



Historic England

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Our ref: PA01200759

25 April 2024

Dear [REDACTED]

## Pre-application Advice

### LAND AT BOTLEY ROAD, BISHOPS WALTHAM , HAMPSHIRE

Thank you for presenting the initial masterplan for the proposed development at our meeting on 12 April 2024, and for subsequently requesting written pre-application advice.

The proposed development site is located within a historically sensitive area, close to a number of designated heritage assets, including Listed Buildings, a Conservation Area, and the Scheduled Monument known as Bishop's Waltham Palace and associated fishponds (NHLE 1016169). The official list description of the monument can be found here:

<https://historicengland.org.uk/listing/the-list/list-entry/1016169?section=official-list-entry>

Please note that our advice below specifically relates to the scheduled Bishop's Waltham Palace site, we have no specific comments regarding the Conservation Area or undesignated archaeology. We recommend you seek the advice of the relevant Conservation Officers and the Winchester City Archaeology Team with regard to these matters, if you have not already done so.

The English Heritage Trust should also be consulted on these proposals. The Trust owns and operates the site under guardianship and, as such, their views should be sought regarding the impact of the proposals on the setting of the site and ways in which the harm can be reduced or mitigated.

Given the limited information available it is important that this advice letter should be considered as preliminary advice which may change when more detailed heritage impact assessment has been undertaken.



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## Advice

### Significance of Bishop's Waltham Palace

The Scheduled Monument of Bishop's Waltham Palace lies immediately to the north west of the proposed development site and includes the earthworks and built remains of a magnates' residence constructed in the 12th century and in use until its ruin in the Civil War.

Bishop's Waltham Palace is an outstanding and relatively rare surviving example of a high status domestic dwelling, built by the Bishop of Winchester in the 12<sup>th</sup> century. The scale of its ruined structures, set within the earthworks of a former moat, along with its extensive precinct to the south and east, and substantial fishponds to the west, demonstrate the scale and importance of the medieval palace.

The monument not only represents an emotive and evocative link with the past, but also provides a valuable contribution to our understanding of the social and political organisation of medieval and post-medieval England, and the development of settlement patterns, industries and dependant agricultural holdings.

To the south and east of the palace buildings lies the Lord's Garden, enclosed by an extensive precinct wall. The walled garden creates a tranquil, aesthetic experience, and provides a relatively rural transition between the built environment to the north and east, and the open farming landscape to the south. This landscape setting contributes to the significance of the Scheduled Monument because it facilitates an appreciation of its original, rural location, which sustained both the powerful elite and communities which supported it for several hundred years.

### Impact of the proposals on the Scheduled Monument

The proposal comprises the construction of a housing development, on the southern edge of Bishop's Waltham village, and east of Botley Road. The Site is also located immediately to the south east of the scheduled Bishop's Waltham Palace, and therefore has the potential to cause harm to its significance, as contributed to by its setting. Specifically, the potential for the development to impact how the monument lies within its surroundings and how it is experienced, through inter-visibility from within the monument boundary.

We acknowledge that the information you have provided is limited at this stage, due to the preliminary nature of the proposal, and currently takes the form of an indicative



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Framework Plan and illustrative views both into and out from the monument. Nevertheless, it is clear from the images provided that the development would still be visible from within the scheduled area, and concerns regarding the impact of the proposals therefore remain. However, the level of harm caused to the significance of the monument is unlikely to be substantial, although further detail will be required before any final decision can be made on where the development sits within the scale of 'less than substantial' harm.

You will also need to consider the potential impact on undesignated but still nationally important archaeological remains, and this is a matter for you to discuss with the Winchester City Archaeologist.

## Policy Considerations

### *Statutory Protections*

The proposals affect a number of designated heritage assets and asset types including a Scheduled Monument, Listed Buildings and a Conservation Area.

The remains of Bishop's Waltham Palace and associated fishponds are protected as a Scheduled Monument under the 1979 Ancient Monuments and Archaeological Areas Act on account of their national importance and archaeological and historical interest.

As the proposal affects designated heritage assets the statutory requirement to have special regard to the desirability of preserving these assets, their setting and any features of special interest (ss.16, 62, 1990 Act) will be taken into account by the local planning authority when making its decision on a future application.

### *Government Policy*

The Department for Digital, Culture, Media and Sport (DCMS) document 'Scheduled Monuments and nationally important but non-scheduled monuments (October 2013)' sets out Government policy on the identification, protection, conservation and investigation of nationally important sites and buildings for the benefit of current and future generations. It notes that in addition to their intrinsic value, scheduled monuments can contribute to our perceptions of cultural identity and provide unique opportunities for research, education, leisure and tourism, delivering social benefits and contributing to economic growth.

Paragraph **20** states that, in cases including works proposed for development-,



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conservation- or presentation-related purposes, the Secretary of State has particular regard to the following principles which align with those contained in the National Policy Framework:

- Only in wholly exceptional cases will consent be granted for works that could result in substantial harm to, or loss of, the significance of a Scheduled Monument;
- and in cases that would lead to less than substantial harm to the significance of a Scheduled Monument the harm will be weighed against the public benefits of the proposal.

### *National Planning Policy Framework*

One of the principal objectives of the National Planning Policy Framework (NPPF) is the conservation of historic environment, including landscapes (paragraph **20**). The following additional paragraphs are of relevance to these proposals.

- Paragraph **135** suggests that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.
- Paragraph **195** notes that heritage 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 generations;
- Paragraph **200** requires the 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;
- Paragraph **201** states that 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;
- Paragraph **196** describes that in determining applications, local authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets, the positive contribution their conservation can make to sustainable communities, and the desirability of new development making a positive contribution to local character and distinctiveness;
- Paragraph **206** requires that any harm to, or loss of, the significance of a



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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 assets of the highest significance (notably scheduled monuments, and grade I and II\* listed buildings) should be wholly exceptional;

Historic England's position (at this early stage):

Based on the illustrative details of the scheme presented so far, HE is unlikely to object to the proposals (unless these evolve in such a way that we would need to take a different view).

We appreciate being consulted at an early stage in the development of the proposal, and the efforts made so far to ensure that due regard is given to the rich historic environment within which the proposed development is located. This includes the nationally significant and designated asset of Bishop's Waltham Palace, as well as the undesignated park pale, which follows the northern boundary of the site.

We also welcome the fact that consideration has already been given to ways in which the careful design and layout of the development can contribute towards balancing the harm incurred to the significance of the SM (through development within its immediate setting) and that of other designated and undesignated heritage assets in the vicinity of the Site. For instance, we note that the Framework Plan allows for a 'setting back' of development away from Botley Road, with green space and a layering of vegetation introduced between the road and the housing, to soften the visual impact of the development. In the north the housing is also shown to be set back, at a respectful distance from the line of the undesignated park pale ('Park Lug') which, together with the PRoW, runs along the northern boundary of the Site, and will be the subject of on-site heritage interpretation.

However, I can identify some harm will be caused to the SM through the encroachment of built development within its setting. Whilst the level of harm to its significance is likely to be less than substantial, it is currently difficult to quantify this harm, without the availability of additional information. Specifically, and in line with the NPPF, we would expect to see a robust and honest assessment of the impact of the new buildings on the setting of the SM, and how much the setting contributes to the significance of the monument.



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## Advice & next steps

### *Further work:*

We would need to see provision of a full Heritage Statement, which takes account of the setting, in line with current guidance, and includes photomontage visualisations: We recommend that a setting impact assessment exercise is undertaken by a suitably experienced heritage professional, following the process outlined within our Good Practice Advice note “The Setting of Heritage Assets”, and this should form part of a wider Heritage Statement accompanying any potential future application. It is likely that an Archaeological Desk-based Assessment will also be required in support of a future planning application, and I defer to the Winchester City Archaeologist for advice on the scope of this study.

These studies are essential to inform the layout, design and choice of materials used in the development, and will also help to inform good decision-making in relation to any future planning application.

### *Development design*

At our recent meeting, we considered some of the ways in which this balance might be achieved, such as:

- Understanding how building heights and their positioning can respond to the topography of the land, and changing views, to ensure that the visibility of the roofscape is not increased as the topography rises, and any compromise to the setting of designated heritage assets is minimised.
- Restricting building heights, and the careful consideration of massing, based on an understanding of the Site’s topography, and the visualisations produced towards the Site from within the Scheduled Monument, as part of the Heritage Statement
- The careful choice of materials and colours, particularly those used in the roofscape, in order to reduce the visual impact of the development upon designated heritage assets
- Provision of a ‘layering’ of the landscaping, in which housing is interspersed with trees, to filter and ameliorate the impact of the development upon the rural character of the surrounding landscape.
- ‘Setting back’ the development from Botley Road along the western boundary of the Site, and from the park pale to the north, using green space soften the transition to built form, and to enhance appreciation of the undesignated feature of the historic landscape.



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### *Heritage benefits*

Heritage benefits are an important element in the balancing process, and it is good to know that the project team has given some thought to their use as opportunities, which add value and a sense of place to the development generally.

Specifically, in the case of the current proposal, the benefits include public access and appreciation of the historic landscape from within the development Site. Ideas for public engagement and interpretation should be drawn out as much as possible and clearly presented in the supporting documents accompanying a future planning application. This could take the form of a heritage interpretation strategy, which not only includes on-site interpretation, but also harnesses the opportunities available for digital engagement, such as the use of ArcGIS Story Maps.

We are pleased to see that consideration has been given to ways in which the historic environment could be celebrated within the new community, including plans for the provision of a 'green corridor' for the public footpath and the line of the medieval park pale which follow the northern boundary of the Site. We support the idea that this landscape feature could become a focus of heritage interpretation within the development. However, it is our view that the wider historic landscape should also be taken into account, including the significant role that Bishop's Waltham Palace will have played in shaping the physical, social and economic landscape of the area through time.

We would be happy to continue to provide advice to the project team, if desired, to ensure that harm is minimised, and balanced.

### **Next Steps**

Thank you for involving us at the pre-application stage. Your current proposal does not yet fully address our concerns, as set out above, and so is unlikely to receive our support if submitted for statutory approval at this stage.

This letter concludes our free cycle of Initial Pre-application advice. Your scheme may benefit from our continued engagement; if so, we would welcome the opportunity to continue discussions through our Extended Pre-application service, details of which can be found on our website at [www.HistoricEngland.org.uk/EAS](http://www.HistoricEngland.org.uk/EAS) <<http://www.HistoricEngland.org.uk/EAS>>. If you would like to discuss this option further, please do contact me.



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Historic England

Yours sincerely



Inspector of Ancient Monuments

E-mail: [REDACTED]@HistoricEngland.org.uk

**LAND AT BOTLEY ROAD, BISHOPS WALTHAM , HAMPSHIRE  
Pre-application Advice**

**List of information on which the above advice is based**

Cover Letter - Pegasus Group, 8 April 2024

Annex B - Red Line Plan

P22-1091\_DE\_004\_D\_01 - Draft Framework Plan



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