

**Gladman Developments Limited**

**May 2020**

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# Heritage Statement of Common Ground

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**Land west of Pear Tree Lane, Euxton,  
Lancashire**

Chorley Council

LPA Ref: 19/00654/OUTMAJ

Appeal Ref: APP/D2320/W/20/3247136

# Contents

<b>1.0</b>	<b>Introduction</b> .....	<b>1</b>
<b>2.0</b>	<b>Site Description</b> .....	<b>2</b>
<b>3.0</b>	<b>Relevant Planning History</b> .....	<b>3</b>
<b>4.0</b>	<b>Planning Policy and Guidance</b> .....	<b>5</b>
<b>5.0</b>	<b>The Agreed Matters</b> .....	<b>9</b>

## Figure 1

1. Location of heritage assets from HER

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## 1.0 Introduction

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1.1 This Heritage Statement of Common Ground (HSCG) has been prepared by Savills Heritage Planning in relation to an appeal that has been lodged by Gladman Developments Ltd for the proposed development of land west of Pear Tree Lane, Euxton, Chorley, Lancashire,

1.2 The application for outline planning permission for up to 180 dwellings was registered as valid on 8 July 2019 and refused permission on 13 November 2019. The application was refused for a single reason:

*“The proposed development would be located within an area of Safeguarded Land as defined by the Chorley Local Plan 2012-2026. The Council has a five year housing land supply as required by the National Planning Policy Framework. The proposal therefore conflicts with policy BNE3 of the Chorley Local Plan 2012-2026. It is not considered that the material considerations put forward in favour of the development are sufficient to outweigh the presumption against it.”*

1.3 The application was recommended for refusal to the Council’s Development Planning Committee on 12 November 2019. The recommendation as set out in the officers report was accepted by the committee without any amendments to the recommended reason for refusal. The officers report included a summary of representations to the application. Paragraph 12 of the report is titled ‘Other issues’. There is one heritage related representation, which states *“Houghton House Farm is a grade 2 listed building. In a heritage statement submitted with the earlier application it was acknowledged to be of national importance. It is accepted that the setting of this property is not a reason to refuse the application in itself. NPPF at para.184 provides that “heritage assets are an irreplaceable resource”. The applicant proposed an access road a short distance from the property and (in a plan said to be for illustrative purposes) some limited screening for about 50% of the western boundary with development coming up to the remainder and up to the whole of the southern boundary. This is insufficient to mitigate the effect on the heritage asset.”*

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## 2.0 Site Description

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- 2.1 The site comprises 7.34 hectare of agricultural land. It is bounded by existing housing to the west beyond School Lane and by a residential development to the north.
- 2.2 Immediately to the north-east of the site lies Houghton House Farmhouse, which is a Grade II Listed Building. Adjacent to the farmhouse is the former barn associated with the farm, now known as Ladymac, and which is in residential use and separate ownership to the farmhouse.
- 2.3 The site rises from south-west to north-east, being located at c.51m aOD at its north-east edge and c.59m AOD at its south-west boundary.
- 2.4 The appeal site does not contain any designated or known non-designated heritage assets. Pear Tree Lane, which abuts the eastern boundary of the Site, is recognised as the remains of a section of a Roman road (HER reference MLA32883 and HER reference MLA26078).
- 2.5 There are 15 Listed Buildings and no Locally Listed Buildings within 1km of the appeal site. The Heritage Statement submitted with the appeal application documents the name, grade and location of these listed buildings.
- 2.6 Mapping of the designated and non-designated heritage assets (via the Lancashire HER) within the vicinity of the site is included at Figure 1.

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## 3.0 Relevant Planning History

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- 3.1 The appeal site was subject to an outline planning application for up to 165 dwellings, planting and landscaping, informal open space, children’s play area, surface water attenuation, two vehicular access points from School Lane and associated ancillary works, made to Chorley Council in May 2016 (Chorley Council reference 16/00489/OUT).
- 3.2 The application was refused by the Council and considered and dismissed at a subsequent appeal (APP/D2320/W/17/3173275). Neither the Council’s reasons for refusal or the Inspector’s dismissal resulted from any heritage matters.
- 3.3 The Council’s Conservation Officer did not object to the proposals and considered the proposed development acceptable, subject to a number of conditions.
- 3.4 The Lancashire Archaeological Advisory Planning Service (LAAS) also did not object to the proposals. Recognising the submitted Archaeological Desk Based Assessment, the LAAS stated that the report indicated that the *‘site has low/nil potential for evidence from the prehistoric period, moderate/low potential from the Roman period, and low/nil potential from the Saxon, Medieval and Post-Medieval periods. The report goes on to say that no designated or undesignated archaeological assets have been recorded within the site. The most significant finding was a potential for sub-surface archaeological deposits from the Roman period along the eastern boundary of the site’*. The LAAS recommended that a condition should be attached to any approval of the scheme, requiring a programme of archaeological work following an agreed written scheme of investigation.
- 3.5 In respect to the appeal, the Inspector had regard to the impact of the proposal upon the significance of heritage assets. She identified that the site forms part of the wider pastoral setting to Houghton House Farmhouse which contributes to its historic significance and its attractiveness (para.52). She considered that the reduction in the remaining pastoral setting of the building would have a harmful effect on the setting of the asset (para.53) and that the proposal would have only a limited effect on one aspect of the building’s setting. She assessed that this would amount to “less than substantial harm” towards the lesser end of the spectrum (para.54).
- 3.6 In respect to archaeology, the Inspector acknowledged that the County Archaeologist is satisfied that the archaeological interests of the site could be protected by the imposition of planning conditions requiring a programme of archaeological work. She was satisfied that archaeological interests need not be prejudiced by development in this case (para.55).

- 3.7 Within her concluding paragraphs she considered that taking into account the extent of harm that would occur to heritage assets in this case, and the nature and amount of housing proposed, the contribution to housing supply would comprise a significant public benefit which would be sufficient to outweigh the less than substantial harm identified to heritage assets in this case. The effect of the proposal on heritage assets does not therefore weigh against the proposal in the planning balance (Para.65).

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## 4 Planning Policy and Guidance

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### Legislation

- 4.1 Legislation relating to listed buildings and conservation areas is contained within the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 4.2 The Planning (*Listed Buildings and Conservation Areas*) Act 1990 provides that with regard to applications for planning permission affecting listed buildings or their setting:

*“s.66(1) In considering whether to grant planning permission 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

- 4.3 National planning policies on the conservation and enhancement of the historic environment are set out in the National Planning Policy Framework (NPPF), which was first published by the Department for Communities and Local Government (DCLG) in March 2012, with a second edition issued in February 2019.
- 4.4 The policies set out in NPPF also apply to the consideration of the historic environment in relation to other heritage-related consent regimes for which planning authorities are responsible under the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 4.5 The 2012 NPPF set out the Government’s planning policies and outlined the presumption in favour of sustainable development, defined by three principles: economic, social and environmental. The way in which the 2019 revised edition of the NPPF supports the delivery of sustainable development has now been altered. The policy paragraphs no longer constitute the Government’s view of what sustainable development means for the planning system, the three ‘dimensions’ to sustainable development are now ‘objectives’, and it is confirmed that they are not criteria against which decisions can or should be judged. Economic, social, and environmental gains are no longer to be sought ‘jointly and simultaneously’; instead, the objectives are to be pursued in ‘mutually supportive ways (so that

opportunities can be taken to secure net gains across each of the different objectives). The presumption in favour of sustainable development is retained, but some changes have been made to its detailed articulation. There is now also greater emphasis on Design, with the addition of a new introductory paragraph to the design chapter, emphasising the importance of high quality buildings and places.

- 4.6 Section 16, 'Conserving and Enhancing the Historic Environment' specifically deals with historic environment policy, which is broadly unchanged since 2012, although there has been some reordering and the addition of subheadings (paragraphs 184-202).
- 4.7 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, 'irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance' (para 193).
- 4.8 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 (para 194).
- 4.9 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 (para 196).
- 4.10 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 (para 197).
- 4.11 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 (para 198).
- 4.12 A heritage asset may be defined as a building, monument, site, place, area or landscape positively identified as having a degree of significance meriting consideration in planning decisions; heritage assets may also be considered to be valued components of the historic environment. The NPPF recognises that heritage assets are a non-renewable resource, and that heritage conservation has wider benefits, while accepting that the level of conservation should be commensurate with the significance

of the assets concerned.

### **Local Planning Policy**

- 4.13 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications must be determined in accordance with the development plan for an area, except where material considerations indicate otherwise. The appeal site is located in the Borough of Chorley. As such, local planning policy is covered by Chorley Council's planning policies. The Council adopted the Chorley Local Plan in July 2015.
- 4.14 Policy BNE8 – Protection and Enhancement of Heritage Assets - states that planning applications will be granted where they sustain, conserve, and where appropriate enhance the significance of the heritage asset, its character, the setting and the surrounding historic environment. In addition, applications which affect a heritage asset or its setting will be granted if they are in accordance with the Local Development Framework, Historic England guidance, a Heritage Statement and where appropriate Council guidance and recommendations from Conservation Area Appraisal and Management Proposals. Historical information discovered during the course of investigations shall be submitted to the Lancashire Historic Environment Record. This policy is inconsistent with the NPPF in that it does not differentiate between designated and non-designated heritage assets, and in respect to cases where harm to designated heritage assets arises, it does not allow proposals to be considered favourably where public benefits exceed the identified harm. As such, limited weight should be given to this policy in the determination of the appeal.
- 4.15 The Central Lancashire Core Strategy, adopted in July 2012, contains the following heritage related policy.
- 4.16 Policy 16 – Heritage Assets - looks to safeguard heritage assets from inappropriate development which could harm their significance. Developments, which seek to protect and/or enhance the asset's historic significance, local character and setting will be supported, with particular support for heritage assets in poor condition or at recognised at risk. This policy is inconsistent with the NPPF in that it does not differentiate between designated and non-designated heritage assets, and in respect to cases where harm to designated heritage assets arises, it does not allow proposals to be considered favourably where public benefits exceed the identified harm. As such, limited weight should be given to this policy

in the determination of the appeal.

4.17 The reason for refusal does not rely upon either of the above policies or any other heritage related policy.

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## 5.0 The Agreed Matters

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5.1 This section sets out the agreed position of the Appellant and Chorley Council in respect to heritage matters, in addition to the matters of fact set out in the above text:

1. There are no designated or non-designated heritage assets within the appeal site.
2. The relevant national and local planning policy as set out in Section 4 above.
3. There is only one heritage asset that has the potential to be affected by the appeal proposal, namely the Grade II listed Houghton House Farmhouse.
4. The appeal site makes a minor contribution to the significance of Houghton House Farmhouse due to its close physical association to the former farm complex, and to a minimal degree, its former use in relation to the farmhouse and farm complex: however this relationship is now largely eroded due to changes in use of the former farm buildings. The historic setting of the farmhouse has also been compromised by the expansion of Euxton and the settlements development to the north, west and south of the farmhouse since the mid-20<sup>th</sup> Century.
5. The proposed development will result in a very minor reduction to the significance and setting of Houghton House Farmhouse: the mitigation strategies proposed as part of the design framework include the retention and reinforcement of landscaping to the site boundary and within the site; retention of the historic field boundary features; and the introduction of limited built development at the north-east section of the site. By undertaking the relevant policy assessment contained in Section 16 of the NPPF, the statutory duty of Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 will be met.

This statement is agreed by the following parties:



Zoe Whiteside  
Service Lead - Spatial Planning

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on behalf of Chorley Council



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Jason Clemons, Director, Head of Heritage Planning  
Savills (UK)

on behalf of the Appellant

Dated:

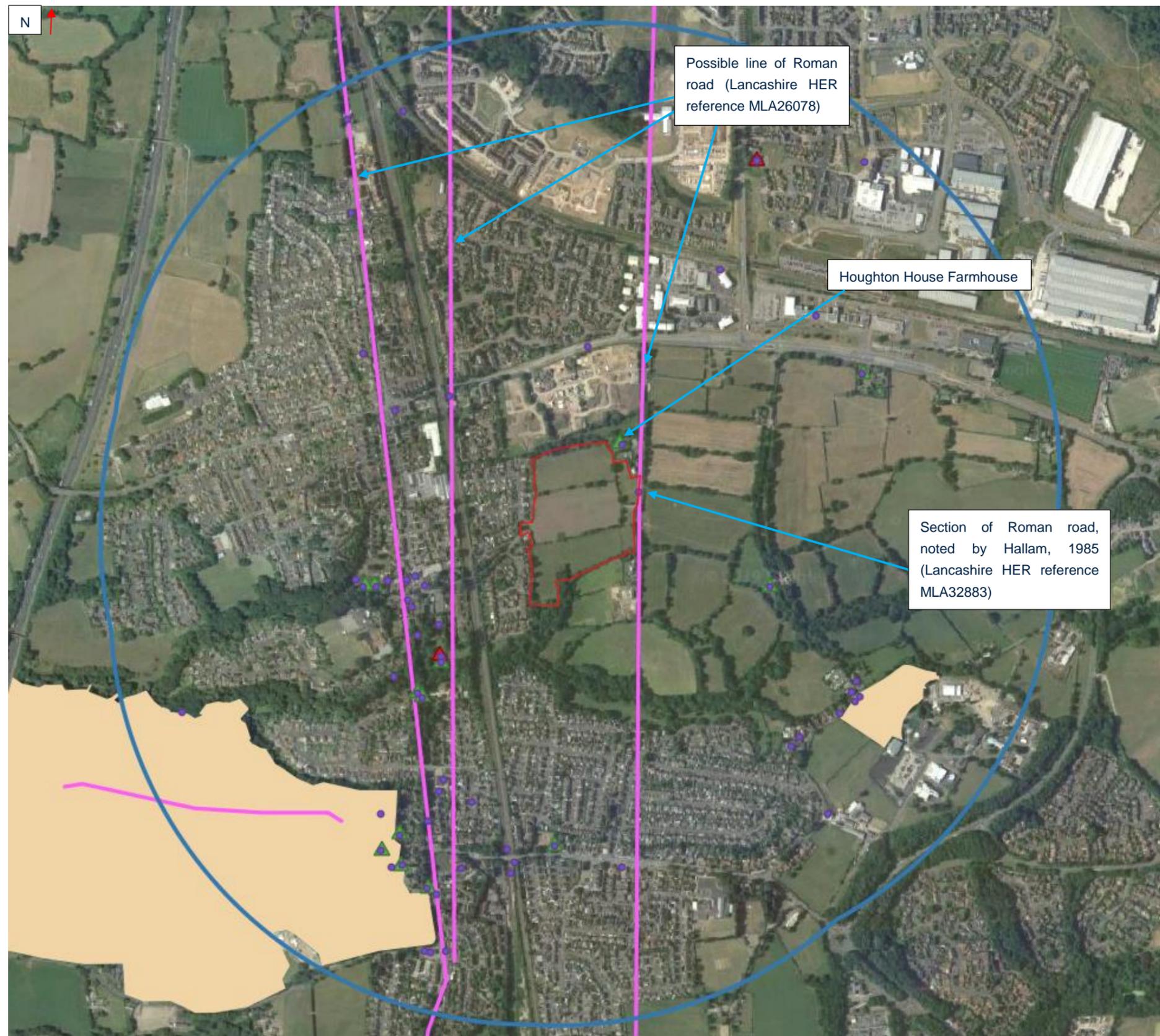


Figure 1: Satellite image showing the proposed development site (red boundary) and 1km buffer (blue boundary). The designated heritage assets within the buffer, and the non-designated heritage assets included in the Lancashire HER, are indicated



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