



Heritage Statement of Common Ground 4

Land to the north of
Droitwich Spa,
Droitwich, WR9 0NU

PINS REF: APP/H1840/W/22/3305934

LPA REF: W/22/00201/OUT

November 2022

TOWN & COUNTRY PLANNING ACT 1990

APPELLANT: Beechcroft Land Ltd and Henry Bouskell C/O Trustees of the Wimbush Droitwich Settlement.

LPA: Wychavon District Council

SITE: LAND NORTH OF DROITWICH SPA, DROITWICH

HERITAGE STATEMENT OF COMMON GROUND

APPLICATION REFERENCE: W/22/00201/OUT

APPEAL REFERENCE: APP/H1840/W/22/3305934

Signed on behalf the appellant:



Date: 21/11/22

Signed on behalf of the LPA:



Date: 21/11/2022

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Author with date	Reviewer code, with date
JE 14.11.2022	

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1. Introduction

Background

- 1.1** This Statement of Common Ground ("SoCG") on heritage matters has been prepared jointly by HCUK Group on behalf of Beechcroft Land Limited and David Hickie on behalf of Wychavon District Council (the Council).. This Heritage Statement of Common Ground supplements the Planning Statement of Common Ground (SoCG1), the Housing Land Supply SoCG (SoCG 2), and the Landscape Statement of Common Ground (SoCG 3) and is denoted "SoCG 4".
- 1.2** This SoCG has been progressed to set out common ground between the Appellant (Beechcroft Land Ltd) and the Council in respect of heritage matters to be considered as part of the appeal against the non-determination of planning application reference 22/00201/OUT seeking outline planning application for the erection of up to 102 dwellings, new vehicular and pedestrian access, and associated works. All matters reserved except for access on land to the north of Droitwich Spa.
- 1.3** The areas of common ground in relation to heritage are set out in this Statement to assist the Inspector and the appeal process:
- Agreed Heritage Matters – identifying the issues which are matters of fact and are agreed between both parties; and,
 - Heritage Matters in Dispute – identifying the areas which are disputed and are the areas of focus for the appeal.

Description of Appeal Scheme

- 1.4** The full description of development contained on the application forms is:
- "Outline planning application for the erection of up to 102 dwellings, new vehicular and pedestrian access, and associated works. All matters reserved except for access "*

Reasons for Refusal

1.5 Since the submission of this appeal against non-determination, the Council has set out its putative reasons for refusal in its Statement of Case and Officer's delegated report, of which the second refers to heritage matters, and states:

"The character of Hampton Lovett is of linear development of period properties set within large plots surrounded by farmed land. Hampton Lovett is not a nucleated village with a central core and therefore the character of the settlement is dependent upon the retention of the rural setting along the lane. It is considered that the proposal to develop the existing farmed land with dwellings would alter the character of Hampton Lovett causing harm to the setting of the Grade I listed church of St Mary and the period properties which form the settlement. This represents a less than substantial harm, which is not outweighed by public benefits. The significant and demonstrable harm identified provides a clear reason for refusing the development. The proposal fails to accord with policies SWDP6, 21 & 24 of the South Worcestershire Development Plan as well as guidance contained in Section 16 of National Planning Policy Framework. As such the proposal would not constitute sustainable development."

2. Agreed Heritage Matters

2.1 The following matters are agreed between the Council and the Appellant:

- That the appeal proposal will have no physical effect on any designated heritage asset.
- That the effect of the appeal proposal is on the setting of designated heritage assets (in respect of the grade I listed Church of St Mary, and the grade II listed lych gate only).
- That the primary methodology to be applied is as set out in *Good Practice Guide in Planning: The Setting of Heritage Assets*, Historic England, second edition, December 2017, generally known as “GPA3”.
- That the appeal proposal would result in less than substantial harm to the significance of the grade I listed Church of St Mary, and the grade II listed lych gate.
- That the appeal proposal would not affect the significance of the grade II listed Pakington memorial.

3. Matters of Dispute

3.1 The matters of dispute between the Council and the Appellant which relate to heritage are limited to the following:

- There is dispute as to the extent of harm to the significance of the grade I listed Church of St Mary and the Grade II listed Lych-gate, arising out of the change within its setting. While both parties agree that the category of harm is “less than substantial” within the meaning in paragraph 202 of the National Planning Policy Framework, there is a difference of opinion as to the extent of that harm within the category of “less than substantial”. The Council describes the extent of the harm as “significant and demonstrable” in its second reason for refusal of planning permission, and at the top end of “less than substantial” for the Grade II Church of St Mary and at the upper end of “less than substantial” for the Grade II Lych-gate. The Appellant describes the extent of the harm as very low, within the category of “less than substantial harm”.
- There is dispute as to whether the public benefits of the appeal proposal would outweigh the harm, as described further in the Planning Statement of Common Ground (SoCG 1).