.

Appendix 1: Assessment Methodology

Assessment of significance

In the *NPPF*, heritage significance is defined 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. For World Heritage Sites, the cultural value described within each site’s Statement of Outstanding Universal Value forms part of its significance.”¹⁹

Historic England’s *GPA:2* gives advice on the assessment of significance as part of the application process. It advises understanding the nature, extent, and level of significance of a heritage asset.²⁰

In order to do this, *GPA 2* also advocates considering the four types of heritage value an asset may hold, as identified in English Heritage’s *Conservation Principles*.²¹ These essentially cover the heritage ‘interests’ given in the glossaries of the *NPPF* and the *PPG* which are archaeological, architectural and artistic, and historic.²²

The *PPG* provides further information on the interests it identifies:

Archaeological interest: As defined in the Glossary to the National Planning Policy Framework, there will

be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.

Architectural and artistic interest: These are interests in the design and general aesthetics of a place. They can arise from conscious design or fortuitously from the way the heritage asset has evolved. More specifically, architectural interest is an interest in the art or science of the design, construction, craftsmanship and decoration of buildings and structures of all types. Artistic interest is an interest in other human creative skills, like sculpture.

Historic interest: An interest in past lives and events (including pre- historic). Heritage assets can illustrate or be associated with them. Heritage assets with historic interest not only provide a material record of our nation’s history, but can also provide meaning for communities derived from their collective experience of a place and can symbolise wider values such as faith and cultural identity.²³

Significance results from a combination of any, some, or all of the interests described above.

¹⁹ DLUHC, *NPPF*, pp. 71- 72.

²⁰ Historic England, *GPA:2*.

²¹ Historic England, *Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment* (London, April 2008). These heritage values

are identified as being ‘aesthetic’, ‘communal’, ‘historical’ and ‘evidential’, see idem pp. 28–32.

²² DLUHC, *NPPF*, p. 71; DLUHC, *PPG, Annex 2*.

²³ DLUHC, *PPG*, paragraph 006, reference ID: 18a-006-20 19 0 7 2 3 .

The most-recently issued Historic England guidance on assessing heritage significance, *HEAN:12*, advises using the terminology of the *NPPF* and *PPG*, and thus it is that terminology which is used in this Report.²⁴

Setting and significance

As defined in the *NPPF*:

“Significance derives not only from a heritage asset’s physical presence, but also from its setting.”²⁵

Setting is defined 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.”²⁶

Therefore, setting can contribute to, affect an appreciation of significance, or be neutral with regards to heritage values.

Assessing change through alteration to setting

How setting might contribute to these values has been assessed within this Report with reference to *GPA:3*, particularly the checklist given on page 11. This advocates the clear articulation of “*what matters and why*”.²⁷

In *GPA:3*, a stepped approach is recommended, of which Step 1 is to identify which heritage assets and their settings are affected. Step 2 is to assess whether, how and to what degree settings make a contribution to the significance of the heritage asset(s) or allow significance to be appreciated. The guidance includes a (non-exhaustive) checklist of elements of the physical surroundings of an asset that might be considered when undertaking the assessment including, among other things: topography, other heritage assets, green space, functional relationships and degree of change over time. It also lists aspects associated with the experience of the asset which might be considered, including: views, intentional intervisibility, tranquillity, sense of enclosure, accessibility, rarity and land use.

Step 3 is to assess the effect of the proposed development on the significance of the asset(s). Step 4 is to explore ways to maximise enhancement and minimise harm. Step 5 is to make and document the decision and monitor outcomes.

A Court of Appeal judgement has confirmed that whilst issues of visibility are important when assessing setting, visibility does not necessarily confer a contribution to significance and factors other than visibility should also be considered, with Lindblom LJ stating at paragraphs 25 and 26 of the judgement (referring to an earlier Court of Appeal judgement):

Paragraph 25 – “But – again in the particular context of visual effects – I said that if “a proposed development is to affect the setting of a listed building there must be a distinct visual relationship of some kind between

²⁴ Historic England, *Statements of Heritage Significance: Analysing Significance in Heritage Assets, Historic England Advice Note 12* (Swindon, October 2019).

²⁵ DLUHC, *NPPF*, p. 72.

²⁶ DLUHC, *NPPF*, p. 71.

²⁷ Historic England, *GPA:3*, p p. 8, 11.

the two– a visual relationship which is more than remote or ephemeral, and which in some way bears on one’s experience of the listed building in its surrounding landscape or townscape” (paragraph 56)”.

Paragraph 26 – “This does not mean, however, that factors other than the visual and physical must be ignored when a decision-maker is considering the extent of a listed building’s setting. Generally, of course, the decision-maker will be concentrating on visual and physical considerations, as in Williams (see also, for example, the first instance judgment in R. (on the application of Miller) v North Yorkshire County Council [2009] EWHC 2172 (Admin), at paragraph 89). But it is clear from the relevant national policy and guidance to which I have referred, in particular the guidance in paragraph 18a-013-20140306 of the PPG, that the Government recognizes the potential relevance of other considerations– economic, social and historical. These other considerations may include, for example, “the historic relationship between places”. Historic England’s advice in GPA3 was broadly to the same effect.”²⁸

Levels of significance

Descriptions of significance will naturally anticipate the ways in which impacts will be considered. Hence descriptions of buildings, be they Listed or non-designated will be discussed with reference

to the building, its setting and any features of special architectural or historic interest which it possesses.

In accordance with the levels of significance articulated in the *NPPF* and the *PPG*, three levels of significance are identified:

Designated heritage assets of the highest significance, as identified in paragraph 200 of the *NPPF*, comprising Grade I and II* Listed buildings, Grade I and II* Registered Parks and Gardens, Scheduled Monuments, Protected Wreck Sites, World Heritage Sites and Registered Battlefields (and also including some Conservation Areas) and non-designated heritage assets of archaeological interest which are demonstrably of equivalent significance to Scheduled Monuments, as identified in footnote 68 of the *NPPF*;²⁹

Designated heritage assets of less than the highest significance, as identified in paragraph 200 of the *NPPF*, comprising Grade II Listed buildings and Grade II Registered Parks and Gardens (and also some Conservation Areas);³⁰ and

Non-designated heritage assets. Non-designated heritage assets are defined within the *PPG* as “buildings, monuments, sites, places, areas or landscapes identified by plan-making bodies as having a degree of significance meriting consideration in planning decisions, but which do

²⁸ Catesby Estates Ltd. v. Steer [2018] EWCA Civ 1697, paras. 25 and 26.

²⁹ DLUHC, *NPPF*, para. 200 and fn. 68.

³⁰ DLUHC, *NPPF*, para. 200.

*not meet the criteria for designated heritage assets”.*³¹

Additionally, it is of course possible that sites, buildings or areas have no heritage significance.

Assessment of harm

Assessment of any harm will be articulated in terms of the policy and law that the proposed development will be assessed against, such as whether a proposed development preserves or enhances the character or appearance of a Conservation Area, and articulating the scale of any harm in order to inform a balanced judgement/weighting exercise as required by the NPPF.

In accordance with key policy, the following levels of harm may potentially be identified for designated heritage assets:

Substantial harm or total loss. It has been clarified in a High Court Judgement of 2013 that this would be harm that would *“have such a serious impact on the significance of the asset that its significance was either vitiated altogether or very much reduced”*,³² and

Less than substantial harm. Harm of a lesser level than that defined above.

With regards to these two categories, the *PPG* states:

“Within each category of harm (which category applies should be explicitly identified), the extent of the harm may vary and should be clearly articulated.”³³

Hence, for example, harm that is less than substantial would be further described with reference to where it lies on that spectrum or scale of harm, for example low end, middle, and upper end of the less than substantial harm spectrum/scale.

With regards to non-designated heritage assets, there is no basis in policy for describing harm to them as substantial or less than substantial, rather the *NPPF* requires that the scale of any harm or loss is articulated whilst having regard to the significance of the asset. Harm to such assets is therefore articulated as a level of harm to their overall significance, using descriptors such as minor, moderate and major harm.

It is also possible that development proposals will cause no harm or preserve the significance of heritage assets. Here, a High Court Judgement of 2014 is relevant. This concluded that with regard to preserving the setting of a Listed building or preserving the character and appearance of a Conservation Area, *“preserving”* means doing *“no harm”*.³⁴

Preservation does not mean no change, it specifically means no harm. *GPA:2* states that *“Change to heritage assets is inevitable but it is only harmful when significance is damaged”*.³⁵ Thus, change is accepted in Historic England’s guidance as part of the evolution of

³¹ DLUHC, *PPG*, paragraph 039, reference ID: 18a-039-20190723.

³² Bedford Borough Council v Secretary of State for Communities and Local Government [2013] EWHC 2847 (Admin), para. 25.

³³ DLUHC, *PPG*, paragraph 018, reference ID: 18a-018-20190723.

³⁴ R (Forge Field Society) v Sevenoaks District Council [2014] EWHC 1895 (Admin).

³⁵ Historic England, *GPA:2*, p. 9.

the landscape and environment. It is whether such change is neutral, harmful or beneficial to the significance of an asset that matters.

As part of this, setting may be a key consideration. When evaluating any harm to significance through changes to setting, this Report follows the methodology given in *GPA:3*, described above.

Fundamental to this methodology is a consideration of “*what matters and why*”.³⁶ Of particular relevance is the checklist given on page 13 of *GPA:3*.³⁷

It should be noted that this key document also states:

“Setting is not itself a heritage asset, nor a heritage designation...”³⁸

Hence any impacts are described in terms of how they affect the significance of a heritage asset, and heritage interests that contribute to this significance, through changes to setting.

With regards to changes in setting, *GPA:3* states that:

“Conserving or enhancing heritage assets by taking their settings into account need not prevent change”.³⁹

Additionally, whilst the statutory duty requires that special regard should 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. This point has been clarified in the Court of Appeal.⁴⁰

Benefits

Proposed development may also result in benefits to heritage assets, and these are articulated in terms of how they enhance the heritage interests, and hence the significance, of the assets concerned.

As detailed further in **Appendix 3**, the *NPPF* (at Paragraphs 201 and 202) requires harm to a designated heritage asset to be weighed against the public benefits of the development proposals.⁴¹

Recent High Court Decisions have confirmed that enhancement to the historic environment should be considered as a public benefit under the provisions of Paragraphs 201 to 203.⁴²

The *PPG* provides further clarity on what is meant by the term ‘public benefit’, including how these may be derived from enhancement to the historic environment (‘heritage benefits’), as follows:

“Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a

³⁶ Historic England, *GPA:3*, p. 8.

³⁷ Historic England, *GPA:3*, p. 13.

³⁸ Historic England, *GPA:3*, p. 4.

³⁹ Historic England, *GPA 3*, p. 8.

⁴⁰ *Palmer v Herefordshire Council & Anor* [2016] EWCA Civ 1061.

⁴¹ DLUHC, *NPPF*, paras. 201 and 202.

⁴² Including - *Kay, R (on the application of) v Secretary of State for Housing Communities and Local Government & Anor* [2020] EWHC 2292 (Admin); DLUHC, *NPPF*, paras. 201 and 203.

private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit.

Examples of heritage benefits may include:

sustaining or enhancing the significance of a heritage asset and the contribution of its setting

reducing or removing risks to a heritage asset

securing the optimum viable use of a heritage asset in support of its long term conservation.⁴³

Any "heritage benefits" arising from the proposed development, in line with the narrative above, will be clearly articulated in order for them to be taken into account by the decision maker.

⁴³ MHCLG, *PPG*, paragraph 020, reference ID: 18a-020-20190723.

Appendix 2: National Policy Guidance

The National Planning Policy Framework (July 2021)

National policy and guidance is set out in the Government's *National Planning Policy Framework (NPPF)* published in July 2021. This replaced and updated the previous *NPPF* 2019. The *NPPF* needs to be read as a whole and is intended to promote the concept of delivering sustainable development.

The *NPPF* sets out the Government's economic, environmental and social planning policies for England. Taken together, these policies articulate the Government's vision of sustainable development, which should be interpreted and applied locally to meet local aspirations. The *NPPF* continues to recognise that the planning system is plan-led and that therefore Local Plans, incorporating Neighbourhood Plans, where relevant, are the starting point for the determination of any planning application, including those which relate to the historic environment.

The overarching policy change applicable to the proposed development is the presumption in favour of sustainable development. This presumption in favour of sustainable development (the 'presumption') sets out the tone of the Government's overall stance and operates with and through the other policies of the *NPPF*. Its purpose is to send a strong signal to all those involved in the planning process about the need to plan positively for appropriate new development; so that both plan-making and development management are proactive and driven by a search for opportunities to deliver sustainable development, rather than barriers. Conserving historic assets in a manner appropriate to their significance forms part of this drive towards sustainable development.

The purpose of the planning system is to contribute to the achievement of sustainable development and the *NPPF* sets out three 'objectives' to facilitate sustainable development: an economic objective, a social objective, and an environmental objective. The presumption is key to delivering these objectives, by creating a positive pro-development framework which is underpinned by the wider economic, environmental and social provisions of the *NPPF*. The presumption is set out in full at paragraph 11 of the *NPPF* and reads as follows:

"Plans and decisions should apply a presumption in favour of sustainable development.

...

For decision-taking this means:

- a. approving development proposals that accord with an up-to-date development plan without delay; or***
- b. where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:***
 - i. the application policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or***

- ii. ***any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.***⁴⁴

However, it is important to note that footnote 7 of the NPPF applies in relation to the final bullet of paragraph 11. This provides a context for paragraph 11 and reads as follows:

“The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 180) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 68); and areas at risk of flooding or coastal change.”⁴⁵ (our emphasis)

The NPPF continues to recognise that the planning system is planned and that therefore, Local Plans, incorporating Neighbourhood Plans, where relevant, are the starting point for the determination of any planning application.

Heritage Assets are defined in the NPPF as:

“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. It includes designated heritage assets and assets identified by the local planning authority (including local listing).”⁴⁶

The NPPF goes on to define a Designated Heritage Asset as a:

“World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under relevant legislation.”⁴⁷

As set out above, significance is also defined as:

“The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting. For World Heritage Sites, the cultural value described within each site’s Statement of Outstanding Universal Value forms part of its significance.”⁴⁸

⁴⁴ DLUHC, NPPF, para. 11.

⁴⁵ DLUHC, NPPF, para. 11, fn. 7.

⁴⁶ DLUHC, NPPF, p. 67.

⁴⁷ DLUHC, NPPF, p. 66.

⁴⁸ DLUHC, NPPF, pp. 71-72.

Section 16 of the NPPF relates to ‘Conserving and enhancing the historic environment’ and states at paragraph 195 that:

“Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal.”⁴⁹

Paragraph 197 goes on to state that:

“In determining planning applications, local planning authorities should take account of:

- a. the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;***
- b. the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and***

- c. the desirability of new development making a positive contribution to local character and distinctiveness.”⁵⁰***

Paragraphs 199- 202 pertain to the consideration of designated heritage asset and thus are not applicable in this case, nor are Paragraphs 206 and 207 which relate specifically to Conservation Areas and World Heritage Sites.

With regards to non- designated heritage assets, paragraph 203 of 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.”⁵¹

Overall, the NPPF confirms that the primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent it. Local Planning Authorities should approach development management decisions positively, looking for solutions rather than problems so that applications can be approved wherever it is practical to do so. Additionally, securing the optimum viable use of sites and achieving public benefits are also key material considerations for application proposals.

⁴⁹ DLUHC, *NPPF*, para. 195 .

⁵⁰ DLUHC, *NPPF*, para. 197.

⁵¹DLUHC, *NPPF*, para. 203.

National Planning Practice Guidance

The then Department for Communities and Local Government (now the Department for Levelling Up, Housing and Communities (DLUHC)) launched the planning practice guidance web-based resource in March 2014, accompanied by a ministerial statement which confirmed that a number of previous planning practice guidance documents were cancelled.

This also introduced the national Planning Practice Guidance (PPG) which comprised a full and consolidated review of planning practice guidance documents to be read alongside the NPPF.

The PPG has a discrete section on the subject of the Historic Environment, which confirms that the consideration of 'significance' in decision taking is important and states:

“Heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals.”⁵²

National Design Guide:

Section C2 relates to valuing heritage, local history and culture and states:

“When determining how a site may be developed, it is important to understand the history of how the place

has evolved. The local sense of place and identity are shaped by local history, culture and heritage, and how these have influenced the built environment and wider landscape.”⁵³

“Sensitive re-use or adaptation adds to the richness and variety of a scheme and to its diversity of activities and users. It helps to integrate heritage into proposals in an environmentally sustainable way.”⁵⁴

It goes on to state that:

“Well-designed places and buildings are influenced positively by:

the history and heritage of the site, its surroundings and the wider area, including cultural influences;

the significance and setting of heritage assets and any other specific features that merit conserving and enhancing;

the local vernacular, including historical building typologies such as the terrace, town house, mews, villa or mansion block, the treatment of façades, characteristic materials and details - see Identity.

Today’s new developments extend the history of the context. The best of them will become valued as

⁵² DLUHC, PPG, paragraph 007, reference ID: 18a-007-20 19 0 7 2 3 .

⁵³ DLUHC, NDG, para. 46.

⁵⁴ DLUHC, NDG, para. 47.



*tomorrow's heritage, representing the architecture
and placemaking of the early 21st century.⁵⁵*

⁵⁵ DLUHC, *NDG*, paras. 48-49.

Appendix 3: Relevant Development Plan Policies

Applications for Planning Permission within Stroud District are currently considered against the policy and guidance set out within the Stroud District Local Plan, as adopted in 2015.

Policy ES10 pertains specifically to the consideration of the historic environment and states that:

"Stroud District's historic environment will be preserved, protected or enhanced, in accordance with the principles set out below:

1. Any proposals involving a historic asset shall require a description of the heritage asset significance including any contribution made by its setting, and an assessment of the potential impact of the proposal on that significance, using appropriate expertise. This can be a desk based assessment and a field evaluation prior to determination where necessary and should include the Gloucestershire Historic Environment Record.

2. Proposals and initiatives will be supported which conserve and, where appropriate, enhance the heritage significance and setting of the Districts heritage assets, especially those elements which contribute to the distinct identity of the District.

These include:

A. the 68 sites of national archaeological importance (which are designated as Ancient Monuments), any undesignated archaeology of national significance, and the many buildings

that are Listed as having special architectural or historic interest

B. the stone, bronze, iron age and roman settlements and remains; the medieval settlements including Berkeley Castle; historic houses; historic parks; gardens and villages

C. the townscapes of the larger towns such as Stroud where the industrial heritage influenced its historic grain, including its street layouts and plot sizes

D. the District's historic market towns and villages, many with designated conservation areas, such as Berkeley, Wotton Under Edge, Minchinhampton, Painswick and Dursley.

3. Proposals will be supported which protect and, where appropriate, enhance the heritage significance and setting of locally identified heritage assets, such as buildings of local architectural or historic interest, locally important archaeological sites and parks and gardens of local interest.

4. Proposals will be supported which protect and, where appropriate, enhance key views and vistas, especially of the spires and towers of historic churches and mills.

5. Any harm or loss would require clear and convincing justification to the relevant decision-maker as to why the heritage interest should be overridden.



A full programme of work shall be submitted with the application, together with proposals to mitigate any adverse impact of the proposed development, and where appropriate, be implemented through measures secured by planning condition(s) or through a legal agreement."

Core Policy CP4 related to 'Place Making' in general, with 'Part 2' setting that proposals will be expected to *"Place shape and protect or enhance a sense of place; (create a place with a locally- inspired or distinctive character – whether historic, traditional or contemporary – using appropriate materials, textures and colours, locally- distinctive architectural styles, working with the site topography, orientation and landscape features; as well as protecting or enhancing local biodiversity, the historic environment and any heritage assets)."*

Planning (Listed Buildings and Conservation Areas) Act 1990
Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004

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