

# Heritage Statement

Land off Dilmore Lane, Farnhill Heath, Worcestershire

On behalf of Lioncourt Strategic Land

Date: 12/12/2023 | Pegasus Ref: P23-2622

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## Document Management.

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# 1. Introduction

- 1.1. Pegasus Group have been commissioned by Lioncourt Strategic Land to prepare a Heritage Statement to consider the proposed residential development on land off Dilmore Lane, Fernhill Heath, Worcestershire, as shown on the Site Location Plan provided at Plate 1.

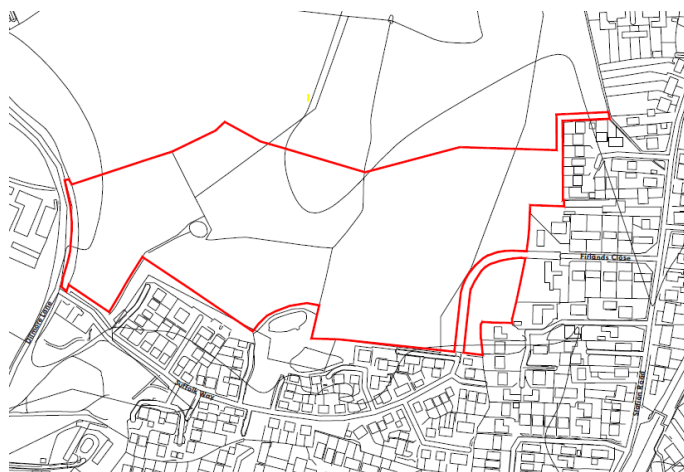


Plate 1: Site Location Plan.

- 1.2. The site comprises parts of five fields, located to the north of the settlement of Fernhill Heath (Plate 2).



Plate 2 Looking east across the site

- 1.3. No designated heritage assets lie within the site. The Grade II Listed Tapenhill Farmhouse lies 100m to the west of the site, and the Grade II Listed Upper Tapenhall lies 140m to the south of the site. The Grade II Listed Thatch Cottage lies 220m south-west of the site and the Grade II Listed Oak Cottage Lies 350m north of the 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".<sup>1</sup>***

- 1.5. In order to inform an assessment of the acceptability of the scheme in relation to impacts on the 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.
- 1.6. As required by paragraph 194 of the *NPPF*, the detail and assessment in this Report is considered to be *"proportionate to the assets' importance"*.<sup>2</sup>

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

<sup>2</sup> DLUHC, *NPPF*, para. 194.

## 2. Proposed Development

- 2.1. The application seeks outline permission for Residential development for up to 130 dwellings (Use Class C3), including vehicular access from Dilmore Lane, pedestrian and cycle links, public open space, car parking, drainage, landscaping and other associated infrastructure. All matters are reserved except for access.
- 2.2. The illustrative masterplan shows built form set back from the western side of the site, with the westernmost area used as orchard and informal open space, and crossed by the access road.



*Plate 3 Extract from the illustrative masterplan*

### 3. Site Description and Planning History

#### Site Description

- 3.1. The proposed development site comprises parts of five fields to the north of the settlement of Fernhill Heath.
- 3.2. To the south lies recently constructed residential development with older residential development to the east. Further agricultural fields lie to the north, and the farm complex of Upper Tapenhill Farm lies to the west.

#### Planning History

- 3.3. No planning history for the site has been identified on the Wychavon online planning register.

#### Consultation Response

- 3.4. A consultation response for Conservation matters with regards to the current application (W/23/01323/OUT) was

provided in a letter dated 8<sup>th</sup> November 2023 from Sarah Jones. This identified less than substantial harm to one Listed Building, Tapenhill Farmhouse (Listed as Tapenhill Farmhouse), which is discussed further below.



## 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 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.

### Sources

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

- The National Heritage List for England for information on designated heritage assets;
- Historic maps;
- Aerial photographs available online via Historic England's Aerial Photo Explorer and Britain from Above;
- Google Earth satellite imagery.

### Site Visit

4.4. Site visits were undertaken by a Heritage Consultant from Pegasus Group on 7<sup>th</sup> December and 14<sup>th</sup> December 2023, during which the site and its surrounds were assessed.

### 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);<sup>3</sup>

- *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);<sup>4</sup>
- *Historic England Advice Note 1 (Second Edition) – Conservation Area Appraisal, Designation and Management* (hereafter HEAN:1).<sup>5</sup>
- *Historic England Advice Note 12 – Statements of Heritage Significance: Analysing Significance in Heritage Assets* (hereafter HEAN:12);<sup>6</sup> and
- *Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment*.<sup>7</sup>

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

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

<sup>5</sup> Historic England, *Historic England Advice Note 1 – Conservation Area Appraisal, Designation and Management* (HEAN:1) (2<sup>nd</sup> edition, Swindon, February 2019).

<sup>6</sup> Historic England, *Historic England Advice Note 12 – Statements of Heritage Significance: Analysing Significance in Heritage Assets* (HEAN:12) (Swindon, October 2019).

<sup>7</sup> 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.<sup>8</sup>
- 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.<sup>9</sup>
- 5.3. Full details of the relevant legislation are provided in **Appendix 2**.

### National Planning Policy Guidance

- 5.4. 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.<sup>10</sup> The PPG also contains the *National Design Guide*.<sup>11</sup>

- 5.5. Full details of the relevant national policy guidance are provided within **Appendix 3**.

### The Development Plan

- 5.6. Applications for Planning Permission are currently considered against the policy and guidance set out within South Worcestershire Development Plan, adopted February 2016.
- 5.7. A draft of the South Worcestershire Development Plan Review is at Regulation 19 stage, at the time of the compilation of this report.
- 5.8. Details of the policy specific relevant to the application proposals are provided within **Appendix 4**.

<sup>8</sup> UK Public General Acts, Planning (Listed Buildings and Conservation Areas) Act 1990.

<sup>9</sup> UK Public General Acts, Planning and Compulsory Purchase Act 2004, Section 38(6).

<sup>10</sup> Department for Levelling Up, Housing and Communities (DLUHC), *Planning Practice Guidance: Historic Environment (PPG)* (revised edition, 23<sup>rd</sup> July 2019),

<https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment>.

<sup>11</sup> 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. As set out in **Section 1**, the site includes no heritage assets within its bounds, but Grade II Listed buildings lie in the vicinity. With regards to 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.<sup>12</sup>
- 6.3. 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.
- 6.4. It is however widely accepted (paragraph 207 of the *NPPF*) that not all parts of a heritage asset will necessarily be of equal significance.<sup>13</sup> In some cases, certain elements of a heritage asset can accommodate substantial changes whilst preserving the significance of the asset.
- 6.5. Significance can be derived from many elements, including the historic fabric of a building or elements of its surrounds.

### Step 1 Analysis

- 6.6. Consideration 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.
- 6.7. A map of all designated heritage assets in the vicinity of the site is included at Figure 1.
- 6.8. Following initial assessment in line with Step 1 of the Historic England Guidance, *The Setting of Heritage Assets*, only one designated heritage asset, Tapenhill Farmhouse Grade II Listed building, was put forward for detailed assessment (Steps 2–4).
- 6.9. The rationale for excluding other assets from detailed assessment following the Step 1 analysis is given below.
- 6.10. With regards to the Grade II Listed Upper Tapenhall, this is a Grade II Listed 16<sup>th</sup>-century farmhouse 140m to the south of the site, which is largely screened from the site by intervening modern residential development. There is some intervisibility with the asset and the westernmost area of the site, but this area was historically in separate ownership (and is proposed for orchard and informal

<sup>12</sup> Historic England, *GPA:3*, p. 4.

<sup>13</sup> DLUHC, *NPPF*, para. 207.

open space). The asset is not considered to be sensitive to development within the site.



*Plate 4 Looking south from the western area of the site to Upper Tappenhall*

- 6.11. With regards to The Thatch, this 17<sup>th</sup>-century cottage which lies 220m to the south-west of the site has only glimpsed intervisibility with the site, which is very largely screened from the asset by intervening vegetation and built form, and its significance is not considered to be sensitive to the proposed development.



*Plate 5 Looking south along Dilmore Lane from close to the south-western corner of the site*

- 6.12. With regards to the Grade II Listed Oak Cottage, this lies 350m north of the site and is screened from it. Its heritage significance is not considered to be sensitive to development within the site.

#### **Step 2-4 Assessment - Tapenhill Farmhouse**

- 6.13. Tapenhill Farmhouse was added to the National List at Grade II on 21<sup>st</sup> March 1985 (NHLE 1350170). The List Entry describes the building as follows:

***"Farmhouse. Early/mid-C18 with mid-C19 alterations and additions. Brick, part hand-made, hipped, plain tiled roof and large brick stacks to rear main range. Two storeys, attic with dormers and cellar; there is a 3-course band above both main storeys and a dentilled eaves cornice. Three bays; all windows have***

*moulded architraves and cambered heads, and are 16-pane sashes except for left ground floor window which is a large 3-light casement. Central entrance has a door with 6 raised and fielded panels and a barred segmental fanlight. There is a gabled dormer with casement in the south side elevation. Interior not inspected. A mid-C19, three storey addition adjoins the full length of the rear elevation."*

6.14. A full copy of the List Entry is included at **Appendix 5**.

6.15. The asset faces west away from the site, with fenestration and a central entrance with fanlight clearly demarcating the western façade as the primary face (Plate 6).



*Plate 6 Looking south-east to the primary western façade of Tapenhill Farmhouse*

6.16. This western façade has a view over historically associated farmland, and to the hills beyond (Plate 7).



*Plate 7 Looking north-east from close to Tapenhill Farmhouse*

6.17. The rear elevation of the asset is visible from Dilmore Lane, in conjunction with the redbrick farm buildings (Plate 8).



Plate 8 Looking south-west to Tapenhill Farmhouse from Dilmore Lane

6.18. The Claines Tithe Map of 1838 (Plate 9) shows the house (listed in the apportionment as a 'Homestead'), lying within a discrete plot presumed to be a garden, with ranges of outbuildings to the east and a large pond to the north-west. The complex had a wider associated tenancy landholding comprising fields north and south of the complex, as well as further to the west, to the west of Dilmore Lane. To the east of the road, the tenancy landholding included large fields to the east of the complex, as well as a couple of strip fields in an open field further to the east.

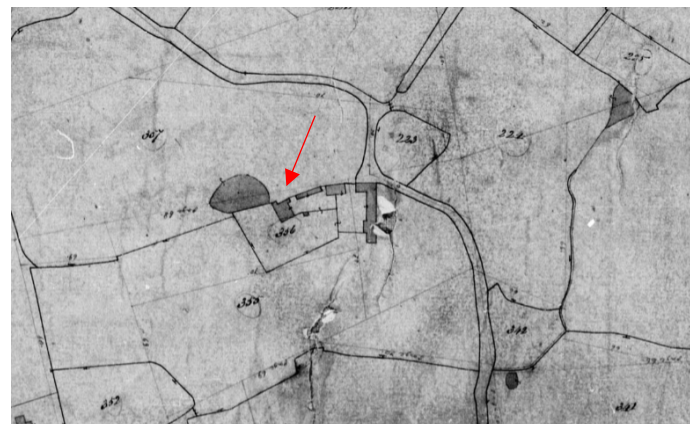


Plate 9 Extract from the 1838 Claines Tithe Map

6.19. By the publication of the Ordnance Survey map of 1902 (Plate 10), more farm buildings appear to have been added to the complex east of the farmhouse, forming a quadrangle, and Dilmore Lane realigned to take it away from the farm complex.



Plate 10 Extract from the Ordnance Survey map of 1902

6.20. By 1962, large modern farm buildings had been added to the complex (Plate 11).

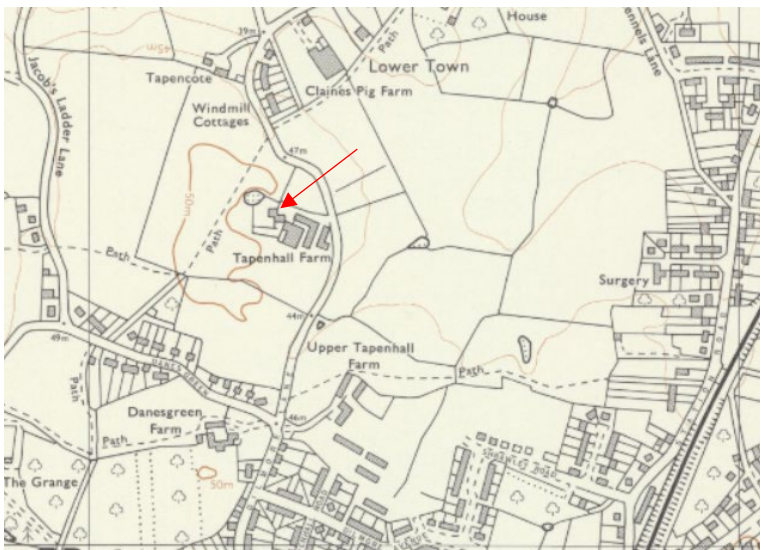


Plate 11 Extract from the Ordnance Survey map of 1962

6.21. Today, the house lies at the western side of the complex, within a garden, and with a primary western outlook (Plate 12). Some red brick outbuildings survive on the northern edge of the complex (See Plate 5, above).

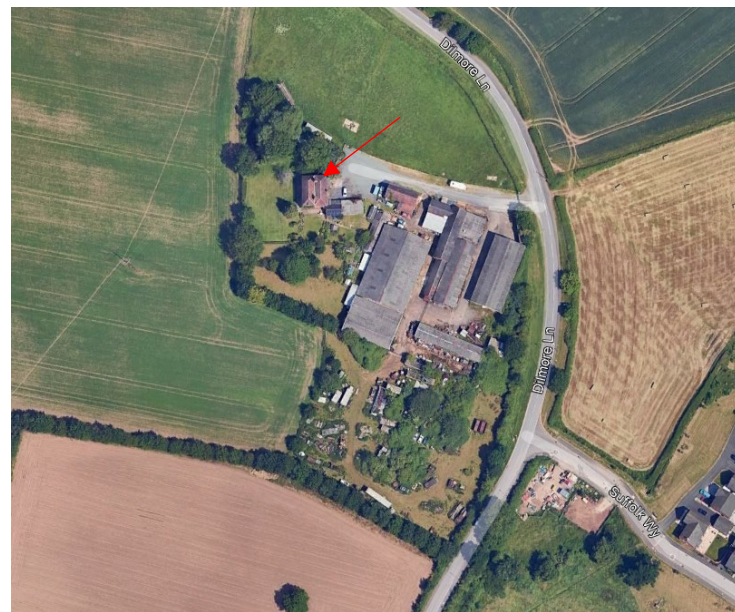


Plate 12 Recent aerial photograph of the surrounds of the Tapenhall Farmhouse

- 6.22. The asset is anticipated to be best appreciated and understood from within its curtilage.
- 6.23. There are also views from the public footpath to the west of the asset, from where the principal elevation can be seen (see Plate 6 above), and views from Dilmore Lane to the east, from where the asset can be seen in the complex of the farm complex (Plate 14).





*Plate 13 Looking south-west to the Tapenhall Farm complex from Dilmore Lane*

- 6.24. There are also distant views to the asset from public footpaths leading off Kennel Lane to the east (Plate 12), as well as non-publicly accessible views from intervening farmland.



*Plate 14 Looking west from a public footpath leading off Kennel Lane*

Statement of Significance

- 6.25. The Grade II Listing of the building highlights it is a heritage asset of the less than the highest significance as defined by the *NPPF*.<sup>14</sup>
- 6.26. The heritage significance of the asset is principally embodied in its physical fabric, which has architectural, artistic and historic interests.
- 6.27. The setting of the asset also contributes to the significance of the asset, although the significance derived from the setting is less than that derived from its historic fabric. The principal elements of the physical

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<sup>14</sup> DLUHC, *NPPF*, para. 200.

surrounds and experience of the asset (its "setting") which are considered to contribute to its heritage significance comprise:

- The garden area and other curtilage areas, from where the architectural interest of the asset can be understood.
- The outbuildings which have historic illustrative value as to the agricultural origins of the asset.
- The land to the west, over which the principal façade has an outlook and over which there are views to the principal façade from the public footpath.
- Dilmore Lane to the east from where there are views to the rear of the asset, in which it can be seen in the context of the farm complex.
- Other historically associated agricultural land visible from the the asset and co-visible with it.

6.28. The areas which make the greatest contribution to the significance of the asset through setting lie to the west of Dilmore Lane, comprising the curtilage and farm complex, and western outlook over agricultural land and the hills. The site lies to the east of Dilmore Lane, but does include fields which were historically associated with the asset with which it still has some intervisibility and co-visibility, although this is partial intervisibility from the rear of the building, with the asset partially screened by the modern outbuildings (Plates 16 and 17).



*Plate 15 Partial view of Tapenhill Farmhouse from the northern edge of the site*



*Plate 16 Partial view of Tapenhill Farmhouse from the western area of the site*

6.29. In addition, there are views from historically unassociated land further to the east within the site (Plate 18).



*Plate 17 Looking west to Tapenhill Farmhouse from the western area of the site*

6.30. There is also glimpsed co-visibility of the site in views from west of the asset (Plate 19). These views have a backdrop of modern built form.



*Plate 18 Filtered co-visibility of Tapenhill Farmhouse (red arrow) with a glimpse of the site (yellow arrow)*

6.31. Overall, the site is considered to make a minor contribution to the heritage significance of the asset through setting.

6.32. The proposed development will change the character of part of the area historically associated with the asset which visible from the rear of the asset and has glimpsed co-visibility with the asset in views from the west. The development will also block some partial views of the asset from further to the east, although views across land further to the north will remain. Built form will be set back from the western edge of the site, which is closest to the asset, with this western area proposed as historically appropriate orchard and crossed by the access road. The clearest views the asset has to agricultural land, to the west and to land to the north of the site will remain.

- 6.33. Overall, considering the physical form of the asset will not be altered, and neither will those areas of the setting the asset which make the greatest contribution to the significance of the asset through setting, comprising the curtilage, farm complex and land which has the strongest visible connection with the asset, the proposed scheme is anticipated to result in less than substantial harm at the low end of the spectrum to the heritage significance of Tapenhill Farmhouse.

## 7. Conclusions

- 7.1. Consideration has been made as to whether the proposed development would cause harm to the heritage significance of any heritage assets in the vicinity of the site through changes in setting.
- 7.2. A Step 1 assessment considered heritage assets in the vicinity of the site, and concluded on the basis of a site visit, review of historic documents and designation descriptions that the significances of Upper Tappenhall, Thatch Cottage and Oak Cottage, are not sensitive to the proposed development.
- 7.3. A detailed assessment was made of the Grade II Listed Tapenhill Farmhouse and it was concluded that less than substantial harm at the low end of the spectrum would be caused to the asset through change in setting. This takes into account that the significance of the asset is primarily derived from its physical form, and that the site lies beyond those areas which make the greatest contribution to significance through setting, comprising the curtilage, farm complex, Dilmore Lane and agricultural land to the west. Following development, the asset would still have views to agricultural land to the east, to the north of the site, as well as its primary views to land to the west.

# 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.”<sup>15</sup>***

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.<sup>16</sup>

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*.<sup>17</sup> These essentially cover the heritage ‘interests’ given in the glossaries of the *NPPF* and the *PPG* which are archaeological, architectural and artistic, and historic.<sup>18</sup>

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.<sup>19</sup>

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

<sup>15</sup> DLUHC, *NPPF*, pp. 71-72.

<sup>16</sup> Historic England, *GPA:2*.

<sup>17</sup> 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.

<sup>18</sup> DLUHC, *NPPF*, p. 71; DLUHC, *PPG, Annex 2*.

<sup>19</sup> DLUHC, *PPG*, paragraph 006, reference ID: 18a-006-20190723.

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.<sup>20</sup>

Listed Buildings and Conservation Areas are generally designated for their special architectural and historic interest. Scheduling is predominantly, although not exclusively, associated with archaeological interest.

### Setting and significance

As defined in the *NPPF*:

***“Significance derives not only from a heritage asset’s physical presence, but also from its setting.”<sup>21</sup>***

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.”<sup>22</sup>***

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*”.<sup>23</sup>

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

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<sup>20</sup> Historic England, *Statements of Heritage Significance: Analysing Significance in Heritage Assets, Historic England Advice Note 12* (Swindon, October 2019).

<sup>21</sup> DLUHC, *NPPF*, p. 72.

<sup>22</sup> DLUHC, *NPPF*, p. 71.

<sup>23</sup> Historic England, *GPA:3*, pp. 8, 11.

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 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.”<sup>24</sup>***

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<sup>24</sup> Catesby Estates Ltd. v. Steer [2018] EWCA Civ 1697, paras. 25 and 26.

<sup>25</sup> DLUHC, NPPF, para. 200 and fn. 68.

## Levels of significance

Descriptions of significance will naturally anticipate the ways in which impacts will be considered. Hence descriptions of the significance of Conservation Areas will make reference to their special interest and character and appearance, and the significance of Listed Buildings 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;<sup>25</sup>
- **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);<sup>26</sup> and

<sup>26</sup> DLUHC, NPPF, para. 200.



- **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 not meet the criteria for designated heritage assets”*.<sup>27</sup>

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”*;<sup>28</sup> 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.”***<sup>29</sup>

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”*.<sup>30</sup>

<sup>27</sup> DLUHC, PPG, paragraph 039, reference ID: 18a-039-20190723.

<sup>28</sup> Bedford Borough Council v Secretary of State for Communities and Local Government [2013] EWHC 2847 (Admin), para. 25.

<sup>29</sup> DLUHC, PPG, paragraph 018, reference ID: 18a-018-20190723.

<sup>30</sup> R (Forge Field Society) v Sevenoaks District Council [2014] EWHC 1895 (Admin).

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*”.<sup>31</sup> Thus, change is accepted in Historic England’s guidance as part of the evolution of 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*”.<sup>32</sup> Of particular relevance is the checklist given on page 13 of *GPA:3*.<sup>33</sup>

It should be noted that this key document also states:

***“Setting is not itself a heritage asset, nor a heritage designation...”***<sup>34</sup>

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”.***<sup>35</sup>

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.<sup>36</sup>

## **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.<sup>37</sup>

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.<sup>38</sup>

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).***

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<sup>31</sup> Historic England, *GPA:2*, p. 9.

<sup>32</sup> Historic England, *GPA:3*, p. 8.

<sup>33</sup> Historic England, *GPA:3*, p. 13.

<sup>34</sup> Historic England, *GPA:3*, p. 4.

<sup>35</sup> Historic England, *GPA 3*, p. 8.

<sup>36</sup> *Palmer v Herefordshire Council & Anor* [2016] EWCA Civ 1061.

<sup>37</sup> DLUHC, *NPPF*, paras. 201 and 202.

<sup>38</sup> 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.

***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 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.***<sup>39</sup>

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.

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<sup>39</sup> MHCLG, PPG, paragraph 020, reference ID: 18a-020-20190723.

## Appendix 2: Legislative Framework

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 Conservation Areas.<sup>40</sup> It does not provide statutory protection for non-designated or Locally Listed heritage assets.

Section 66(1) of the Act states that:

***“In considering whether to grant planning permission [or permission in principle] 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.”<sup>41</sup>***

In the 2014 Court of Appeal judgement in relation to the Barnwell Manor case, Sullivan LJ held that:

***“Parliament in enacting section 66(1) did intend that the desirability of preserving the settings of listed buildings should not simply be given careful consideration by the decision-maker for the purpose of deciding whether there would be some harm, but should be given “considerable importance and weight”***

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<sup>40</sup> UK Public General Acts, Planning (Listed Buildings and Conservation Areas) Act 1990.

<sup>41</sup> UK Public General Acts, Planning (Listed Buildings and Conservation Areas) Act 1990, Section 66(1).

***when the decision-maker carries out the balancing exercise.”<sup>42</sup>***

A judgement in the Court of Appeal (‘Mordue’) has clarified that, with regards to the setting of Listed Buildings, where the principles of the NPPF are applied (in particular paragraph 134 of the 2012 version of the NPPF, the requirements of which are now given in paragraph 202 of the current, revised NPPF, see **Appendix 5**), this is in keeping with the requirements of the 1990 Act.<sup>43</sup>

With regards to development within Conservation Areas, Section 72(1) of the *Planning (Listed Buildings and Conservation Areas) Act 1990* states:

***“In the exercise, with respect to any buildings or other land in a conservation area, of any powers under 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.”<sup>44</sup>***

Unlike Section 66(1), Section 72(1) of the Act does not make reference to the setting of a Conservation Area. This makes it plain that it is the character and appearance of the designated Conservation Area that is the focus of special attention.

<sup>42</sup> Barnwell Manor Wind Energy Ltd v (1) East Northamptonshire DC & Others [2014] EWCA Civ 137. para. 24.

<sup>43</sup> Jones v Mordue [2015] EWCA Civ 1243.

<sup>44</sup> UK Public General Acts, Planning (Listed Buildings and Conservation Areas) Act 1990. Section 72(1).



In addition to the statutory obligations set out within the *Planning (Listed Buildings and Conservations Area) Act 1990*, 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.<sup>45</sup>

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<sup>45</sup> UK Public General Acts, Planning and Compulsory Purchase Act 2004, Section 38(6).

## Appendix 3: 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 plan-making this means that:***

- a. all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;***
- b. strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:***
  - i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting***

***the overall scale, type or distribution of development in the plan area; 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.***

***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.***<sup>46</sup>

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.”***<sup>47</sup> (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).”***<sup>48</sup>

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<sup>46</sup> DLUHC, NPPF, para. 11.

<sup>47</sup> DLUHC, NPPF, para. 11, fn. 7.

<sup>48</sup> DLUHC, NPPF, p. 67.

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.”<sup>49</sup>***

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.”<sup>50</sup>***

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.”<sup>51</sup>***

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.”<sup>52</sup>***

With regard to the impact of proposals on the significance of a heritage asset, paragraphs 199 and 200 are relevant and read as follows:

***“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to***

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<sup>49</sup> DLUHC, NPPF, p. 66.

<sup>50</sup> DLUHC, NPPF, pp. 71–72.

<sup>51</sup> DLUHC, NPPF, para. 195.

<sup>52</sup> DLUHC, NPPF, para. 197.



**substantial harm, total loss or less than substantial harm to its significance.”<sup>53</sup>**

**“Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.**

**Substantial harm to or loss of:**

- a. grade II listed buildings, or grade II registered parks or gardens, should be exceptional;**
- b. assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.”<sup>54</sup>**

Section b) of paragraph 200, which describes assets of the highest significance, also includes footnote 68 of the NPPF, which states that non-designated heritage assets of archaeological interest which are demonstrably of equivalent significance to Scheduled Monuments should be considered subject to the policies for designated heritage assets.

In the context of the above, it should be noted that paragraph 201 reads as follows:

**“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 uses 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.”<sup>55</sup>**

Paragraph 202 goes on to state:

**“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”<sup>56</sup>**

The NPPF also provides specific guidance in relation to development within Conservation Areas, stating at paragraph 206 that:

<sup>53</sup> DLUHC, NPPF, para. 199.

<sup>54</sup> DLUHC, NPPF, para. 200.

<sup>55</sup> DLUHC, NPPF, para. 201.

<sup>56</sup> DLUHC, NPPF, para. 202.

***“Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.”<sup>57</sup>***

Paragraph 207 goes on to recognise that “not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance” and with regard to the potential harm from a proposed development states:

***“Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 200 or less than substantial harm under paragraph 201, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.”<sup>58</sup>*** (our emphasis)

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.”<sup>59</sup>***

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.

### **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:

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<sup>57</sup> DLUHC, NPPF, para 206.

<sup>58</sup> DLUHC, NPPF, para. 207.

<sup>59</sup> DLUHC, NPPF, para. 203.

***“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.”<sup>60</sup>***

In terms of assessment of substantial harm, the PPG confirms that whether a proposal causes substantial harm will be a judgement for the individual decision taker having regard to the individual circumstances and the policy set out within the NPPF. It goes on to state:

***“In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset’s significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.***

***While the impact of total destruction is obvious, partial destruction is likely to have a considerable impact but, depending on the circumstances, it may still be less than substantial harm or conceivably not harmful at all, for example, when removing later inappropriate additions to historic buildings which***

***harm their significance. Similarly, works that are moderate or minor in scale are likely to cause less than substantial harm or no harm at all. However, even minor works have the potential to cause substantial harm.”<sup>61</sup>*** (our emphasis)

#### **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.”<sup>62</sup>***

***“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.”<sup>63</sup>***

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;***

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<sup>60</sup> DLUHC, PPG, paragraph 007, reference ID: 18a-007-20190723.

<sup>61</sup> DLUHC, PPG, paragraph 018, reference ID: 18a-018-20190723.

<sup>62</sup> DLUHC, NDG, para. 46.

<sup>63</sup> DLUHC, NDG, para. 47.

- *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 tomorrow's heritage, representing the architecture and placemaking of the early 21<sup>st</sup> century."<sup>64</sup>*

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<sup>64</sup> DLUHC, NDG, paras. 48-49.

## Appendix 4: Relevant Development Plan Policies

Applications for Planning Permission and Listed Building Consent where relevant, within Fernhill Heath are currently considered against the policy and guidance set out within the South Worcestershire Development Plan, adopted February 2016. The following policy relates to the historic environment:

### ***SWDP 6: Historic Environment***

***A. Development proposals should conserve and enhance heritage assets, including assets of potential archaeological interest, subject to the provisions of SWDP 24. Their contribution to the character of the landscape or townscape should be protected in order to sustain the historic quality, sense of place, environmental quality and economic vibrancy of south Worcestershire.***

***B. Development proposals will be supported where they conserve and enhance the significance of heritage assets, including their setting. In particular this applies to:***

***i. Designated heritage assets; i.e. listed buildings, conservation areas, scheduled monuments, registered parks and gardens and registered battlefields, as well as undesignated heritage assets (As identified in extant local lists and heritage assets recorded in Historic Environment Records).***

***ii. The historic landscape, including locally distinctive settlement patterns, field systems,***

***woodlands and commons and historic farmsteads and smallholdings.***

***iii. Designed landscapes, including parkland, gardens, cemeteries, churchyards, public parks, urban open spaces and industrial, military or institutional landscapes.***

***iv. Archaeological remains of all periods.***

***v. Historic transportation networks and infrastructure including roads and trackways, canals, river navigations, railways and their associated industries.***

***vi. The historic core of the cathedral city of Worcester, with its complex heritage of street and plot patterns, buildings, open spaces and archaeological remains, along with their settings and views of the city.***

***vii. The civic, religious and market cores of south Worcestershire's city, town and village fabric with their wide variety of building styles, materials and street and plot patterns.***

The above policy does not allow the decision maker to make a balanced judgement, so is not considered to reflect the guidance of the NPPF. As such, the weight attached to it is considered to be limited.

A draft of the South Worcestershire Development Plan Review is currently being considered, with an aim to be adopted in October 2023. The following draft policy relates to the historic environment:

**SWDPR 08: Historic Environment**

***A. Development proposals should conserve and enhance heritage assets, including assets of potential archaeological interest, subject to the provisions of SWDPR 29. Their contribution to the setting and character of the landscape or townscape should be protected in order to sustain the historic quality, sense of place, environmental quality and economic vibrancy of south Worcestershire.***

***B. Development proposals will be supported where they conserve and enhance the significance of heritage assets, including their setting. In particular this applies to:***

***i. Designated heritage assets, i.e., listed buildings, conservation areas, scheduled monuments, registered parks and gardens and registered battlefields, as well as non-designated heritage assets (As identified in remaining local lists and heritage assets recorded in Historic Environment Records).***

***ii. The historic landscape, including locally distinctive settlement patterns, field systems, woodlands, ancient and veteran trees and commons and historic farmsteads and smallholdings.***

***iii. Designed landscapes, including parkland, gardens, cemeteries, churchyards, public parks,***

***urban open spaces and industrial, military or institutional landscapes.***

***iv. Archaeological remains of all periods.***

***v. Historic transportation networks and infrastructure including roads and trackways, canals, river navigations, railways and their associated industries.***

***vi. The historic core of the cathedral city of Worcester, with its complex heritage of street and plot patterns, buildings, open spaces and archaeological remains, along with their settings and views in and out of the city.***

***vii. The civic, religious and market cores of south Worcestershire's city, town and village fabric with their wide variety of building styles, materials and street and plot patterns.***

***C. Development proposals will be supported where they conserve and enhance the historic environment in order to encourage tourism, inward investment and increase the vitality and attractiveness of their location. In particular the adaptive reuse of historic assets will be supported to achieve these objectives.***

The draft policy wording also does not allow the decision maker to make a balanced judgement so is not considered to reflect the guidance of the NPPF.



## Appendix 5: List Entry: Tappenhill Farmhouse

### TAPPENHILL FARMHOUSE

#### Official list entry

**Heritage Category:** Listed Building

**Grade:** II

**List Entry Number:** 1350170

**Date first listed:** 21-Mar-1985

**List Entry Name:** Tappenhill Farmhouse

**Statutory Address 1:** Tappenhill Farmhouse, Dilmore Lane

#### Location

**Statutory Address:** Tappenhill Farmhouse, Dilmore Lane

The building or site itself may lie within the boundary of more than one authority.

**County:** Worcestershire

**District:** Wychavon

**Parish:** North Claines

**National Grid Reference:** SO 86283 59512

#### Details

SO 85 NE NORTH CLAINES CP DILMORE LANE (west side)

7/49 Tappenhill Farmhouse

II

Farmhouse. Early/mid-C18 with mid-C19 alterations and additions. Brick, part hand-made, hipped, plain tiled roof and large brick stacks to rear main range. Two storeys, attic with dormers and cellar; there is a 3-course band above both main storeys and a dentilled eaves cornice. Three bays; all windows have moulded architraves and cambered heads, and are 16-pane sashes except for left ground floor window which is a large 3-light casement. Central entrance has a door with 6 raised and fielded panels and a barred segmental fanlight. There is a gabled dormer with casement in the south side elevation. Interior not inspected. A mid-C19, three storey addition adjoins the full length of the rear elevation.

**Listing NGR:** SO8628359512

#### Legacy

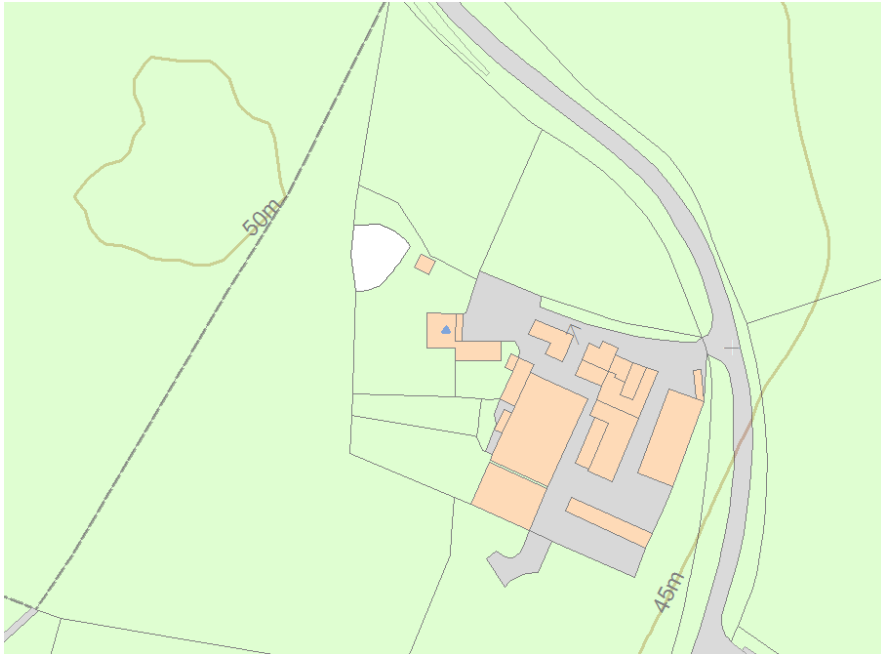
The contents of this record have been generated from a legacy data system.

**Legacy System number:** 147943

**Legacy System:** LBS

#### Legal

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.



**End of official list entry**



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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