HENDERSON HERITAGE

# Heritage Impact Assessment

Variation of Condition 10 of P/2024/1018 - Alterations And Extensions To Existing House Including Loft Conversion And Addition Of Basement With Garage At Horsley Lodge, Hoseley Lane, Marford, Wrexham, LL12 8YD

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**Horsley Lodge**

## 1.0 Introduction

1.1 Henderson Heritage Ltd has been appointed to provide heritage advice in relation to Condition 10 of planning application reference P/2024/1018 - Alterations And Extensions To Existing House Including Loft Conversion And Addition Of Basement With Garage At Horsley Lodge, Hoseley Lane, Marford, Wrexham, LL12 8YD, which was approved on 20 December 2024. This report has been prepared in support of the variation of Condition 10 of the approved application which states that the existing vehicular access to the lodge shall be permanently closed up.

1.2 The original application was accompanied by a comprehensive Heritage Impact Assessment by Flint Architecture, which describes the building and its setting.

1.3 The designated heritage assets that are relevant in considering the proposed development are identified below:

- Historic Park and Garden: Horsley Hall (Grade II).

1.4 The significance of Horsley Lodge derives from its historic relationship to the Horsley Hall registered Historic Park and Garden. The lodge is not a listed building. Nonetheless it has evidential, historic, aesthetic and communal significance for its association with Horsley Hall, which was demolished in 1963, and as part of the development of the park and garden as part of the early main phase of construction of the garden between 1907-12.

1.5 The lodge is in use as a private house and lies within the designated historic park and garden.

1.6 The main issues are:

- Whether the proposed variation of Condition 10 is justified in this location
- The impact of the proposal on the heritage assets, and
- Whether there is any harm identified that can be outweighed by other considerations which would justify varying the Condition

## 2.0 Legislative and policy background

2.1 Welsh legislation on the Historic Environment is contained in new legislation - The Historic Environment (Wales) Act 2023. Chapter 2: Control of Works to Listed Buildings. It requires any works of demolition, alteration and/or extension which would affect the character of a listed building to be authorised through the process of listed building consent.

2.2 Planning Policy Wales (2024) is the national planning policy framework. Chapter 6: Distinctive and Natural Places provides policy on the historic environment including on listed buildings. The policy specifies that the objectives of the Welsh Government is to "safeguard the character of historic buildings and manage change so that their special architectural and historic interest is preserved". It states that "There should be a general presumption in favour of the preservation or enhancement of a listed building and its setting, which might extend beyond its curtilage. For any development proposal affecting a listed building or its setting, the primary material consideration is the building, its setting or any features of special architectural or historic interest which it possesses." (6.1.10)

2.3 Chapter 6: places great emphasis on protecting the natural and built environment for historic, scenic aesthetic and nature reasons, recognising that they give places their unique identity and distinctiveness. This includes the protection of historic buildings, preserving sites on the register of historic parks and gardens and the character and appearance of conservation areas and setting, based on their significance and the impact of changes.

2.4 Historic assets are described within PPW as historic buildings, parks, gardens, landscapes, townscapes, and archaeological sites. Nationally important historic assets will normally be designated.

2.5 Wales Technical Advice Note 24: The Historic Environment, (October 2017), sets out national planning policy in respect to the conservation of the historic environment. It states that the planning system should look "to protect, conserve and enhance the significance of historic assets." The impact of any planning decisions that change the historic environment in terms of its significance and heritage values where they contribute to the character of place must be fully considered by the decision maker. Section 7 states in 1.7 that "In policy terms, the historic environment is defined as 6: "All

aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and deliberately planted or managed.

2.6 The historic environment is in described in Wales Technical Advice Note 24: Historic Environment, (October 2017) as "All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and deliberately planted or managed." A historic asset is: "An identifiable component of the historic environment. It may consist or be a combination of an archaeological site, a historic building or area, historic park and garden or a parcel of historic landscape. Nationally important historic assets will normally be designated."

2.7 Setting is not a heritage designation. However, "the setting of an historic asset includes the surroundings in which it is understood, experienced, and appreciated embracing present and past relationships to the surrounding landscape. Its extent is not fixed and may change as the asset, and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral. Setting is not a historic asset but has value derived from how different elements may contribute to the significance of a historic asset." TAN 24 (paragraph 1.25)

2.8 The definition of significance in relation to heritage policy is defined in Conservation Principles for the sustainable management of the historic environment in Wales (Cadw, 2011). "To identify the heritage values of an asset, its history, fabric, and character must first be understood. The relative significance of the different values then needs to be considered. It will be necessary to compare the values of the asset under consideration with others in the locality, region or even nationally, depending on its importance."

2.9 Other relevant Cadw guidance is contained in the 'Setting of Historic Assets in Wales, Cadw (May 2017), 'Heritage Impact Assessment in Wales, Cadw (May 2017). Best practice guidance is contained in the Cadw document 'Managing Change to Registered Historic Parks and Gardens in Wales (2017).

2.10 There is a balanced view required on use, viability, and conservation. If harm is identified, the degree must be given sufficient weight and balanced against the public benefits generated by the proposals. In the Bramshill case in the Court of Appeal, Lord Justice Lindblom stated “what amounts to "substantial harm" or "less than substantial harm" in a particular case will always depend on the circumstances. Whether there will be such "harm", and, if so, whether it will be "substantial", are matters of fact and planning judgment.”

2.11 In terms of assessing setting, case law has determined that preserve means to not cause harm to the setting, rather than to not change the setting. If there is harm, whatever magnitude, then the harm, must be evaluated in terms of assessing and mitigating positive and negative impacts in a holistic and balanced manner. This is to establish an overall conclusion on the level of harm, the weight that could be attributed to each element, seasonal effects and non-visual impacts and mitigating measures including public benefit.




Fig 1. Site Plan Revision 3 (Flint Architecture)




Fig 2. Horsley Hall Historic Park and Garden Boundary (Source: Cadw). The lodge entrance is arrowed in red.

## 3.0 Assessment and Impact

### 3.1 The setting of, and design of, the heritage assets

3.1.1 Although setting is not a heritage asset, it still requires assessment. To understand how adjacent designated heritage assets are experienced it is important to define the contribution that the existing site makes to their significance. The assessment is based on aspects of setting, following the staged approach recommended by Cadw in their technical guidance on the Setting of Heritage Assets in Wales. Step 1 of Cadw's approach is to identify which heritage assets and their settings are affected. Step 2 is to define and analyse the settings to understand how they contribute to the significance of the historic assets and the ways in which the assets are understood, appreciated, and experienced.

3.1.2 The effect of a proposed development on the setting of a heritage asset, makes it necessary for the local planning authority to understand what that setting is – even if its extent is difficult or impossible to delineate exactly – and whether the site of the proposed development will be within it or in some way related to it.

3.1.3 Horsley Lodge is set back from the road. It lies on the original northern access drive to Horsley Hall. The north drive was the principal access route to the hall, as referenced in the Historic Park and Garden register. The driveway was lined to the west by a plantation, which is evident today. The lodge and associated entrance drive was built in the era of the last lodges to be built for the country house. The Hall has gone, but the character of the lodge is clearly read as a lodge and is Arts and Crafts in character, with half-timbered gables, Ruabon red brick walls, rosemary tiled roof punctuated by long decorative terracotta chimneys and its front entrance facing the gate. It may well have been influenced by a prolific period of lodge building undertaken by the First Duke of Westminster nearby at his Eaton Estate by John Douglas, the eminent Cheshire architect in the latter part of the 19th century.




Fig 3. Horsley Lodge and north west entrance drive to Horsley Hall, which is within the designated Historic Park and Garden.

3.1.4 Map sources suggest that the plantation was created as part of the garden layout created by George Herbert Kitchin RIBA (1865 – 1951) between 1907 – 12, when the house was remodelled. Kitchen was an architect and antiquarian, and designed several historic parks and gardens of note, such as Walpole House in Chiswick and Compton End in Hampshire. The historic mixed woodland plantation was a device, in this context, used to hide views from the shelved higher ground between Hoseley Lane and gardens, and to create a picturesque approach from the gate lodge to the Hall. It was also more than likely designed to funnel views from the lodge entrance gates in to the parkland towards the Hall, which faced south west.

3.1.5 The elements of setting that contribute to the appreciation of the boundary of the Historic Park and Garden includes the lodge and the entrance gateway. This is designed with ashlar stone pillars to the roadside and curved rusticated stone wall to the gate entrance, which have smaller rendered stone topped pillars at the boundary of the entrance drive. The lodge is built parallel to the historic entrance drive, and the gate and driveway is designed to include deliberate, intended views down the north west driveway. and localised kinetic views of the entrance from Cox Lane. The outer and inner gate pillars to each side of the curved walls are deliberately designed to draw both the eye and the carriage / motor car into the entrance drive. The lodge itself sits to the east and is set behind the wall, designed in materials that were popular in Chester and North Wales at the time. These contrast with the stone walls and pillars, and the lodge is somewhat subservient behind the walls.

3.1.6 Ironically, it is now the entrance drive and lodge that are perhaps the most tangible and evidential features of the historic park and garden, as a consequence of the demolition of the Hall and many of the historic garden structures. There is an entrance from Hoseley Lane, also of stone, but the punctuation of the north west entrance with the lodge defines its status as the primary entrance for visitors at the turn of the 20th century.



Fig 3. Left: Horsley Hall garden pillars dated early 20th century (Copyright: RCAHMW) and right: the gate pillar denoting the north west lodge entrance drive to the now demolished Horsely Hall



Fig 4. The entrance gates

### 3.2 Impact of The Development Proposal on The Heritage Assets

3.2.1 The previously approved application P/2024/1018 - Alterations And Extensions To Existing House Including Loft Conversion And Addition Of Basement With Garage At Horsley Lodge, Hoseley Lane, Marford, Wrexham, LL12 8YD included a new access from Hoseley Lane. As part of the approval, Condition 10 states that the existing vehicular access to the lodge shall be permanently closed up.

3.2.2 Paragraph 1.25 of TAN 24 sets out that the setting of an historic asset includes the surroundings in which it is understood, experienced, and appreciated embracing present and past relationships to the surrounding landscape. Its extent is not fixed and may change as the asset, and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral. Setting is not a historic asset in its own right but has value derived from how different elements may contribute to the significance of a historic asset. Similarly, the published guidance on The Setting of Historic Assets in Wales May 2017 indicates that the importance of setting lies in what it contributes to the significance of a historic asset.

3.2.3 The application site is part of a wider historic context with Horsley Hall, now demolished and in particular the designated Historic Park and Garden which is listed at Grade II. The lodge and entrance gates makes an important contribution to the understanding and historical context of this heritage asset which is of evidential and communal value. The lodge and gateway makes an aesthetic contribution to the boundary of the historic park and garden.

3.2.4 The proposed variation of Condition 10 is important because to permanently block up the original entrance driveway reduces its legibility and understanding of the historic context in which it was built. It also causes a low degree of less than substantial harm to the evidential and historic understanding of designated heritage asset, the Horsley Hall Historic Park and Garden, which is vulnerable anyway because of the limited evidential value remaining within the site.

3.2.5 Because of this, Condition 10 should be varied to remove the permanent closure of the entrance. This is because: -

- The lodge is a distinct building type, always associated and designed to form part of a formal entrance to a country house, in this case Horsley Hall. The closure of the entrance reduces the appreciation and understanding of the historic context of Horsley Hall, and the reasons behind the designation of Horsley Hall Historic Park and Garden. It contributes to its significance.
- The closure of the entrance will be detrimental because the legibility of the entrance drive will be further eroded, and its significance diminished which causes the status of the Historic Park and Garde to become further compromised.
- The gateway, rather than the lodge, was designed to be seen and appreciated as the primary entrance to Horsley Hall from the public road at the turn of the 20th century. This is established as a consequence of the location of the lodge, deliberately set back from the entrance, behind the wall and gateway, rather than forming part of it.
- If the gateway were to be permanently closed, it would inevitably affect the ability to appreciate that significance, particularly as the new access would be the primary access into the site. It would inevitably and permanently change the orientation of the view into the Historic Park and Garden from the public road.
- Whilst this view of the lodge and gateway is not recorded on the Historic Park and Garden description, it does not mean that it does not exist, nor that it is unimportant.
- The proposed development would have an adverse effect on the special characteristics of Horsley Hall Historic Park and Garden. Whilst this may not be substantial in terms of harm, it would further diminish the characteristics that contribute to context and historical understanding of its layout.

3.2.6 As such it is respectfully requested that this is removed, particularly as the Highways Technical Note 02 by axis July 2025 concludes that there are no transport of highway related reasons why the variation to Condition 10 should not be approved.