



Historic England

Mr Ben Hurst
Staffordshire Moorlands District Council
Moorlands House
Leek
Staffordshire
ST13 6HQ

Direct Dial:

Our ref: P01557283

12 April 2023

Dear Mr Hurst

**T&CP (Development Management Procedure) (England) Order 2015 & Planning (Listed Buildings & Conservation Areas) Regulations 1990
BIDDULPH OLD HALL, OVERTON ROAD, BIDDULPH COMMON, BIDDULPH,
STAFFORDSHIRE, ST8 7SQ
Application No. SMD/2023/0108**

Thank you for your letter of 9 March 2023 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

Summary

The proposals comprise the creation of new access and car parking facilities at Biddulph Old Hall. The application site passes through a historic non-designated designed landscape and lies adjacent to the Grade II* Biddulph Old Hall listed building and the scheduled 16th century ruins and garden remains.

The proposals would result in harm to the significance of the designed landscape, and harm to the significance of the scheduled monument and listed building. We have concerns with the application on heritage grounds. We would request further information is provided.

Historic England Advice

Historic England provided pre-application advice to the applicant in July 2021 and undertook a site visit with them in January 2022.

Overview of Significance

The site and landscape around Biddulph Old Hall are of substantial archaeological and historical interest. Each heritage asset has its individual significance which is enhanced by a collective group value. The way that group value is experienced and understood is a key component of this historic place's national importance.

The scheduled monument comprises the below ground remains and upstanding ruins of a 16th century mansion, together with associated garden earthworks. This includes part of 'The Yew Walk', a formal avenue to the south of the ruins. To the north lies the



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Grade II* Biddulph Old Hall, which is late 17th century in date, incorporating parts of the earlier 16th century mansion and later 18th - 19th century alterations. Around the Hall and ruins and extending off to the south is a designed landscape created by the Bateman family in the 19th century.

The scheduled monument itself has a good level of preservation and its substantial archaeological interest extends beyond the boundaries of the scheduled area. The ruins, landscape and adjacent listed building also hold a lot of historic, architectural and aesthetic interest. There is importance in both their individual and collective settings, and weight needs to be given to the views towards and away from the assets, their intervisibility and connectivity, and the ways in which they are approached and experienced within their current historic contexts.

The Batemans re-used and reimagined the 16th century ruins, garden earthworks and avenue to create a romanticised landscape around the Old Hall, with walks which linked down through The Clough to their main property at nearby Biddulph Grange (now a Grade I Registered Park & Garden). This carefully designed landscape was later enhanced and used to great effect by their son, the pre-Raphaelite painter Robert Bateman. It forms part of the listed building's and scheduled monument's settings and contributes to their significance.

The Designed Landscape

A key part of what makes the Biddulph Old Hall site so significant is the experience of the Bateman landscape - and the assets it contains - as one walks between the two sites.

Journeying up from Biddulph Grange, the walks would have taken visitors on winding paths through dappled woodlands, up crooked riverside steps, past picturesque tunnels, bridges and waterfalls to emerge at the bottom of a broad straight formal avenue (the Yew Walk). Moving up the avenue they would be greeted by romanticised views of the ruinous 16th century mansion, with the garden court in front and the listed Old Hall nestled behind. In reverse, the experience was equally well-crafted; travelling down the Yew Walk, the house and ruins disappearing behind you, then stepping out of the formal avenue to descend into a more enclosed and hidden woodland realm, - something which is reflected in Robert Bateman's art from this period.

A key part of the journey is the point where the traveller would emerge up from (or descend down into) that enclosed woodland. This was a small wooded dell to the southeast of the Yew Walk, which formed the interface between the more open experience of the broad avenue up to the ruins, and the more immersive character of the rest of the walk.

The landscape created by the Batemans at Biddulph Old Hall and The Clough is of high quality with important historical, physical and thematic links to their gardens at



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Biddulph Grange. Although not designated, it is our view that this landscape is of potential national importance and has a group value with the Grade I Registered Park & Garden at Biddulph Grange.

Impact of the Proposed Works

The application proposes a new access track (single lane with passing places) running from the A527 in the west to the southern end of the Yew Walk. The route would curve round the southeast of the avenue - cutting through the interface described above - and continue along the eastern side of the avenue up to a parking area adjacent to the scheduled monument and southeast of the listed building. A second parking area would be created on a field to the east of the track. The application details the uses of and works needed for the two parking areas.

Providing appropriate surfacing, boundaries and screening is employed, we do not have any concerns with the main section of the access route east from the A527 and up to the Yew Walk. You should discuss the archaeological implications of this with Staffordshire County Council's County Archaeologist. We note that it passes through / close to the site of an earthwork feature visible on LiDAR and historic Ordnance Survey mapping.

We do have concerns with the other parts of the route and we strongly disagree with the suggestion in the application that the proposals would not result in any harm to significance (and therefore not need clear and convincing justifications, or be weighed against the public benefits - as per Paragraphs 200 and 202 of the National Planning Policy Framework)

The scheme seeks to retain a section of access track which has already been constructed and which includes a cutting through / the removal of earthworks to the southeast of the Yew Walk. Although only a small breach within the Bateman designed landscape, this is a very important transitional spot, as described above. The historic experience of moving between the winding woodland walks and the more formal Yew Tree avenue is now broken by a straight open cut, impacting how the wider historic walks are experienced, breaking the journey and interrupting the inward-looking and immersive character. Intrusion would be exacerbated by vehicles passing and cutting through this space.

It is our view that this clearly has a harmful effect on the overall significance of this non-designated (but potentially nationally important) designed landscape.

It also impacts how one experiences the settings of the listed building and scheduled monument, resulting in some harm to their significance. The ability to experience the intended 19th century re-imagining of these assets has been affected, interrupting the romantic theme that was carried through the walks and up to the ruins, and the change in character when stepping from one area into the next. It diminishes the experience



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and makes it harder to appreciate the fullness of the Batemans' design or Robert Bateman's later use of the landscape.

Other Considerations

We have concerns with the impact (visual, audible and change in character) on the settings of the scheduled monument and listed building from the eastern part of the access route, the two parking areas and the associated traffic.

The Planning Statement includes a useful set of photographs illustrating the visibility of cars on the current trackway from within the Yew Walk. We have concerns that there would be far more visual intrusion from these on the scheduled monument - particularly on the garden earthworks within the south. Some visual impact assessment work for the listed building and multiple locations within the monument would help clarify this and is requested.

We also note that there is reference in the Design and Access statement to an '*extended front forecourt at Biddulph Old Hall*'; however, it is not clear if this is a new proposal or referring to what has already been undertaken. We would have strong concerns with any further works to enlarge the forecourt / parking in this area adjacent to the monument.

More detail would be useful to clarify the extent of signage and traffic control measures within the vicinity of the heritage assets. The need for passing places on the track adjacent to the heritage assets - and the potential impact of these - should be considered. The council should consider the robustness and practicality of the trackway surfacing which has been proposed, and it would be beneficial for the applicant to provide a visual example of this design in situ at another site.

We would also recommend you give thought to the potential longer-term impacts of these proposals and ensure you are satisfied that the application has provided enough detail to understand any implications for security, health and safety, or works which might be needed for its management and maintenance. For example, the maintenance needs for the proposed field parking. You should consider the sustainability of the scheme and potential longer-term impacts from increased visitor numbers, and be satisfied that adequate consideration has been given to alternative less harmful options of delivering visitors to the site and providing the access requirements proposed.

The works would have archaeological impacts and you should undertake further consultation with Staffordshire County Council on this matter. If approved and the existing cutting southeast of the Yew Walk is retained, then this section should be archaeologically assessed and recorded in order to better understand the nature and significance of the earthworks which have been breached.



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Benefits & Justifications

The application makes much about the potential public and heritage benefits of this scheme and in principle we would welcome proposals which secure the repair and consolidation of the scheduled monument, and better reveal and enhance the collective significance of the wider site (subject to details and design).

The long-term preservation and sustainable future management of the site is a key objective and we welcome the steps taken by the applicant since our last engagement to further explore these benefits. The discussions and initial agreement made with Perennial is a positive and encouraging move.

However, it is our view that a lot more detail and justification is required. For example, if the repair and consolidation of the scheduled monument is proposed as a benefit of the scheme (and therefore to be weighed against any harm to significance), further detail is needed to clarify the scope of this work. The application does not contain any information on what the management plan for the scheduled monument would be, the cost of any repairs and the conservation deficit on the site, the likely scope of ongoing maintenance and its cost, or a how this would be secured as part of the application. It is not clear what level of the income generated would be allocated to the conservation needs of the scheduled monument versus other parts of the site.

Policy Context

The National Planning Policy Framework (NPPF) affords great weight to the conservation of designated heritage assets, irrespective of the level of harm. Their significance is taken into account when considering the impact of a proposal in order to avoid or minimise conflict. NPPF 194 requires an applicant to describe the significance of any heritage assets affected, with a level detail proportionate their importance and sufficient to understand the impact of the proposals.

NPPF 199 states that great weight should be given to the asset's conservation and the more important the asset, the greater the weight should be. Scheduled monuments and grade II* listed buildings are identified as assets of the highest significance.

NPPF 200 requires *any* harm to the significance of a designated heritage assets to have clear and convincing justification. Less-than-substantial harm to significance must be weighed against the public benefits of a proposal including, where appropriate, securing its optimum viable use (NPPF 202). The effect of an application on the significance of a non-designated heritage asset - such as the designed landscape at Biddulph - must also be taken into account (NPPF 203).

Where assets of archaeological interest are demonstrably of equivalent significance to scheduled monuments (such as the avenue) these are considered subject to the same policies for designated heritage assets (see NPPF Footnote 68).

Where proposals lie within the setting of heritage assets, Local planning authorities will



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look for opportunities to enhance or better reveal significance. Proposals that preserve elements making a positive contribution (or which better reveal significance) should be treated favourably (NPPF 206).

Historic England's Position

Given the importance of this site and level of public interest, it is commendable that the applicant wishes to continue to open their home as a visitor attraction and seek to secure its long-term future through the proposed agreements with Perennial. The work they and their late partner have done since taking ownership of Biddulph Old Hall has enhanced and better revealed the significance of the designed landscape around the listed building and scheduled monument, and we would encourage them to explore the possibility of a listing application to assess its potential for designation as a Registered Park & Garden.

We recognise that there are good public and heritage benefits which could potentially be realised through improved access at this site, and we welcome the work which has been undertaken in developing the scheme and responding to our previous advice.

However, further work is needed and we strongly disagree with the application that the proposed scheme would cause no harm to significance. Harm has been caused to the designed landscape by the physical alterations (retained as part of this scheme) and there would be further impacts to historic character and setting from the formalisation of the trackway and its future use. There would be harm to the significance of the scheduled monument and listed building from the impacts upon their settings. Although there would be benefits, the scheme would negatively impact how these heritage assets and their group value is experienced and understood.

More information is also needed to clarify the level of impact to the settings of the scheduled monument and listed building.

As harm would be caused, the applicant must provide clear and convincing justification for that harm, and it must be weighed against the public benefits of this scheme. In principle we would welcome benefits which secure the repair and consolidation of the scheduled monument and its removal from the Heritage At Risk Register. However, based on the information provided, we would question whether the applicant has sufficiently justified the harm, or provided enough detail on the scope of the potential benefits and how they would be secured as part of this application.

We would be happy to provide further advice once these matters have been addressed and the additional information has been provided.

Recommendation

Historic England has concerns regarding the application on heritage grounds. We consider that it does not meet the requirements of NPPF 194. More information is



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needed to fully assess the impacts of the scheme on the setting of the scheduled monument and listed building. Notwithstanding this, we consider that the scheme would cause harm to significance and that this needs to be supported by clear and convincing justifications and be weighed against any potential public benefits.

In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. You should also undertake consultation with your Conservation Officer with regards to the impact on the historic buildings and landscape, and County Archaeologist at Staffordshire County Council.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.

Yours sincerely

Nick Carter

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Inspector of Ancient Monuments

E-mail:



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