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Mr C. Bending
Head of Planning & Environmental Services
Wealden District Council
Vicarage Lane
Hailsham
East Sussex, BN27 2AX

By email only

AHC/ND/9846

22 January 2020

Dear Mr Bending,

RE: Outline application for demolition of equestrian worker's dwelling, stables and horse walker, change of use of equestrian land to provide up to 205 no. C3 dwellings (including 35% affordable provision), access, landscaping and other associated infrastructure on land at Hesmonds Stud, Waldron Road and off Allies Lane, East Hoathly. LPA REF. WD/2016/2796/MAO

I am writing this letter to you as Head of Planning at Wealden District Council on behalf of the owners and occupiers of the three Grade II listed buildings – The Gate House, Hesmonds and Old Whyly - and the Grade II* listed Belmont, all of which lie close to the above site. This letter, which forms part of the owners' own objections to the planning application, deals only with heritage matters, as this is the area of my expertise. My qualifications and experience are set out in the enclosure to this letter and I have, of course, visited the site and surrounding area before writing it.

The starting point for any consideration of the application proposals should be the Historic Environment Desk-Based Assessment (Heritage Statement) prepared by

Archaeology South-East on behalf of the applicants in July 2016, but unfortunately, for the reasons discussed below, this is a woefully inadequate document, particularly for an application of this scale and degree of heritage impact.

Furthermore, no-one on the applicants' team even took the trouble to ensure the Archaeology South-East report was updated following the Council's decision to extend the boundaries of the East Hoathly Conservation Area in 2017, which given that this extension includes The Gate House, Hesmonds and Belmont is clearly of fundamental importance to the Council's determination of the planning application.

I do not know the precise reasons the conservation area has been extended to include these buildings, but in my opinion the decision to do so is very obviously justified. Indeed, the 2013 revision of 'East Sussex' in the classic Pevsner series (a source not even referred to in the Archaeology South-East report) says as follows of this area (p.373): *'To the north the three best houses. By the road The Gatehouse, described as 'newly built' in 1842, though the steeply pitched roof betrays an earlier house. Of satisfying proportions with a three-bay front with Tuscan porch and two full-height bows to the garden front. Set back to the right on higher ground is Hesmonds, Early Victorian, of six bays and two storeys. Red and White. Porch of two pairs of columns. Up the hill and to the north is Belmont, rebuilt in 1764 but with a three-bay stuccoed Victorian front. Horsfield, writing in the 1830s, comments that East Hoathly is "distinguished for the excellence and neatness of the houses".'*

To do anything to detract from the setting of the fine houses referred to in this brief but perceptive description is clearly unthinkable, particularly in light of their recent inclusion in the extended East Hoathly Conservation Area, but this is exactly what the application proposals if allowed and implemented would do.

The front 'show' elevations of all three houses directly face the application site, commanding as they have done since they were first built a wide prospect across what is still a rural landscape. This is most strongly the case with Belmont (even the name – it is marked as 'Bellemont' on the 1839 tithe map - being suggestive

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of the fine views available from the house) where the prospect has a particularly wide scope, extending to the slopes of the South Downs, but with the application site always very much in the foreground.

Similar views are obtained from The Gate House and Hesmonds, the views from each property obviously being slightly different owing to the different locations of the buildings concerned, but one thing shared in common is that most of the best views are from the front entrance porch and the most important rooms in each house – i.e. those on the ground and first floors of the front elevation.

Each house was clearly placed where it is in order to achieve the best prospect possible across its own landscaped grounds to the wider countryside beyond, a situation that would obviously change very dramatically if the proposed development scheme were to go ahead. In this connection, it is clearly regrettable (and I have this on good authority from the owners of the three listed buildings) that none of the authors of Archaeology South-East's heritage report made any attempt to visit the properties concerned in order to assess the significance of the views from them or the potential impact from the development proposals on that significance.

Instead of a proper analysis of this important issue, the report contents itself with offering vague and unjustified generalities such as *'Both Hesmonds (10) and Belmont House (16) are set back from Waldron Road within their own enclosed immediate settings, therefore no potential impacts are predicted for these two properties'* (paragraph 7.10), albeit the very next sentence of that paragraph at least recognises that *'The Gate House (3) fronts onto Waldron Road, and the site forms part of its open setting to the west/south-west: as a result the proposed development has the potential to have an impact on the setting of this heritage asset'*.

In the light of this poor-quality and somewhat contradictory heritage 'advice', it is perhaps unsurprising that the applicants' planning consultants (Parker Dann) were seemingly unaware of the heritage issues the application raises, when they wrote at paragraph 7.38 of their November 2016 Planning Statement that: *'The nearest listed buildings to the site lie to the north west (Whyly Grade II Listed)*

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and to the east (Lavender Cottage Grade II Listed). These properties are approximately 240 metres and 150 metres away from the closest parts of the site respectively. Intervening vegetation means there is no direct intervisibility between the site and listed properties. The Conservation Area sits approximately 15 metres from the nearest proposed properties. If any, the harm to heritage assets is very limited'.

This unsophisticated statement, which apparently equates physical distance between a heritage asset and a development proposal as the only likely determinant of heritage harm, certainly does not inspire confidence in the merits of the application proposals from a heritage perspective.

It is admittedly true that existing dense woodland between Old Whyly and the application site and also the location of Old Whyly with regard to the site means that the impact of the development proposals on the setting of this important Grade II listed building (also meriting its own mention in 'Pevsner') is markedly less than on Belmont, The Gate House and Hesmonds.

But this, of course, does not mean the development scheme would cause no 'harm' at all to what is significant about the setting of Old Whyly. As Historic England's latest guidance on 'setting': 'The Setting of Heritage Assets- Historic Environment Good Practice Advice in Planning Note 3, (2nd. edn. Dec. 2017) makes very clear at paragraph 20: '*The setting of a heritage asset is 'the surroundings in which a heritage asset is experienced' (NPPF, Annex 2: Glossary). Where that experience is capable of being affected by a proposed development (in any way) then the proposed development can be said to affect the setting of that asset. The starting point of the analysis is to identify those heritage assets likely to be affected by the development proposal'.*

At present, the approach to the isolated and secluded Old Whyly (a building of medieval origin associated with the Luxford family) is by means of a long entrance driveway leading to the house. There can be no doubt that this experience would be both significantly altered and irrevocably harmed as the development scheme would be clearly visible from the first part of the driveway.

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Indeed, in terms of protecting the setting of listed buildings in general, the presence of existing woodland or other vegetation (however dense it may be) cannot be relied upon even as a means of mitigating the harmful impact of a proposed development on its surroundings, particularly if it does not fall under the control of those adversely affected by it. This is the case to a greater or lesser degree with the settings of all four listed buildings discussed in this letter.

Furthermore, as far as the settings of and inter-relationship between Belmont, The Gate House and Hesmonds are concerned, the following advice from the section of the PPG accompanying the NPPF entitled 'What is the setting of a heritage asset and how can it be taken into account?' is directly relevant: *'The extent and importance of setting is often expressed by reference to the visual relationship between the asset and the proposed development and associated visual/physical considerations. Although views of or from an asset will play an important part in the assessment of impacts on setting, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust, smell and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places. For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each'*.

Finally, as I note that not even the views of your own Conservation Officer on the application proposals are currently available on the Council's website, I must ask you if your Council has, as it should in the case of any planning application affecting the setting of a Grade II* listed building, consulted Historic England for their views on the development proposals.

This is vital to your officers' proper consideration of the application and, as I am sure you will be aware, without such consultation being undertaken, any planning permission the Council might wish to grant would be open to legal challenge as a result of failure to do so.

In my professional opinion (my qualifications and experience are set out at the foot of this letter), the development proposals would cause a significant degree of

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harm to what is important about the settings of the four listed buildings referred to in this letter. In my opinion, the degree of harm caused falls towards the upper end of the 'less than substantial harm' category, as that term is defined and used in the NPPF and accompanying PPG, and must therefore be accorded appropriate and proper weight in the decision-making process.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'N. P. B. Doggett', is written over a light blue grid background. The signature is stylized and includes a large, sweeping flourish at the bottom.

Dr Nicholas Doggett, FSA, MCIIfA, IHBC
Managing Director

Email: nicholas.doggett@assetheritage.co.uk

Cc. Paul Roberts: Historic England Team Leader, Surrey, Sussex & Kent

Enc: Qualifications & Experience

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Asset Heritage Consulting Ltd: Registration No: 07502061

QUALIFICATIONS AND EXPERIENCE

NICHOLAS DAVID BARTHOLOMEW DOGGETT, BA, Ph.D., Cert. Archaeol., FSA, MCIfA, IHBC, Managing Director and Head of Asset Heritage Consulting:

After reading archaeology and history at the University of Southampton and completing a postgraduate qualification at the University of Oxford I worked for several years as an archaeologist, both in the United Kingdom and abroad. From 1984 to 1988 I was employed on the English Heritage Resurvey of listed buildings in Shropshire, Oxfordshire and Cornwall. From 1988 to 1989 I was a member of the Conservation Team at Bedfordshire County Council before joining South Oxfordshire District Council, where I was head of Conservation from 1991 to 2002, before leaving for CgMs in October 2002, of which I was a Director from 2004.

I left CgMs in November 2010 to establish Asset Heritage Consulting, a specialist heritage consultancy based in Oxford but working across the country.

My doctoral research on 16th-century English architecture was completed in 1997 and has subsequently been published. I am a member of the Institute of Field Archaeologists and the Institute of Historic Building Conservation.

I am the author of two books and several articles and papers on archaeology, building conservation and architectural history, including contributions to the *Oxford Dictionary of National Biography*, and have given lectures and taught on summer schools on these subjects for Oxford University Department of Continuing Education and many other organizations. I was formerly committee secretary of the Buildings Special Interest Group of the Chartered Institute for Archaeologists and am currently a committee member of the Oxfordshire Architectural & Historical Society. I was elected a Fellow of the Society of Antiquaries of London in October 2016.

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In the private sector my clients have included Bournville Village Trust, Oxford colleges, several local planning authorities, the Metropolitan Police, the Home Office and major house builders. I have also acted as a consultant for English Heritage and Cadw on applications for listing, re-grading, de-listing and Certificates of Immunity. I have given evidence relating to the historic built environment at numerous public inquiries and hearings and in court, both for appellants, third parties and local planning authorities.

I am, of course, familiar with the application site and its surroundings.