

Our ref: JCH01200/JGS/let.ii

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Date: 01 April 2021

Ms Sarah Smith
St Albans City and District Council
District Council Offices
St Peter's Street
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Dear Sarah,

Re: Rebuttal to Historic England consultation response – Burston Garden Centre, North Orbital Road, Chiswell Green, St Albans - Application No. 5/2020/3022

I write as the built heritage consultant acting for the Castleoak Care Developments Ltd in relation to the above site and application. I write following the consultation response provided by Ms Lynette Fawkes of Historic England, dated 2nd March 2021, in relation to the above application.

I was somewhat surprised that you have received a consultation response from any Historic England representative on this matter. The above scheme is of the lowest quantum of development that the applicant has proffered to the Council in pre-application discussions, applications and appeal in recent years. As a consequence, the above scheme offers the lowest impact to the significance of the adjacent grade II* listed Burston Manor House. In all previous schemes brought forward by the applicant, no representative of Historic England felt it necessary to make any representation. In fact, for the previous application by the current applicant, Historic England were consulted on four occasions and at no point made any substantive consultation response. It is not clear what has triggered Historic England's consultation response for this the least impactful scheme that Castleoak Care Developments Ltd has brought forward for the site.

I also note that the Historic England consultation response is offered without the benefit of any site or area walk-over survey. I am profoundly concerned that Historic England make this consultation response without a sufficient understanding of the site, the setting of the heritage asset and the surrounding area, which would largely be necessarily based on a walk-over survey. Consequently, it is my view that you cannot afford this consultation response the weight that you would usually afford any such response informed by a site and area walk-over survey.

You are already aware that the above application is made and supported by suitable NPPF and Local Plan policy compliant information (most notably the Built Heritage Statement) that was based on appropriate site and area walk-over surveys. This included access to the grounds of Burston Manor House and into the listed building itself. Consequently, I am able to concur with the view set out in the consultation response that *'the building retains much of its original fabric which can be appreciated from the interior'*. What the response does not note is that this original fabric is not experienced, and its significance is not legible, from the application site.

While the consultation response is correct to state that Burston Manor House *'has historically been situated within a rural location'* and that there was previously *'a wide expanse of open, agricultural land between the Manor and Birch and How Woods'*, this has not been the case since the nineteenth century. With the heritage asset's change from a manorial seat to a farmstead c.1800 and then to a domesticated residence in the earlier twentieth century, the asset has become increasingly divorced from the landscape beyond the current extent of its gardens. The consultation response notes that the presence of *'footbridges across the moat'*

indicate that it had become a garden feature in the late nineteenth century, thereby attesting to the increasing domesticated and sequestered nature of the residence and its garden.

The consultation response is accurate when it states that later nineteenth century historic mapping show no *'significant vegetation along the southern edge of the immediate gardens'* to the asset, since the current garden boundary of the last 100 years is not yet in place. However, by 1924 the boundary is not only shown in place [Fig.5 of the built heritage statement submitted with the above application], the current garden is largely shown as an orchard. By 1938 [Fig.6] coniferous planting is shown in the south-western quadrant of the garden. Such a dense and continuous level of planting is shown up to at least 1962 [Fig.8] and can be witnessed currently from any site and area walk-over survey. As a consequence, the historic mapping evidences an increasingly enclosed, domesticated and sequestered grounds to the heritage asset over at least the last 100 years that has meant that Burston Manor House has become significantly visually separated (in addition to functional and ownership separation) from the landscape beyond its garden.

The previous notable intervisibility of the asset with How Wood and Birch Wood has been significantly eroded. This important change in the asset's setting since the early twentieth century is not recognised by Ms Fawkes. This leads the consultation response to erroneously conclude that the application's proposed development *'would intrinsically alter the relationship between Burston Manor and its setting'*, when this has already happened some 100 years ago. Consequently, Ms Fawkes erroneously overstates the contribution of the application site as a part of the asset's wider setting; the level of current intervisibility; and level of negative impact of the proposed scheme on Burston Manor House's significance. As such, the proposal would not develop *'fully within the open land that contributes to the building's significance'*, since the scheme includes numerous open spaces and a viewing corridor that largely maintains the current intervisibility with How Wood. Similarly, the proposed scheme would not divorce Burston Manor House from the surrounding landscape in terms of its current connectivity with that landscape.

While I concur with the consultation response's view that the proposed scheme would cause a degree of harm to the significance of Burston Manor House within the spectrum of less than substantial harm, this would be toward the lower end of that spectrum (as set out in detail in the Built Heritage Statement supporting the application). Ms Fawkes places the degree of harm in the middle of this spectrum, effectively halfway to vitiating the significance of the asset and the consequent loss of its associated designation. I infer from the consultation response that Ms Fawkes places the application site within the same level of contribution to Burston Manor House's significance with that of its immediate setting (its gardens and the moat) and that of the fabric of the building itself. This is clearly not the case, as set out in the Built Heritage Statement; the application site provides a secondary, minor level of contribution to the asset's significance.

The planning application sets out the development scheme's public benefits. The application sets out that the planning balance for the decision maker will include sufficient public benefits to outweigh the less than substantial harms to the significance of Burston Manor House. The identified public benefits provide the clear and convincing justification for the aggregate minor or low level of harm to the significance of Burston Manor House noted.

In summary, Ms Fawkes consultation response is based on a clear misunderstanding of the site, the heritage asset and its setting – having not made a site and area walk-over survey. She fails to note the fundamental changes to the setting of Burston Manor House in the recent centuries and, therefore, the diminished contribution that the application site now makes to the asset's significance. She also makes no note of the lower quantum of development proposed under the above application and crucially has not recognised the relative open nature of the proposal with the maintenance of the intervisibility between the asset and How Wood due to the integral viewing corridor.

As noted before, it is strange that Ms Fawkes and her colleagues felt no need to make any substantive consultation response to other pre-application, application and appeal schemes of recent years until the emergence of this proposed scheme, the least impactful to the significance of Burston Manor. For these reasons I believe that you and St Albans Council should give minimal, if any weight, to this consultation response.

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Yours sincerely,
for RPS Consulting Services Ltd

A handwritten signature in black ink that reads "Jonathan Smith". The signature is written in a cursive style with a large initial 'J'.

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