

Complaint from Goring Heath Parish Council to South Oxfordshire District Council

Goring Heath Parish Council is filing a complaint about the failure of South Oxfordshire District Council to carry out its statutory duty in respect of work done at the Grade 1 Listed Goring Heath Almshouses (Allnutts Hospital), the failure of planning officers to have proper regard to the Grade 1 listed building and its curtilage, and to follow up the District Councils own policies and the National Planning Policy Framework and the subsequent cover up by planning officers over their failures to act in accordance with the law.

The complaint is directed against the Planning Department as a whole, and Jamie Preston, Luke Veillet and Samantha Allen as the officers directly responsible.

Item 1

In 2011, work was going on in other parts of the Alms houses, and the Trustees told Planning Officer Jamie Preston that work was proposed on the Courtyard.

The officer failed to draw attention to the fact that as the courtyard was within the curtilage of the listed building, Listed Building Consent would be required.

He accepted the statement that the surface of the courtyard was modern. A competent officer would have observed that the surface was contemporary with the alms houses, and should have looked at the history of the site, and noted that the surface was the subject of restoration in 1994, with Listed Building Consent and conditions granted by the District Council. This restoration is clearly evidenced by the plaque mounted on the front of the Almshouses, and ample evidence of the historical nature of the surface was available on line.

The officer noted that Planning Consent would be required, but also that it would be recommended for approval.

No public notice was issued in the local press

No consultation was made with the Parish Council, a statutory consultee or the Georgian Group, also a statutory consultee

Attachment 1: Letter from Jamie Preston

Item 2

The work was allowed to take place without planning consent, or indeed listed building consent. We presume that officers would have been on site to inspect the other work being carried out, so should have been aware of the work starting in the courtyard.

This failure prevented the Parish Council being consulted about this work and being able to comment on it.

Item 3

In 2015, a complaint was made to the SODC about the courtyard having been resurfaced.

The response by the Enforcement Officer was evidence of failure to properly investigate. The officer had completely failed to check that the courtyard was in the curtilage of the Grade 1 under building, and had been the subject of restoration in `1992-94., as required under Para 128 where

“As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.”

The officer failed to undertake even the minimum required, involved no appropriate expertise such as the statutory consultees of the Georgian Group. The officer appeared to continue to rely on the false statements made by the Trustees of the Alms houses that the surface dated from 1970’s

I refer to your correspondence for Council to investigate the removal of the cobbled courtyard and installation of the newer gravel, resin bonded surface.

I have determined, whilst there is a breach of planning control, I am of the opinion the works do not amount to any significant planning harm in relation to the listed building or development plan. As such, I have given the owner the opportunity to apply for retrospective Planning Permission in order to regularise the works. I am of the opinion that these works would like likely receive officer support and the matter will not be pursued any further. The onus is in the owner of the land/property to follow this recommended course of action.

*I understand you may be disappointed with this, however, I can assure you that your concerns were taken into account, along with all other material planning considerations.
Yours sincerely,*

While the officer noted that there was a breach of planning control, he failed to note that there was also a failure to comply with Listed Building Regulations, at that time the applicable National planning Policy Framework 2012 clearly set out the matters to be considered.

128. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

129. 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 assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset’s conservation and any aspect of the proposal.

132. 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. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

The planning officer's failure at that time to require the applicant to make a retrospective planning application meant that the proper process and consultation was not done, and the time limit for enforcement in respect of the planning was allowed to be exceeded.

Attachment 2: Text of email from Luke Veillet

Item 4

A retrospective application for Listed Building Consent was made in 2018

The Conservation Officer, Samantha Allen, stated that the Courtyard did not fall with the meaning of the listing, incorrectly quoting from the Act that

Under the definition of a listed building in Section 1(5) of the Planning (Listed Building and Conservation Areas) Act 1990, the courtyard area would not be considered part of the listed building. Although the courtyard lies within the curtilage of the listed building, the surface material does not constitute an object or a structure and is therefore not considered to be curtilage 'listed'. As such, I do not believe that listed building consent is required for the removal and replacement of the previously cobbled surface material.

The officer had failed to look at the history of the site, and to see that the cobbles were the subject of a restoration programme which had listed building consent, and at that time the District Council had taken the view that the courtyard was covered by the listing. This 1992-94 position is supported by the judgement in the case of Westminster City Council vs Secretary of State for the Environment and Market Café (2001)

There was no attempt to consider the process set out in the SODC Heritage Statement Guidance and Template 2017, which presumably provides detailed mechanism to address the requirements of the NPPF, which under paragraph 128 required that

As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary

Once again, the officers appear to have failed to assess the situation properly, to consider the legislation and the context in respect of a Grade 1 listed site, and instead to rely on the position adopted by other officers, without making any critical assessment of whether that position was right or wrong.

Attachment 3: Comment by Samantha Allen

Item 5

A further planning application was submitted, and the Conservation Officer now agreed that she was wrong in stating that the surface was not covered by the Act, and that as the courtyard had been previously re-laid with listed building consent in 1992-94, the recent work should have been the subject of both planning consent and listed building consent.

“However, in light of the recent applications here, further research and investigation has been done at this site as to whether or not the removal of the cobbles would have required listed building consent or not. I previously advised that on the evidence that the surface dated from the 1970s that they would not be considered curtilage listed under Section 1(5) of the Planning (Listed Building and Conservation Areas) Act 1990.

Subsequently I have learnt that works to lift and replace the cobbles, albeit on a reduced scale, were granted listed building consent in 1992. At that time the surface was considered to be curtilage listed and the approved plans state that the original cobbles were to be reset. As such, I consider that as listed building consent was required then, it should still be required now.”

The officer has thus admitted that she failed to comply with the NPPF in that she had not done the minimum required under paragraph 128

As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary

However, she persisted in her view, uniquely held by her and no one else, that the plasticised surface that had been installed did not affect the quality of the listing or the setting of the Almshouses. There is no evidence published that appropriate expertise was considered, and where expert opinion had been provided by the Parish Council, Oxfordshire Historical and Architectural Society, Chilterns Conservation Board it has been completely ignored.

Views contrary to hers have been expressed by the national press, Council for the Protection of Rural England, Oxfordshire Architectural and Historical Society, the Chiltern Society, Goring Heath Parish council the Chiltern Conservation Board, and the Georgian Group

The latter three are statutory consultees and should have been consulted when a planning application and listed building consent was submitted.

As there is no time limit for enforcement in respect of listed buildings, we understand that the only reason for no enforcement action being taken is the perverse and solitary view of the Conservation officer, who, having been proved wrong on matters of law and of the history of the site and previous handling by SODC, is persisting in her view that no harm has been done.

Her position might be interpreted as one of a cover up, using a completely subjective and perverse assessment of the damage done to the Grade 1 Listing to justify the track record of

previous incompetence by her predecessors, Jamie Preston and Luke Veillet as well as herself.

Attachment 4: Comment by Samantha Allan

Summary

This is a formal complaint about Samantha Allen, Jamie Preston and Luke Veillet, and the management and direction of the Planning Department of South Oxfordshire District Council in this matter.

This pattern of failure to properly protect nationally recognised heritage assets of the first order of quality and importance can be rectified by South Oxfordshire District Council using the powers that have been given to it by Parliament to require the reinstatement of the original surface to the courtyard.

The Parish Council requests that enforcement action is taken to reinstate the original cobbled surface. This work should be done under the supervision of a suitably qualified external architectural practice that specialises in historic and heritage buildings.

Attachments

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2 Email from Luke Veillet	21 Sept 2015	Attachments pages	4
3 Comment from Samantha Allen	28 June 2018	Attachments pages	5-6
4 Comment from Samantha Allen	22 Oct 2018	Attachments pages	7-8

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3	Chiltern Conservation Board	Annex pages	8-9
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Planning Services

HEAD OF SERVICE: Adrian Duffield



The Almshouses
Goring Heath

CONTACT OFFICER: **Mr Jamie Preston**

Conservation@southoxon.gov.uk

Tel: 01491 823851 Fax:01491 823746

Benson Lane, Crowmarsh Gifford
Wallingford OX10 8NJ

Ref: P11/E0878/PEO

15th July 2011

Dear

Re: Proposed resurfacing of courtyard and installation of a wood chip fired boiler

Thank you for your correspondence dated 23rd May 2011 enquiring about the proposed resurfacing of the courtyard and installation of a wood chip fired boiler.

Almshouses courtyard

I have spoken to planning colleagues and they have confirmed that as the courtyard area is not within a single residential unit the proposed resurfacing cannot be regarded as permitted development and would therefore require planning permission.

As discussed on site the existing cobbled surface is thought to be a 20th century alteration to the surfacing within the courtyard. Subject to details of an permeable gravel bonded surface or similar, the proposed re-surfacing is likely to receive officer support.

The proposed works would fall under 8 (b) Parking and access of Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) Regulations 2008 and the relevant fee for this application would therefore be £170.00.

Wood chip fired boiler

A group of outbuildings are located immediately to the south-east of the almshouses. These outbuildings include a stables and a row of privies positioned along a boundary wall. The stables building is brick built with pitched roof finished with clay tiles. A hayloft door is located in the gable end facing the almshouses and two stable doors provide access into building. Internally, a single timber stall division remains.

www.southoxon.gov.uk

The hayloft over the stables is supported on two principal beams with joists running laterally. Some areas of the timber flooring is in a poor condition. There is evidence for a lath and plaster ceiling which was common for stables. The building appears to date from the 19th century.

Discussions during the site visit outlined a number of alterations to the stables that would be necessary to accommodate a boiler. These are as follows:

- Removal of the existing partition wall;
- Insertion of a new wall on the south-east side of the building;
- Insertion of a flue that would extend 600mm above the ridge of the stables.

It was also stated that it would be desirable to remove the hayloft floor.

As recommended on site, the removal of the modern element of the existing partition wall is likely to be acceptable but the timber stall division should remain in-situ. The insertion of a new internal division may be considered acceptable but this should respect the existing bay divisions of the stables. With regard to the hayloft floor, this should be the subject of a condition survey and a programme of repairs as opposed to removal implemented. As there is evidence for a former ceiling to the stables there is likely to be officer support for the reinstatement of a ceiling using appropriate materials.

The need for a flue that would extend above the ridge by 600mm was one area of concern raised during my site visit with Richard Peats of English Heritage. It was considered that a prominent flue would be harmful to the character of the cartilage listed buildings and the setting of the almshouses. This could potentially be overcome by constructing a brick chimney.

Alternatives discussed on site included the potential re-use of the extension to the stables which appears to be a wash house and already has a chimney. It may be possible to accept some level of demolition to the extension to the stables in order to accommodate a boiler. The potential for a new boiler house to the rear of the stables and wash house may be possible subject to design and size.

With regards to the wood chip store itself, a visually light weight building such as the design used at Braziers Park is likely to be acceptable.

In summary, the historic fabric of the stables, including the timber stall division and the hayloft floor should be repaired and retained in-situ. Some level of sub-division to accommodate a boiler room may be considered acceptable. The main concern is with regards to the proposed flue that is likely to be a prominent feature. This could be addressed by considering a brick stack, locating the boiler in the wash house which is attached to the stables or by considering a purpose built boiler house that could be adjacent to the wood chip store.

You will appreciate that the views I have expressed are for your guidance but they are not binding on the Council. If you wish to seek a formal opinion then you will need to make an application with its associated supporting documentation, plans

and appropriate fee. Such an application will take approximately 8 weeks to determine.

Yours sincerely,



Mr Jamie Preston
Conservation & Design Officer

From: Luke Veillet <Luke.Veillet@southandvale.gov.uk>

Sent: 21 September 2015 10:14

To: [REDACTED]

Subject: The Almshouse, Goring Heath - Planning Enforcement Investigation - SE15/120

Dear [REDACTED],

I refer to your correspondence for the the Council to investigate the removal of the cobbled courtyard and installation of the newer gravel, resin bonded surface.

I have determined, whilst there is a breach of planning control, I am of the opinion the works do not amount to any significant planning harm in relation to the listed building or development plan. As such, I have given the owner the opportunity to apply for retrospective Planning Permission in order to regularise the works. I am of the opinion that these works would like likely receive officer support and the matter will not be pursued any further. The onus is in the owner of the land/property to follow this recommended course of action.

I understand you may be disappointed with this, however, I can assure you that your concerns were taken into account, along with all other material planning considerations.

Yours sincerely,

Luke Veillet

Planning Enforcement Officer

South Oxfordshire and Vale of White Horse District Councils

MEMO

Conservation and Design

To: Rob Cramp

From: Samantha Allen

Date: 28 June 2018

Site: The Almshouses, Goring Heath

Proposal: Replacement hard surfacing of central courtyard

Planning Reference: P18/S1236/FUL

Drawings: Block and Location Plan

Supporting Documentation: Cover Letter; Photographs; Surface Material Finish

Relevant Legislation and Policy:

Planning (Listed Buildings and Conservation Areas) Act 1990: Section 66

NPPF: Section 12

Local Plan Policies: CON5

Core Strategy: CSEN3

Description and Constraints:

This application is for retrospective planning permission for the resurfacing of the inner courtyard at The Almshouses in Goring Heath.

The Almshouses are Grade I listed and date from the early C18. They are laid out in a U-plan with a brick wall and wrought iron gates enclosing the south-west side of the courtyard.

Comments:

Under the definition of a listed building in Section 1(5) of the Planning (Listed Building and Conservation Areas) Act 1990, the courtyard area would not be considered part of the listed building. Although the courtyard lies within the curtilage of the listed building, the surface material does not constitute an object or a structure and is therefore not considered to be curtilage 'listed'. As such, I do not believe that listed building consent is required for the removal and replacement of the previously cobbled surface material.

However, the lifting of the material and laying of a new surface constitutes an act of development that requires planning permission. Officer advice given in July 2011 confirmed the need for planning permission and clarified that at that time the cobbled surface was thought to be a C20 finish and its replacement with a permeable gravel bonded surface would receive officer support.

The courtyard is an important feature which contributes to the significance of the Almshouses. The area is a shared open space that ensures that residents have a communal entrance and amenity area that is also enclosed. Any proposal to subdivide or define private amenity of the courtyard would harm the intrinsic character of the site and would be harmful. The bonded gravel hard surface does not affect this important characteristic and I am therefore satisfied that the important contribution that the

courtyard makes to the significance of the listed building is not lost. As such, the historic and architectural interest of the listed building, the significance of which it is desirable to preserve, is not lost.

Whilst the previous cobbled surface was consistent with other traditional surfaces found in this part of the Chilterns AONB, I do not consider that the alteration of this surface to the bound gravel is harmful to the significance of the Almshouses, as outlined above.

Recommendation:

I have considered this application against Section 16(2) of the Planning (Listed Building and Conservation Areas) Act 1990, Paragraphs 129 and 132 of the NPPF and Local Plan Policy CON5. I do not consider that this proposal is contrary to the Act or Policy and for the above reasons I have no objection to this application.

**Samantha Allen IHBC MSc
Conservation and Design Officer**

APPLICATION WEB COMMENTS FORM

Information available for public inspection and available on our website

Location : The Almshouses Goring Heath RG8 7RR

Proposal : Replacement of c. 1979s hard surface to central courtyard consisting of 50-60 mm pebbles raised and set in sand and cement mortar with latex.

Application Reference : P18/S2399/LDE - 3

Please complete

Your name :	Conservation Officer (South)
Your address :	S.O.D.C.
Date :	22 October 2018

Use the space below for your comments

Site: The Almshouses, Goring Heath
Planning Reference: P18/S2399/LDE

Description and Constraints:

This application is for a lawful development certificate for the resurfacing of the inner courtyard at The Almshouses in Goring Heath.

The Almshouses are Grade I listed and date from the early C18. They are laid out in a U-plan with a brick wall and wrought iron gates enclosing the south-west side of the courtyard.

Comments:

I have no comments on the issuing of a certificate of lawfulness here as that relates more specifically to the period of time within which works are assessed in planning terms.

However, in light of the recent applications here, further research and investigation has been done at this site as to whether or not the removal of the cobbles would have required listed building consent or not. I previously advised that on the evidence that the surface dated from the 1970s that they would not be considered curtilage listed under Section 1(5) of the Planning (Listed Building and Conservation Areas) Act 1990.

Subsequently I have learnt that works to lift and replace the cobbles, albeit on a reduced scale, were granted listed building consent in 1992. At that time the surface was considered to be curtilage listed and the approved plans state that

the original cobbles were to be reset. As such, I consider that as listed building consent was required then, it should still be required now.

Previous officer advice was that the replacement of the cobbles with a permeable gravel bonded surface would receive officer support. It is unfortunate, however, that the cobbles were removed without further discussion and public consultation in 2013.

The courtyard is an important feature which contributes to the significance of the Almhouses. The area is a shared open space that ensures that residents have a communal entrance and amenity area that is also enclosed. The previous cobbled surface was consistent with other traditional surfaces found in this part of the Chilterns AONB. However, any proposal to subdivide or define private amenity of the courtyard would harm the intrinsic character of the site and would be detrimental to the significance of the listed building. The bonded gravel hard surface does not affect this important characteristic and I am therefore of the opinion that the important contribution that the courtyard makes to the significance of the listed building is not lost. As such, the historic and architectural interest of the listed building, the significance of which it is desirable to preserve, is not lost.

Although Listed Building Consent is required, I remain to be convinced that the Council's view on the impact of the unauthorised works on the significance of the listed building should change from previous officer advice and recommendations given.

Recommendation:

I have no specific comments on the process to issue a certificate of lawfulness. However, having reviewed the comments made on the withdrawn applications and examined the planning history and relevant caselaw, I suggest that the applicants are advised that Listed Building Consent would have been necessary for the works. Should they be minded to submit an application once more in an attempt to regularise the works, the above comments should be given consideration.

Samantha Allen
Conservation and Design Officer

NOOKS and CORNERS

THE trustees of a grade I-listed almshouses building in Oxfordshire have ripped out its cobbled courtyard and replaced it with a bonded latex gravel surface more suited to a shopping centre than a precious historic building.

Alnutts Hospital in Goring Heath dates from the 1720s, when it was founded by Henry Alnutts, a former mayor of London. There are six almshouses, still in use as affordable housing for retired people, and a chapel, all built in Queen Anne-style grey and red brick, forming a U-shape around a courtyard. The listing for the site covers "Alnutts Hospital and attached forecourt walls and gate".

As the chapel was long used for services by the nearby former Goring Heath Endowed School (now converted into housing), the buildings have played a big part in village life and are much-loved by long-standing locals. So Goring Heath parish council was not amused to receive a retrospective application for planning permission to replace the cobbled courtyard with very modern-looking bonded gravel. The work is already completed, and so far planners at South Oxfordshire have supported the trustees, saying that although the courtyard itself is an important feature, the change of surfacing material is not harmful to the significance of the almshouses.

The trustees argue that the cobbles were becoming a health and safety issue; but the courtyard already had smooth paved pathways of York stone to walk on. They also claim, weirdly, that 1970s aerial photos show a gravel surface,



so the cobbles were a modern addition. Local memories and archive photos (including some on the almshouse charity's own website) all say very differently.

Oxfordshire Architectural and Historical Society (OAHS) says that while the cobbles were indeed re-set in the 1970s, it's highly likely the original cobbles, contemporary with the buildings, were reused and that they were "entirely in keeping" with other historical buildings in the area.

OAHS has also submitted an objection to the granting of permission for "patently modern type of surfacing" after the fact. It notes that given the building's listed status as being of exceptional national historical interest, "the case for replacing the cobbles would have to be of the highest order, and this threshold has clearly not been met". In fact, it says, there appears to have been no proper

assessment of whether the cobbles even presented a real safety risk (given that there were paths between them), no heritage assessment and no exploration of other options.

The parish council is demanding that the trustees be required to reinstate the cobbles through enforcement action. Parish council chair Peter Dragonetti told the Eye that "what had been a very charming and characterful setting for the almshouses and the chapel... now looks like a shopping centre". Indeed, he added, the same bonded latex gravel has also recently been used in the refurbishment of St Martin's Precinct in nearby Caversham!

HOUSING NEWS

LAST week's publication of the government's housing green paper, "A New Deal for Social Housing", and the previous day's announcement that the government intends to spend £100m to eradicate homelessness by 2027, represent yet another missed opportunity and underline the fact that when it comes to housing the government is clueless.

The £100m homelessness announcement is disingenuous as it is not new money – it's merely recycled, with £50m having already been allocated to tackle rough sleeping and the remaining £50m coming from elsewhere in the housing budget. This latest "initiative" follows the 2010 announcement that the government had set aside £115m to eradicate homelessness by 2015, which itself was followed by George Osborne's 2016 announcement that it was allocating £100m to eradicate homelessness by, er, 2020. Sound familiar?

The reality is that since 2010 homelessness has more than doubled. Obviously neither the green paper nor the measures to tackle homelessness take on board that more than 200,000 homes lie empty in England alone, of which more than 11,000 have remained unoccupied for more than a decade.

Reinventing the wheel, the green paper promises to "empower tenants" by creating a new regulatory body which would hold landlords to account. For some reason it doesn't mention that such a move would not be necessary if the 2010 coalition government had not scrapped, as part of its "bonfire of the quangos", both the Audit Commission and the Tenants Service Authority, whose job was to hold landlords to account.

fuelled in large part by the fact that in England more than 2m properties have been bought under Margaret Thatcher's flagship Right to Buy policy.

Little wonder, perhaps, that the Chartered Institute of Housing has called for Right to Buy to be suspended in England as part of a strategy to tackle the housing crisis, which is why Scotland axed it in 2016 and Wales will follow suit in January.

● The low-key launch of the green paper also included U-turns on two controversial parts of the Housing and Planning Act 2016 that have not yet been implemented. The government had planned to introduce compulsory fixed-term tenancies for council housing and a levy on sales of higher-value council homes as they fall vacant, but the measures will be dropped in response to concerns raised by tenants and local authorities. Scrapping the levy in turn undermines the 2015 manifesto pledge to extend the Right to Buy to housing association tenants, because there will be no money to pay for discounts. Given all this backtracking on post-2010 policies, it's no surprise even that title of the green paper – "A New Deal for Social Housing" – sounds eerily "New" Labour.



Letters

Private Eye

Gesture politics...

Sir,

May I be the 94th person to express the entirely spurious and disingenuous claim to have been offended by the front cover of issue 1476 depicting Jeremy Corbyn uttering the well-known Jewish saying "Enough already!"

Keep up the good work!

MIKE COHEN,

Mumbles, Swansea.

...I wish to complain about the cover of Eye 1476. When my (Jewish) wife saw it on display in Waitrose she laughed so loudly that all people queuing for their buckshee coffee turned around and looked at us. Please bear such things in mind in future.

COLIN FIELD,

London, NW7.

...Wonderful and funny front cover (Eye 1476). However, it's a candidate for Pedantry Corner because it is not an authentic Jewish shrug with arms outstretched, palms facing forward and slightly upwards and with the head slightly tilted to one side and upwards. Nice try, though.

JOE HAYWARD,

Stanmore, Middlesex.

Corbyn cornered

Sir,

Ms Brian is 99 percent correct in her statement that Mr Corbyn has "no murky past" (Letters, Eye 1476).

No sharing platforms with racist imams; no attendances on platforms with terrorist sympathisers; no voting against his own party 500 times; no beige-washing of growing anti-Semitism in the Labour Party; no condoning of Momentum takeovers in borough councils... I could go on.

Oh – and he was sitting on the floor of the train... to wear in his new jeans.

MAUREEN LIPMAN,
mostly unbearded.

...You were correct to cut the list of Mr Corbyn's merits from Anne Brian's letter, as the ones included were, to quote the good man on the cover, "Enough already!"

May I suggest that if "always voted with his conscience and not to further his career" is such a great virtue, then Mr Corbyn should forthwith remove the system of whipping from his party? Not only would this allow 258 MPs to emulate his past actions without fear or favour, but would also be a great boost for a "new kind of politics". Given that the current system can hardly be described as fit-for-purpose, this truly would be something to get excited about!

MARTIN DOVE,

Allerton Bywater, West Yorkshire.

...It might have been more amusing in your "Number Crunching" jibe in Eye 1476 to replace "21 months. Time so far it has taken Labour under Jeremy Corbyn to try (and fail) to agree definition of anti-Semitism" with: "31 months. Time so far it has taken some members of the Parliamentary Labour Party to

P18 /S1236

The Almshouses, Goring Heath

Goring Heath Parish Council objects to this application:

The Application

The application is a retrospective application in respect of the curtilage of the grade 1 listed Almshouses. Summary of the listing on the English Heritage web site refers to the forecourt, walls and gate as well as the main chapel.

Legislation that is relevant to consideration of this application

The application should be considered under the Planning (Listed Buildings & Conservations Areas) Act 1990 and the National Planning Policy Framework

Planning Act 1990

Section 16 states that the local Authority should 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. Further, Section 66 states that the local planning authority shall have special regard to the desirability of preserving the building or its setting.

Section 16 Decision on application.

In considering whether to grant listed building consent for any works the local planning authority or 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.

Section 66 General duty as respects listed buildings in exercise of planning functions.

In considering whether to grant planning permission [F1 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.

National Planning Policy Framework

Under the National Planning Policy Framework, Section 12, paragraphs 132, great protection is given to Grade 1 listed buildings such as these Almshouses and the forecourt.

132. 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. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. *Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

133. 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 loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use

The parish council can see no grounds for this application being wholly exceptional, and the replacement of the historical ground surface by modern bonded asphalt amounts to substantial harm to the forecourt and setting of the Almshouses and the Chapel. The surface that has been laid is appropriate for a shopping centre, (Photo 7) and not a Grade 1 listed building

The applicant has argued that the previous cobbled surface was created in the 1970's. This is incorrect. The cobbles, which incidentally are very local smooth round stones that can still be picked up in the woods and fields (Photo 3) around Goring Heath and in the wider locality, are very much part of the local tradition, and would have been originally laid in the eighteenth century. Similar surfaces can be seen at Mapledurham Almshouses, (photo 1) a couple of miles away, and outside the Bull Inn at Streatley (Photo 2) , about 4 or 5 miles away.

The cobbles as they were before removal were similar to both these locations, both of which are of considerable antiquity.

Photo 1 Almshouses at Mapledurham



Photo 2 Forecourt of the Bull Inn, Streatley



Photo 3 Typical local stones used for the forecourt and other location



The forecourt of the Almshouses had been laid with these stones many, many years ago, a local and traditional material whose varied appearance complemented and enhanced the setting of the Chapel and Almshouses, Photos 6 and 7

Photo 5 Part of the courtyard before removal of the cobbles



Photo 6 The view of the courtyard from the west



Evidence of the long standing existence of the original surface

The parish council has spoken to a number of local residents who either attended the former Goring Heath Endowed School prior to 1970, or whose children attended the school. This school was alongside the Almshouses, and originally part of the same endowment. The school buildings are now converted to residential accommodation. The school was very much part of the life of Allnuts Hospital and Almshouses, and used the chapel for services, so anyone who used the school at that time would have been familiar with the courtyard.

Mrs F, who was born in Goring Heath in the 1940's, attended the school in the late 40's and early 50's. She remembered the surface as cobbled.

Mrs L was the school secretary in the 1960's, and her children attended the school. She also recalls the surface as being cobbled. She also says that a Mrs Tovey who lived at Path Hill, within the parish, paid for the cobbles to be relaid in the 1970's, as the area around the pump in particular had sunk. It is probable that the York stones paths were laid at that time. These paths give safe routes from the gate to the chapel entrance, and to each of the almshouses whose entrance door is onto the courtyard, so there was no need to walk across the cobbled surface.

Mrs E recalled that a lady resident at Path Hill had paid for the courtyard to be re-laid in the 1970's. Mrs E could not remember the name of this lady.

Mrs J K also attended the school in the 1960's, and remembers the forecourt as being cobbled

The Unauthorised Work

The surface that has been laid in replacement of the cobbles is described as a latex bonded gravel. This is completely inappropriate for this location. Its proper use is, for example, a shopping centre, and indeed it has just been used for that very purpose in the refurbishment of a shopping precinct in Caversham.

Photo 7 St Martin Precinct, Caversham Reading



Justification for the Work

The applicant has claimed that the work was needed because the surface was unsuitable for elderly people. This need had previously been addressed by the provision of flagged paths giving access to all the entrances to the residences in the courtyard and to the chapel and entrance gateway. It is astonishing that the applicant did not know that planning permission would be needed; regrettably all too often damage is done to sites and buildings of historic interest by people who profess ignorance of the statutory protection and the obligations placed on owners of listed property. There should be no excuse in this case, as other work done at the same time involved professional architects, so the applicants should have been fully aware of the scope of the listing.

Summary

As a Grade 1 Listed property, this site should be treated with the maximum of care and respect. The listing which dates back to 1951 when the listing process was in its infancy reflects the importance of this site as historic or architectural interest.

Legislation clearly sets out the Duty of the Local Planning Authority in respect of Grade 1 Listed properties which require the maximum protection

There is no excuse for this work having been carried out without consultation with the Local Planning Authority in advance.

Goring Heath Parish Council strongly insists that this retrospective application be refused, and the applicant be required to reinstate the original surface through Enforcement action.

APPLICATION WEB COMMENTS FORM***Information available for public inspection and available on our website*****Location :** The Almshouses Goring Heath RG8 7RR**Proposal :** Replacement of c. 1979s hard surface to central courtyard consisting of 50-60 mm pebbles raised and set in sand and cement mortar with latex.**Application Reference :** P18/S2399/LDE - 4

Please complete

Your name :	Chilterns Conservation Board
Your address :	c/o Donna Webb\Michael Stubbs The Lodge 90 Station Road CHINNOR Oxon OX39 4HA
Date :	10 October 2018

Use the space below for your comments

The Alnutt Almshouses is a Grade 1 Listed Building. We note that the listing made in 1951 refers to and includes the forecourt: "Alnutts Hospital and Attached Forecourt Walls and gate" (<https://historicengland.org.uk/listing/the-list/list-entry/1194275>). It therefore seems relevant that the forecourt is protected, and even if not, is in the setting of and wrapped around by the Grade 1 listed building.

The historic cobbled forecourt was appropriate and sympathetic to the historic building and to the character of the Chilterns AONB in a way that the resin bounded gravel is not. Further research should be undertaken of historic records and photos of the Almshouses to establish how long the courtyard has been cobbled.

The Chilterns AONB Management Plan 2014-2019 sets out policies to conserve and enhance the AONB including:

Policy HE3 "Development, other land use changes and management practices which would harm the significance of nationally important designated and undesignated sites, and locally important historic assets and their settings will be resisted."

and Policy HE5 "The design and location of all development should be sympathetic to the character of the historic environment, including the setting of historic assets."

On a couple of points of process,

- 1) Certificates of Lawfulness are not relevant to situations where breaches of listed building control are involved.
- 2) Certificates of Lawfulness appear to be relevant for listed buildings when works are proposed, not existing, and
- 3) Works would only be lawful if they do not affect the character of the listed building as a building of special architectural or historic interest.

In this case the view of the Chilterns Conservation Board is that the works do affect the character of the listed building.

Since we understand these locally sourced Bunters cobbles have been stored, the cobbles should be reinstated.

If I can be of further assistance please do not hesitate to get in touch.

**OXFORDSHIRE ARCHITECTURAL
AND HISTORICAL SOCIETY**

Registered charity no. 259055

Listed Buildings Sub-Committee

Mr Adrian Duffield
Head of Planning and Building Control
South Oxfordshire District Council
135 Eastern Avenue
Milton Park
Milton
OX14 4SB

5 June 2018

Our ref: 20/18

Dear Mr Duffield

Re: P18/S0507/LB

CBA ref: 13038/2018231

The Almshouses, Goring Heath, RG8 7RR

Replacement hard surface to central courtyard consisting of 50-60mm pebbles raised and set in sand and cement mortar with latex bonded fine 5mm gravel (retrospective).

We are writing on behalf of the Council for British Archaeology, for whom OAHS acts as agent in Oxfordshire.

We wish to object to this retrospective application for resurfacing the forecourt of the Grade I Almshouses at Goring Heath in respect of works done five years ago without either planning or listed building consent.

We note that the LB consent application form indicates that the work does not involve demolition or alteration of a listed building, but this is questionable: if not part of the listing, the forecourt surface was a structural part of the building's curtilage, and hence should be regarded as listed. In any event it was a significant and intrinsic part of the building's setting.

Despite this being the highest Grade listing, the applicant has not produced a Design and Access Statement, nor a properly-researched Heritage Statement, nor any schedule of work with specifications [the application has to be in the form it would originally have been made in].

The applicant claims that the cobbled surface was a 1970s feature, and that previously (based only on a very grainy aerial photograph) the surface was gravel, whereas local testimony as reported by the Parish Council suggests that the cobbles pre-existed their being reset in the 1970s. The applicant's letter dismisses far too lightly the significance of the cobbles. Almost all listed buildings are repaired and refaced - for example the façades of almost all the Oxford colleges and great libraries contain hardly any original stonework. Such repairs and maintenance are often an integral ongoing feature of listed buildings, and in this case (unlike refacing repairs) it seems highly possible that it was

the original cobbles, potentially contemporary with the almshouses themselves, that were relaid in the 1970s.

However, even if the cobbles were new in the 1970s, they were entirely in keeping with other historic buildings in the area and could be argued to have enhanced rather than detracted from the character and significance of this listed building. This certainly cannot be said of the modern gravel/resin replacement which is a modern finish available only in the last decade or so.

The applicant further claims that this type of surface was used in similar circumstances at the Ewelme almshouses where there is a cobbled cloister, as if this were a justification or precedent for the removal of the Goring Heath cobbles and replacement with a resin-based surface. But this appears to be entirely spurious: as far as we can see, the only application at Ewelme since 1994 that involved gravel/resin surfaces was in connection with a connecting path to the car park extension in 2001 *not* the cloister quadrangle. So far as we are aware, the cloister quadrangle remains cobbled with paving paths similar to the Goring Heath arrangement (with the path around the perimeter in that case being a cloister rather than open).

The only claimed justification for the removal of the cobbled surfaces is on safety grounds, but this too is poorly documented. No indication is given of the occurrence of accidents in the last fifty years, and while preventative measures may be justifiable, the need for them must still be balanced against any harm caused to the character and significance of the listed building. This is a process well-recognised in making historic buildings accessible (see Historic England's guidance on *Easy Access to Historic Buildings*, 2015, <http://www.HistoricEngland.org.uk/advice/technical-advice/easy-access-to-historic-buildings-and-landscapes/>). At the Goring Heath almshouses there were already smooth paved paths across and around the forecourt between the areas of cobbles. It is clear from the application form that no discussions have ever been held with the Conservation Officer, either at the time of the original works or in the preparation of this retrospective proposal, as to whether there was a real justifiable need to remove the cobbles. Moreover, there appears to have been no exploration of what other options might be available should there be a need to address the risk of accidents.

The issues that the Council must address are:

- Whether the cobbled surface contributed positively to the significance and character of the Grade I listed building. If 'yes' (as seems clear), this is a substantial consideration because of the Grade I listing.
- Has the surface's removal and replacement with resin gravel harmed or enhanced the significance of the Listed Building? In our view it would appear that a significant degree of historic character has been lost, and very possibly an intrinsic historic feature of the almshouses has been lost, by the introduction of a patently modern type of surfacing. This is clearly harmful to, rather than enhancing, the historic character.
- Is any harm justified by public benefits that 'clearly and convincingly' outweigh the degree of harm involved? Even if the complete removal of the cobbles was not an intrinsic (albeit repaired) part of the listed building (which arguably would amount to substantial harm), the Council must by law give great weight and importance to the preservation of the listed building and its setting, whatever the level of harm (especially so in the case of Grade I buildings). In this case the only justification for the works is the safety of residents, which while a valid consideration has not been shown either clearly or convincingly to be at serious risk.
- Even if the cobbles were a real hazard, are the works to which this application relates the least harmful way of addressing the problem? By not applying for consent or obtaining pre-application advice or carrying out a proper Heritage

Assessment or producing a Design and Access Statement, the applicant denied themselves, the Council, Historic England and the public the opportunity of properly considering these matters on a fully informed basis (including other ways of addressing any safety concerns).

The Council has to consider this with the very highest level of care because a Grade I listed building is involved. The case for replacing the cobbles would have to be of the highest order, and this threshold has clearly not been met.

It would appear to us that this application should be refused and that the applicant should have discussions with the Council and Historic England to decide how best to proceed, starting from the point of the works having never occurred (i.e. the fall-back position being enforcement to require replacement of the cobbled surface arrangements using exactly comparable materials).

If a case can be made for there being a real need to address safety issues this should only be discussed within the context of a properly-detailed Heritage Assessment and Design and Access Statement and full consideration of alternative options that would do least harm to the listed building.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Liz Woolley'. The signature is written in a cursive, flowing style with a large initial 'L'.

Liz Woolley
Hon Secretary, Listed Buildings Sub-Committee
138 Marlborough Road, Oxford OX1 4LS
01865 242760
lbsecretary@oahs.org.uk

From: Matilda Harden <Matilda@georgiangroup.org.uk>
Sent: 27 November 2018 15:38
To: Planning South <planning@southoxon.gov.uk>
Cc: Consult <consult@georgiangroup.org.uk>
Subject: Almutt's Hospital, Goring Heath, Oxon: P18/S2399/LDE

Alnutts Hospital, Goring Heath, Oxon: P18/S2399/LDE

The Georgian Group has been alerted to the above application.

Alnutts Hospital dates from the 1720s having been founded by Henry Alnutts, Lord Mayor of London. The building is Grade I, and is of grey brick with red brick dressings in a U-shape. It is a single storey with attics with a 13 bay central range.

We understand that the application history is complex and that in August of this year a Certificate of Lawful Use was issued. We also understand that a retrospective Listed Building Consent application was made earlier this year, which was then withdrawn. It is the opinion of the Georgian Group that Listed Building Consent is absolutely required in this instance, as it was required in 1994 when the cobbled courtyard was re-laid. A Certificate of Lawful Use or Development only relates to Planning Permission and has no bearing on Listed Building Consent.

The need for Listed Building Consent is critical due to the harmful damage that the latex bond gravel does to the setting of the Grade I building. The National Planning Policy Framework (NPPF) defines the setting of a heritage asset as 'the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surrounds 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.'. It describes 'significance' (for heritage policy) 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.'. It is therefore unarguable that the courtyard of the alms houses affects the setting and significance of the Grade I building.

From a legislation point of view, we would like to draw the Local Authority's attention to the Planning (Listed Buildings and Conservation Areas) Act 1990, section 16 (2):

In considering whether to grant listed building consent for any works the local planning authority or 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.

The NPPF requires significance to be described (paragraph 189), including any contribution made by their setting, then to identify and assess the particular significance that may be affected by a proposal (para 190). Any harm will then require clear and convincing justification (para 194).

We request that the Trustees apply for Listed Building Consent, taking care to meet the requirements laid out in the legislation and policy as indicated above. Should they fail to do so, we advise that the Local Authority issue an Enforcement Notice.

Matilda Harden
Conservation Adviser



*The Georgian Group
6 Fitzroy Square
London
W1T 5DX*

020 7529 8920

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APPLICATION WEB COMMENTS FORM

Information available for public inspection and available on our website

Location : The Almshouses Goring Heath RG8 7RR

Proposal : Replacement of c. 1979s hard surface to central courtyard consisting of 50-60 mm pebbles raised and set in sand and cement mortar with latex.

Application Reference : P18/S2399/LDE - 5

Please complete

Your name :	Mr Peter Willis-Fleming
Your address :	Chiltern Society Field Officer Lavender Cottage Park Corner Nettlebed RG9 6DR
Date :	15 October 2018

Use the space below for your comments

We wish to object in the strongest possible terms to this application. The original retrospective application (P18/S1236/FUL) was withdrawn prior to determination, the work referred to having been carried out without prior consent from the relevant planning authority. Our grounds for objecting to that application remain valid in all respects, and as the current application is contrary to the conditions for obtaining a Certificate of Lawfulness it should be refused and the applicant required to restore the courtyard to its original condition.

Peter Willis-Fleming
Planning Field Officer, Chiltern Society



National Planning Policy Framework

12. Conserving and enhancing the historic environment

126. Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment,²⁹ including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. In developing this strategy, local planning authorities should take into account:
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
 - the desirability of new development making a positive contribution to local character and distinctiveness; and
 - opportunities to draw on the contribution made by the historic environment to the character of a place.
127. When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.
128. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
129. 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 assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.
130. Where there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision.

²⁹ The principles and policies set out in this section apply to the heritage-related consent regimes for which local planning authorities are responsible under the Planning (Listed Buildings and Conservation Areas) Act 1990, as well as to plan-making and decision-taking.

131. In determining planning applications, local planning authorities should take account of:
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - the desirability of new development making a positive contribution to local character and distinctiveness.
132. 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. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.
133. 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 loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:
- the nature of the heritage asset prevents all reasonable uses of the site; and
 - no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
 - conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
 - the harm or loss is outweighed by the benefit of bringing the site back into use.
134. 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 securing its optimum viable use.
135. 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 affect directly or indirectly 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.

136. Local planning authorities should not permit loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.
137. 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 or better reveal the significance of the asset should be treated favourably.
138. Not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance. 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 133 or less than substantial harm under paragraph 134, 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.
139. Non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets.
140. Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.
141. Local planning authorities should make information about the significance of the historic environment gathered as part of plan-making or development management publicly accessible. They should also require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.³⁰ However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

13. Facilitating the sustainable use of minerals

142. Minerals are essential to support sustainable economic growth and our quality of life. It is therefore important that there is a sufficient supply of material to provide the infrastructure, buildings, energy and goods that the country needs. However, since minerals are a finite natural resource, and can only be worked where they are found, it is important to make best use of them to secure their long-term conservation.
143. In preparing Local Plans, local planning authorities should:

³⁰ Copies of evidence should be deposited with the relevant Historic Environment Record, and any archives with a local museum or other public depository.



Ministry of Housing,
Communities &
Local Government

National Planning Policy Framework

16. Conserving and enhancing the historic environment

184. Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value⁶¹. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations⁶².
185. Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:
- a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;
 - b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
 - c) the desirability of new development making a positive contribution to local character and distinctiveness; and
 - d) opportunities to draw on the contribution made by the historic environment to the character of a place.
186. When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.
187. Local planning authorities should maintain or have access to a historic environment record. This should contain up-to-date evidence about the historic environment in their area and be used to:
- a) assess the significance of heritage assets and the contribution they make to their environment; and
 - b) predict the likelihood that currently unidentified heritage assets, particularly sites of historic and archaeological interest, will be discovered in the future.

⁶¹ Some World Heritage Sites are inscribed by UNESCO to be of natural significance rather than cultural significance; and in some cases they are inscribed for both their natural and cultural significance.

⁶² The policies set out in this chapter relate, as applicable, to the heritage-related consent regimes for which local planning authorities are responsible under the Planning (Listed Buildings and Conservation Areas) Act 1990, as well as to plan-making and decision-making.

188. Local planning authorities should make information about the historic environment, gathered as part of policy-making or development management, publicly accessible.

Proposals affecting heritage assets

189. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
190. 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.
191. Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.
192. In determining 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.

Considering potential impacts

193. 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 substantial harm, total loss or less than substantial harm to its significance.
194. 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 exceptional⁶³.
195. 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.
196. 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.
197. 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.
198. Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.
199. Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible⁶⁴. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

⁶³ 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.

⁶⁴ Copies of evidence should be deposited with the relevant historic environment record, and any archives with a local museum or other public depository.

200. 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.
201. Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. 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 195 or less than substantial harm under paragraph 196, 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.
202. Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.



Heritage Statement Guidance and Template

January 2017

This guidance and template has been designed to be used to help produce the necessary heritage statement when submitting a listed building application. There is no requirement to use the template, however the issues covered need to be included in the statement you do submit in order for your application to be valid.

A Heritage Statement and Impact Assessment must be submitted with any application for Planning Permission affecting designated heritage assets including listed buildings, scheduled monuments, registered parks and gardens, registered battlefields, conservation areas and their settings, or non-designated heritage assets. As per paragraph 128 of the NPPF.

Planning applications will not be validated or processed unless the required Heritage Statement and Impact Assessment have been submitted. Historic England's publication "Conservation Principles" (2008) would be useful to follow in assessment of significance (evidential, historic, aesthetic and communal).

The Application Site

Site address:

Is the development site (please tick relevant boxes):

- A listed building
- A building of local interest
- A scheduled monument
- A site of archaeological interest
- Within a designated conservation area
- Within a registered historic park or garden
- Within a registered battlefield
- In the setting of/adjacent to one of the above
- A non-designated heritage asset

The Nature of the Asset

Please describe the history, character and appearance of the heritage asset, e.g. listed building, conservation area or scheduled monument. You should refer to the statutory list description, scheduled monument description or conservation area character appraisal if available.



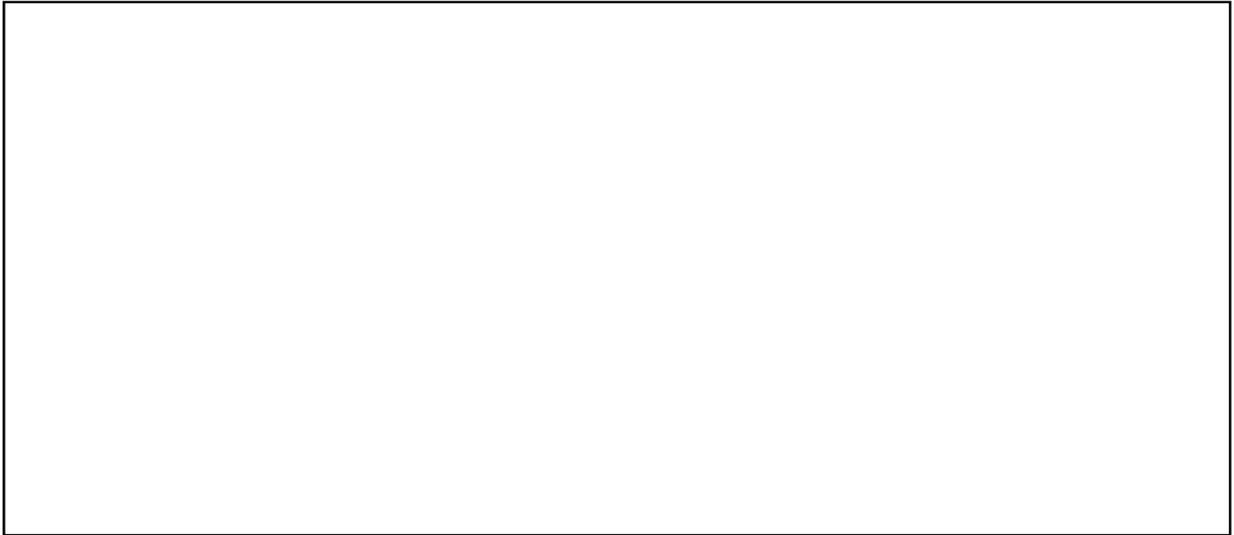
The Extent of the Asset

Please describe the development site, and its relationship to its surroundings. For example the building's position in the streetscene, or the potential for archaeological interest which may extend beyond a scheduled monument.



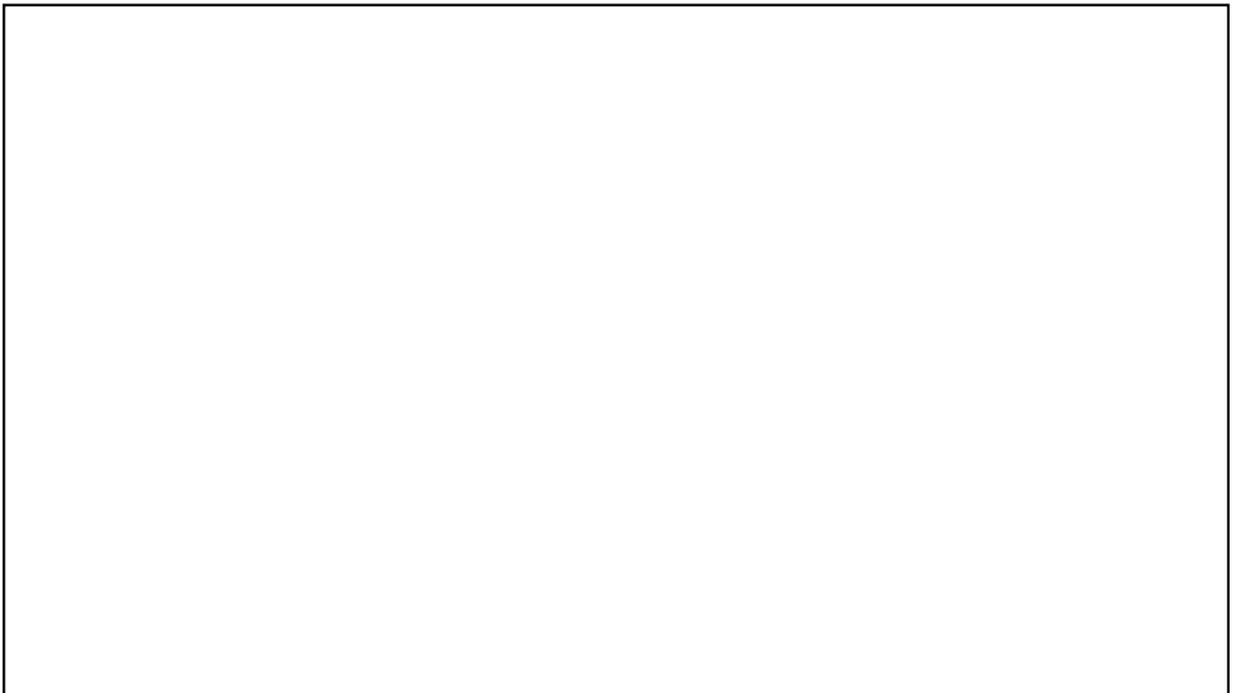
The Significance of the Asset

Please describe the archaeological, architectural, artistic or historic significance of the asset. This should include, for example, the age, phases of development, layout, appearance, significance of particular features or characteristics, materials and construction or potential for archaeological remains. For further assistance please refer to Historic England’s “Conservation Principles” 2008.



The Proposed Works

Please describe the proposed works including scale, height, construction, materials, design details and any associated landscaping works. For internal works to listed buildings this should also include details of any historic fabric or architectural features which would be lost as part of the proposals. For archaeological sites this should include details of any new foundations, ground disturbance or provision of services.



Relevant Planning History

Please discuss any relevant planning history which has influenced the heritage asset

The Impact on the Asset

Please describe the impact the proposals will have on the significance of the asset or its setting. This may include example loss or concealment of key features or historic fabric, blocking key views, impact on relationships between buildings etc.

Applications for demolition

If you are applying for demolition of a listed building or a building in a conservation area which makes a positive contribution to the area (as defined by the Local Planning Authority) please provide a justification statement for the demolition explaining how you have met the requirements of para 133 of the National Planning Policy Framework.

Preserve, Enhance and Mitigate

How does the proposal preserve or enhance the heritage asset or better reveal its significance? What steps have been taken to mitigate any harm?

Sources of Information

Please indicate which of the following sources you have consulted:

- Oxfordshire History Centre
- Oxfordshire Historic Environment Record
- The National Heritage List
- National Planning Policy Framework (NPPF)
- NPPF Planning Practice Guidance
- The current local plan (and Core Strategy (South only))
- Conservation Area Character Appraisal (if available)
- South Oxfordshire Landscape Character Assessment
- Historic ordnance survey maps

Useful Contacts

Historic England South East Office

Tel: 01483 252020 or Email: e-seast@HistoricEngland.org.uk

Web: www.historicengland.org.uk/advice

South Planning Services

Tel: 01235 422600 or email: planning@southoxon.gov.uk

Web: www.southoxon.gov.uk

Vale Planning Services

Tel: 01235 422600 or email: planning@whitehorsedc.gov.uk

Web: www.whitehorsedc.gov.uk

Useful Websites

The National Heritage List

www.historicengland.org.uk/listing/the-list/

The Heritage Gateway

www.heritagegateway.org.uk

National Planning Policy Framework

www.gov.uk/government/publications/national-planning-policy-framework--2

Historic England Guidance Notes

<http://historicengland.org.uk/advice/planning/>

Oxfordshire Historic Environment Record

www.oxfordshire.gov.uk/cms/content/historic-environment-record

South Oxfordshire Local Plan

www.southoxon.gov.uk/services-and-advice/planning-and-building/planning-policy/local-plan

Vale of White Horse Local Plan

<http://www.whitehorsedc.gov.uk/services-and-advice/planning-and-building/planning-policy/existing-local-plan-2011>