

Our ref: JCH00486/SoCG/iii

Burlington House, Lypiatt
Road
Cheltenham,
Gloucestershire GL50 2SY
T +44 1242 259 290

Date: 18 November 2019

Appeal ref: APP/B1930/W/19/3235642

LPA ref: 19/3235642

**Land to the rear of Burston Garden Centre, North Orbital Road, Chiswell
Green, St Albans, Hertfordshire**

Built Heritage Statement of Common Ground

- 1.1. Both main parties are in agreement with the following statements.

Matters agreed

- 1.2. The appropriate methodology to identify potentially affected heritage assets; to assess their significance (including their setting's level of contribution to that significance); and to assess the Appeal Scheme's likely impact on that significance has been properly employed in the appellant's built heritage statement [CD: 2.60] and built heritage proof of evidence.
- 1.3. The appropriate methodology is derived from the heritage-based policy, guidance and advice set out in the NPPF [CD:3.1], the PPG [CD:3.2] and Historic England's GPA3 *The Setting of Heritage Assets* (second edition) [CD:5.17].
- 1.4. The heritage assets potentially affected by the Appeal Scheme's development are Burston Manor House [NHL: 1102662], and the adjacent former Granary and Dovecote ('*Outbuilding immediately to east of Burston Manor House*') [NHL: 1347270]. No other heritage assets will be affected by the Appeal Scheme's development. Effect upon any archaeological remains that may be present on the site can be adequately addressed by planning conditions.
- 1.5. Burston Manor House is in residential use and the former Granary and Dovecote is ancillary to the House. The two assets hold group value.
- 1.6. The heritage assets' current grounds/garden, with the former farm buildings to the north, forms their immediate setting. The Appeal Site forms a small part of the assets' wider setting.
- 1.7. The primary contributors to the heritage assets' significance is the historic and aesthetic value of their fabric and form; their group value with each other; and their immediate setting (the grounds/garden).

It is agreed that the appeal site makes a secondary level of contribution to the significance of the heritage assets through the historic illustrative value as historically associated land.


- 1.8. The heritage assets are within the site of a former manorial seat and, from c.1800 to the mid twentieth century, the site of the former farmstead of Burston Manor Farm. The historic associations of the two assets, as a former manorial seat and former farmstead, with their wider setting have now ceased.
- 1.9. The character of the assets' setting has significantly changed over the last 200 years.
- 1.10. The immediate setting is currently an enclosed, sequestered and domesticated residential garden and has been so since the mid twentieth century.
- 1.11. The wider setting has changed from largely open agricultural land in c.1800 to a landscape predominantly developed with housing, roads and commercial nurseries from the mid twentieth century. The north-eastern portion of the Appeal Site, though part of the commercial nurseries, has remained open and without any built form, and is an historic remnant of formerly associated agricultural land. It is agreed that the proposed development would result in the construction of modern built form adjacent to the curtilage (grounds/garden) of Burston Manor House and that the current character of the horticultural land would be altered.
- 1.12. It is agreed that there is inter-visibility between the appeal site and Burston Manor House but that this is limited by landscaping and planting within the curtilage of the listed building and at the boundaries.
- 1.13. Historic England, the Government's advisor on the historic environment and statutory consultee in England, were consulted by the Council on the Appeal Scheme on four occasions and each time had no comment to make [CDs 5.21-5.24].
- 1.14. Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 [CD5.13], the 'statutory test', is engaged for the decision maker in this case. As such, the decision maker shall have special regard to the desirability of preserving (that is, keeping from harm) the two identified heritage assets and their setting.
- 1.15. The Appeal Scheme's development will cause a less than substantial degree of harm to the two identified heritage assets' significance. As such, paragraph 196 of the NPPF [CD3.1] is engaged for the decision maker in this case.

Matters disputed

- 1.16. While both the main parties agree that the likely harm caused by the Appeal Scheme's development to the significance of the two identified heritage assets will be within the spectrum of less than substantial harm, the appellant concludes that this is minor within that spectrum while the Council concludes that this is moderate within that spectrum.

Our ref: JCH00486

For RPS Consulting Services Ltd on behalf of CastleOak Group



Jonathan Smith

Deputy Operational Director

j.smith@rpsgroup.com

01242 259 837

For St Albans City and District Council



Shaun Greaves

Director – GC Planning Partnership