

**Proof of Evidence
Cultural Heritage**

By

Rob Bourn

**Appeal under Section 78 of
Town and Country Planning Act 1990
By Hallam Land Management**

Land off Carr Road, Deepcar

Appeal Ref: APP/J4423/W/21/3267168

Application Ref: 17/04673/OUT

May 2021

Report

Proof of Evidence – Heritage

Site

Land off Carr Road, Deepcar

Client

Hallam Land Management

Planning Authority

Sheffield City Council

Prepared By

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Report Status

Final

Issue Date

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Orion Ref

PN1129/PoE/Final

1.0 Introduction

1.1 My name is Robert Bourn and I am Managing Director at Orion Heritage Ltd. Orion Heritage is an independent heritage consultancy based in Brighton, Manchester and Worcester. The company acts for a wide range of private and public sector organisations across the UK and advises on all aspects of historic environment related planning policy and practice. Prior to setting up Orion in June 2015, I was a Director of the heritage team at CgMs Ltd for 15 years. Prior to joining CgMs, I was the Planning Archaeologist for Berkshire County Council and its successor Unitary Authorities for 5 years (1995-2000).

2.0 Reason for Refusal

- 2.1 Hallam Land Management has appealed against the refusal of outline planning permission for the erection of up to 85 including open space (application ref: 17/04673/OUT).
- 2.2 Reason for refusal no 1 outlines that the Council considers that the proposed development will result in substantial harm to *"... a collection of Grade II Buildings (Royd Farm) that sit to the east of the application site. The development would not result in substantial public benefits that would outweigh such harm to these designated heritage assets."* The reason refusal therefore states that the proposed development is contrary to Paragraphs 194-195 of the National Planning Policy Framework and Policies BE15, BE19 and LR5(e) of Sheffield's adopted Unitary Development Plan.
- 2.3 This refusal on heritage grounds is contrary to the Zoe Mair's, Sheffield City Council's Principal Planning Officer (Conservation & Design) consultation response to the planning application which concluded that the effect of the scheme equated to less than substantial harm.
- 2.4 The refusal is also contrary to the committee report which recommended approval subject to conditions. The report included a consideration of the significance and setting of the farmhouse and barn and the effect of the proposed development on this. The report concluded that even following the application of great weight, the harm arising was less than substantial and that the harm was outweighed by the public benefits as per paragraph 196 of the NPPF. Paragraph 2 of page 118 of the committee report is categorical in stating that the proposed development would not result in substantial harm to Royd Farmhouse and other designated heritage assets in the locality.
- 2.5 The committee report is also categorical in concluding that the proposed development is considered to have no effect on the setting and significance the grade II listed Barn approximately 30 metres to the east of Number 15, The Royd to the east of the appeal site (para 8 of page 116). However, the

Council's Statement of Case outlines that the Council will argue that there will be substantial harm to the setting of this barn, as well as Royd Farmhouse and its adjacent former barn.

3.0 Significance & Setting of Royd Farmhouse & Barn

- 3.1** The significance of Royd Farm resides primarily within its vernacular architectural and historic interest as an example of a 17th and 18th century farmhouse. It is a vernacular building which uses local materials and construction techniques and exhibits the evolution of an agricultural dwelling over several centuries. The significance of the adjacent listed barn and outbuildings also primarily resides in their architectural and historic interest as examples of rural vernacular agricultural architecture. The historic interest of the Royd Farm group of buildings overall, also resides in them being part of a hillside hamlet located on or near the spring line which evolved prior to the advent of industrialisation and the expansion of Stocksbridge and Deepcar.
- 3.2** The farmhouse and barn have a shared setting. The core of the setting of the listed buildings is their gardens, Carr Road to the east of the farm complex and the older buildings of Royd that form the core of the original hillside settlement. The former farm buildings are in a courtyard type arrangement facing Carr Road, not the appeal site. Both listed buildings are a significant aspect of each other's significance and have a very strong positive contribution to the significance of the other listed buildings of the group. The proposed development will have no effects on these aspects of the setting and its contribution to the significance of the two listed buildings.
- 3.3** The appeal site is located within the setting of Royd Farmhouse and the barn. Although there is no documentary evidence, it is assumed that the appeal site formed part of the land that was farmed from Royd Farm. This historical functional association has a positive contribution to the significance of the farmhouse and barn.
- 3.4** The appeal site and Royd Farm are no longer in joint ownership. Although the listed buildings are located within a former farm complex, they are no longer have any agricultural purpose. The Royd Farm buildings, their gardens and immediate setting are now functionally related to the residential developments on the opposite side of Carr Road. Therefore, the connection of purpose between the appeal site and heritage assets is no longer applicable, although the historical connection is acknowledged.
- 3.5** While there are views out across the appeal site from the listed buildings, these views have a relatively limited contribution to the significance. There is one 1st floor window in the rear elevation of the older part of the farmhouse that overlooks the appeal site. There is also a conservatory on the rear wall of

the farmhouse. Views out from the conservatory are a modern creation and do not have historic value. The western and northern elevation of the barn has windows and doorways that provide views across the appeal. However, the barn was a functional agricultural building prior to its conversion to residential dwellings. Consequently, not all of the current windows are original and those that are were incorporated into the building to provide light and ventilation, not to provide views over the fields. Consequently, the views from the existing windows have a limited contribution to the significance of the barn.

- 3.6** There are views of the listed buildings from within the appeal site which have a positive contribution to the significance of the buildings.
- 3.7** Royd Farmhouse and the adjacent barn can be seen as an observer travels along Hollin Busk Lane toward the junction of Hollin Busk Lane and Carr Road. In these views, due to a combination of distance, the arrangement and layout of Royd Farm buildings and the topography, the architectural interest of the buildings is hard to discern. These views from Hollin Busk Lane have a positive contribution to the listed buildings as they form part of the agricultural context of the listed buildings. Consequently, while this view does have a positive contribution to the significance of the two listed buildings, this contribution is considered to be limited due to this inability to discern the architectural interest. In this view, Royd Farm is also seen in the context of the 1970s housing that is on the east side of Carr Road which remains more prominent in the views than the listed buildings themselves. Views from further afield are considered to not contribute to the significance of the listed buildings.

4.0 Effect of the Proposed Development

- 4.1** The appealed proposed development has been designed so as to minimise the impact of the scheme on Royd Farmhouse and barn.
- 4.2** The parts of the scheme that will be within the two existing fields to the north and north west of the barn, will be separated from the barn by a rectangular field that lies outside of the red line area of the scheme. The boundary along the rear gardens will be planted with native hedgerow with occasional trees, which as they mature will filter views of the houses from the barn.
- 4.3** The illustrative layout of the scheme in the area to the west of the rear of Royd Farm has been redesigned with the removal of the houses that were originally proposed to the west of the farmhouse and replaced them with an area of open space. This will retain a visibility cone from the rear of Royd farmhouse and its garden through the development to the wider countryside and the built up edge of Hollin Busk/Stockbridge to the west of the appeal site.

- 4.4 The parameter plans note that the scale and detail of the dwellings will reflect that of the heritage assets, which, whilst not presenting a pastiche which would undermine Royd Farm, carefully extends its vernacular vocabulary.
- 4.5 In relation to views of the listed buildings from the wider setting, currently the buildings are not experienced or visible in any material way as an observer moves south along Carr Road due to the existing screening from tall trees. Consequently, while the scheme will be a clear change in this aspect of the setting, the proposed development will not reduce the appreciation of the designated heritage assets as experienced from travelling south along Carr Road.
- 4.6 The views of Royd Farm from Hollin Busk Lane from the west will be changed by the proposed development which will obscure views of the two designated heritage assets along Hollin Busk Lane. However, the views from Hollin Busk Lane are not a fundamental aspect of the design or function of the farmhouse or barn and are an incidental aspect of relative proximity rather than an intended or designed view. Consequently, while the blocking of the view of Royd Farmhouse and barn does have an adverse effect on the appreciation of their significance from the lane, this is a minor effect.
- 4.7 For the reasons as outlined above and in section 4, the proposed development is considered to have a less than substantial harmful effect on the significance of Royd Farmhouse and the adjacent barn. This effect is considered to be **in the lower ranges of the less than substantial harmful effect**, a conclusion that the Committee Report agreed with. Therefore, paragraph 196 of the NPPF is the planning test that should be applied in this instance, not paragraphs 194 and 195, as reason for refusal 1 refers to, as these address an effects that equates to substantial harm. That is, the Inspector, will need to balance the harm to the significance of Royd Farm and the adjacent barn against the public benefits of the scheme. As per paragraph 193 of the NPPF, and in line with case law, the Inspector will need to give great weight to the conservation of the two heritage assets.
- 4.8 The Sheffield Unitary Development Plan policies BE15, BE19 and LR5 state that proposals which do not preserve the character or appearance of listed buildings and their settings will not be permitted. As discussed in paragraph 2.18 above, the Sheffield UDP policies do not refer to the need to balance the harm to heritage assets against the public benefits of the proposed development as required by the NPPF. However, as per *City & Country Bramshill Ltd v Secretary of State for Housing Local Government and Communities, Hart District Council, Historic England & The National Trust for Places of Historic Interest or Natural Beauty EWCA Civ 320 (CD5.7)*, para 87, Local Plan policy must be read alongside NPPF. The UDP policies are drafted such that there is effective blanket refusal on any proposals that cause any harm to the character and setting of a designated heritage asset. However,

NPPF paragraphs 193-196 allows for the grant of planning permission where there is harm (including proposals that do not preserve the character of listed buildings and their settings) where the tests set out in NPPF paragraphs 194-196 are applied. It is my view that, as the proposed development results in less than substantial harm to the significance of Royd Farmhouse and the adjacent listed barn & outbuildings, as long as the decision-maker has followed the process outlined in paragraphs 193-196 of the NPPF, and the public benefits outweigh the harm (which has been given considerable weight), then the proposed development will not be contrary to UDP policies BE15, BE19 and LR5. This planning balance is not a task to be undertaken by the heritage experts. The public benefits of the proposed development are dealt with by Mr Roland Bolton.

5.0 Barn approximately 15m to the rear of 15 The Royd

- 5.1** In relation to the grade II listed barn approximately 15m to the rear of 15 The Royd, contrary to the Council's Statement of Case, the appeal site is considered not to contribute anything to the significance of this barn . There is no intervisibility or co-visibility between the appeal site and the asset. Its setting of the barn is no longer rural as it was subsumed into the residential area of Deepcar in the 1980s. Consequently, the appeal site has no contribution to the significance of the grade II barn and the proposed development will have no effect on its significance. Therefore, as the proposed development will not result in a harmful effect on the character and significance of the barn or its setting, the proposed development is not contrary to NPPF section 16 or UDP policies BE15, BE19 and LR5.

6.0 Conclusion

- 6.1** In light of the conclusions of my proof, I do not consider that the historic environment provides a constraint to developing the site. The harms are at the lower end of less than substantial harm.