



LAND OFF BURTON WOOD,  
WEOBLEY, HEREFORDSHIRE

# ARCHAEOLOGY & BUILT HERITAGE ASSESSMENT

PREPARED BY PEGASUS GROUP  
ON BEHALF OF KODIAK LAND

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**Pegasus**  
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# HERITAGE DESK-BASED ASSESSMENT

## LAND OFF BURTONWOOD, WEOBLEY, HEREFORDSHIRE

### ON BEHALF OF: KODIAK LAND

PLANNING (LISTED BUILDING AND CONSERVATION AREAS) ACT 1990

Prepared by: Donald Sutherland, Heritage Consultant

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# Summary

Pegasus Planning Group has been commissioned by Kodiak Land to prepare a Heritage Desk-Based Assessment of the study area at land off Burtonwood, Weobley, Herefordshire.

## Archaeological Potential

No prehistoric finds or features are recorded within the study area, with only a few finds being recorded in the wider area; the closest definite prehistoric find is recorded over 500m from the study area. There is no evidence to suggest focused prehistoric activity within the study area.

No Roman finds or features are recorded within the study area, with only a few finds being recorded in the vicinity. Most of these are concentrated some distance to the north and north-west. A single coin is recorded as having been found c.35m north of the study area, although such finds are relatively common in the archaeological record and may represent a chance loss rather than focused Roman period activity. There is no evidence to suggest focused Romano-British activity within the study area.

The study area is located to the south-east of the historic core of Weobley and most likely formed part of the agricultural hinterland to this settlement from at least the medieval period. The potential for remains of archaeological significance of medieval and later date within the study area is considered to be low.

## Weobley Conservation Area, historic boundaries and Setting Assessment

The study area lies within the eastern part of Weobley Conservation Area. This part of the Conservation Area is characterised in the draft Conservation Area Appraisal as 'New Estate'. The study area itself comprises agricultural land with some features remnant of medieval agricultural practices, including the western and eastern boundaries which display a reverse-S shape in plan, characteristic of a medieval origin. Internal boundaries are straighter, intermittent, though to be of later date and have been encroached upon by residential development to the south. These internal boundaries may represent paddocks rather than strip-fields. In either case, due to their partial survival, including the construction of recent residential development along their southern extent, their heritage interest is very limited. Hedgerows along these boundaries are not 'Important' under the Hedgerow Regulations 1997 criteria for archaeology and history.

Development within the study area would form an extension to existing modern built form within the Conservation Area which bounds the study area to the west and south. This would not be visible from the historic core of the Conservation Area and would not have any adverse impact on the architectural and historic interest of the historic core. It is anticipated the external

boundaries of the site would be preserved, although the interior boundaries would be removed. The extension of modern built form in this area, and loss of degraded internal boundaries and agricultural land would at the very most, result in a negligible impact to Weobley Conservation Area as a whole. This level of harm is at the very lowermost end of the less than substantial harm spectrum. Under paragraph 134 of the NPPF less than substantial harm to a designated heritage asset does not preclude development but should be weighed against the public benefits of the proposal.

The Scheduled Monument *Weobley Castle*, is located c.285m west of the study area. There is no apparent historical connection between the study area and this heritage asset. Despite the proximity of the study area to this heritage asset, intervening modern development screens inter-visibility between it and the study area. Development of the study area

will not impact upon the significance of this heritage asset. Development would not adversely impact any other designated heritage assets in the vicinity as a result of alteration to setting.

# 1. Introduction

- 1.1 Pegasus Planning Group have been commissioned by Kodiak Land to prepare a Heritage Desk-Based Assessment of the proposed residential development on land off Burtonwood, Weobley, Herefordshire as shown on the Study Area Location Plan provided in Plate 1.
- 1.2 The study area is approximately 3ha in area and is located on the southeast edge of the town of Weobley. The study area comprises an irregular field that is partially partitioned by the remains of former field boundaries.
- 1.3 This Heritage Desk-Based Assessment provides information with regards to the significance of the historic environment and archaeological resource, to fulfil the requirement given in paragraph 128 of the Government's National Planning Policy Framework (the NPPF<sup>1</sup>) which requires:
- “an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.”**
- 1.4 In order to inform an assessment of the acceptability of the scheme in relation to impacts to the historic environment and archaeological resource, following paragraphs 132 to 135 of

NPPF, any harm to the historic environment resulting from the proposed development is also described, including impacts to significance through setting.



*Plate 1: Study Area Location Plan (not to scale)*

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<sup>1</sup> NPPF, DCLG, 2012

## 2. Study Area Description and Location

- 2.1 The study area is approximately 3ha in area and is located on the southeast edge of the town of Weobley. The study area comprises an irregular field that is partially partitioned by the remains of former field boundaries. At the time of the study area visit it was under grass (Plate 2, Plate 3).
- 2.2 The study area is bounded to the north by a band of vegetation beyond which lie agricultural fields and orchards; to the east by further agricultural land; to the south by recent development with a road and further agricultural land beyond; and to the west by 20<sup>th</sup>-century residential development (Plate 4).



*Plate 2: View looking north-west across study area from south-east corner of study area.*



*Plate 3: View looking north across western part of study area*



*Plate 4: View looking south across western part of the study area.*

# 3. Methodology

3.1 The aims of this Heritage Desk-Based Assessment are to assess the significance of the heritage resource within the Study area, to assess the contribution that the Study area makes to the heritage significance of the surrounding designated heritage assets, and to identify any harm or benefit to them which may result from the implementation of the development proposals, along with the level of any harm caused if relevant. This assessment considers the archaeological resource, built heritage and the historic landscape, including potential impacts resulting from alteration to setting.

## Sources of information and search area

3.2 The following key sources have been consulted as part of this assessment:

- **The National Heritage List for England for information on designated heritage assets;**
- **The Herefordshire Historic Environment Record (HER) for information on the recorded heritage resource and previous archaeological works;**
- **The draft Weobley Conservation Area Appraisal;**
- **Archival sources, including cartographic sources, held at the Herefordshire Record Office; and**
- **Aerial photographs and documentary sources**

**held at the Historic England Archives, Swindon;**

- **Online sources including aerial photographs and satellite imagery; and**
- **A study area visit.**

3.3 For digital data sets, information was sourced for a 1km buffer around the study area. Information gathered is discussed within the text where it is of relevance to the potential heritage resource of the study area. A gazetteer of recorded information is included as Appendix 1 and maps illustrating the resource and search area are included at the end of this report.

3.4 Designated heritage assets in the wider area were assessed as deemed appropriate (see Section 6).

3.5 Historic cartographic sources and aerial photographs were reviewed for the study area, and beyond this where professional judgement deemed necessary.

## Study area Visit

3.6 A study area visit was undertaken by Pegasus Group on 30<sup>th</sup> November 2017, during which the study area and its surrounds were assessed. Selected heritage assets were visited, where public access allowed.

3.7 The visibility on this day was clear. Surrounding vegetation was not fully in leaf at the time of the study area visit and thus a

clear indication as to potential intervisibility between the Study area and the surrounding areas could be established.

#### Assessment of significance

3.8 In the NPPF, heritage significance is defined as:

**“the value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting.”**

3.9 Historic England’s Historic Environment Good Practice advice in Planning Note 2: Managing Significance in Decision Taking in the Historic Environment<sup>2</sup> (henceforth referred to as ‘GPA 2: Managing Significance’) gives advice on the assessment of significance as part of the application process. It advises understanding the nature, extent, and level of significance of a heritage asset. In order to do this, GPA 2: Managing Significance also advocates considering the four types of heritage value an asset may hold, as identified in Historic England’s Conservation Principles<sup>3</sup>; **aesthetic, communal, historic and evidential**. These essentially cover the heritage ‘interests’ given in the glossary of the NPPF, which comprise archaeological, architectural, artistic and historic interest.

3.10 *Conservation Principles* provides further information on the

heritage values it identifies:

**Evidential value: the potential of a place to yield evidence about past human activity. This value is derived from physical remains, such as archaeological remains, and genetic lines.**

**Historical value: the ways in which past people, events and aspects of life can be connected through a place to the present - it tends to be illustrative or associative. Illustrative value is the perception of a place as a link between past and present people and depends on visibility. It has the power to aid interpretation of the past through making connections with and providing insights into past communities and their activities through shared experience of a place. By contrast, associative value need not necessarily be legible at an asset. But gives a particular resonance through association with a notable family, person, event or movement.**

**Aesthetic value: the ways in which people draw sensory and intellectual stimulation from a place. Aesthetic values can be the result of conscious design or fortuitous outcome or a combination of the two aspects. The latter can result from the enhancement of the appearance of a place through the passage of time.**

**Communal value: the meanings of a place for the people who relate to it, or for whom it figures in their collective experience or memory. This can be through widely acknowledged commemorative or symbolic value that reflects the meaning of the place, or through more informal social value as a source**

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<sup>2</sup> Historic England, 2015, *Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision Taking in the Historic Environment*

<sup>3</sup> English Heritage 2008 *Conservation Principles, Policies and Guidance for the Sustainable Management of the Historic Environment*

**of identity, distinctiveness, social interaction and coherence. Spiritual value may also be part of communal value.**

3.11 Significance results from a combination of any, some or all of the values described above.

3.12 Listed Buildings and Conservation Areas are generally designated for their special architectural and historic interest. Scheduling is predominantly, although not exclusively, associated with archaeological interest.

#### Setting and significance

3.13 As defined in the NPPF:

**“Significance derives not only from a heritage asset’s physical presence, but also from its setting.”<sup>4</sup>**

3.14 Setting is defined as:

**“The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may contribute to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.”<sup>5</sup>**

3.15 Therefore, setting can contribute to, affect an appreciation of

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<sup>4</sup> NPPF Annex 2

<sup>5</sup> Ibid

<sup>6</sup> EWHC 1456, *Steer v. Secretary of State for Communities and Local Government, Catesby Estates Limited, Amber Valley Borough Council*, 2017.

significance or be neutral with regards to heritage values.

3.16 It is also important to note that whilst a physical or visual connection between a heritage asset and its setting will often exist, it is not essential or determinative. This was recently considered in a High Court Judgement<sup>6</sup> where it was concluded that:

**“The term setting is not defined in purely visual terms in the NPPF which refers to the “surroundings in which a heritage asset is experienced”. The word “experienced” has a broad meaning, which is capable of extending beyond the purely visual”.**

#### Assessing change through alteration to setting

3.17 How setting might contribute to these values has been assessed within this report with reference to *Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets*<sup>7</sup> (henceforth referred to as *GPA 3: The Setting of Heritage Assets*), particularly the checklist given on page 9. This advocates the clear articulation of ‘*what matters and why*’.

3.18 In *GPA 3: The Setting of Heritage Assets*, a stepped approach is recommended, of which Step 1 is to identify the heritage assets affected and their settings. Step 2 is to assess ‘*whether, how*

<sup>7</sup> Historic England, 2015, *Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets*

*and to what degree settings make a contribution to the significance of the heritage asset(s)'. The guidance includes a (non-exhaustive) check-list of elements of the physical surroundings of an asset that might be considered when undertaking the assessment including, among other things: topography, other heritage assets, land use, green space, functional relationships, degree of change over time and integrity. It also lists points associated with the experience of the asset which might be considered, including: views, intentional intervisibility, tranquillity, sense of enclosure, accessibility, rarity and associative relationships.*

3.19 Step 3 is to assess the effect of the proposed development on the significance of the asset(s). Step 4 is '*maximising enhancement and minimising harm*'. Step 5 is '*making and documenting the decision and monitoring outcomes*'.

3.20 Descriptions of significance will naturally anticipate the ways in which impacts will be considered. Hence descriptions of the significance of Conservation Areas will make reference to their special interest and character and appearance, and the significance of Listed buildings will be discussed with reference to the building, its setting and any features of special architectural or historic interest which it possesses.

#### Levels of significance

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<sup>8</sup> DCLG, Planning Practice Guidance, Paragraph: 039 (ID: 18a-039-20140306, Revision date: 06 03 2014)

3.21 In accordance with the levels of significance articulated in the NPPF, three levels of significance are identified:

- **Designated heritage assets of the highest significance, as identified in paragraph 132 of the NPPF comprising Grade I and II\* Listed buildings; Grade I and II\* Registered Parks and Gardens; Scheduled Monuments; Protected Wreck Sites and Registered Battlefields (and also including some Conservation Areas) and heritage assets of archaeological interest demonstrably of equivalent significance to Scheduled Monuments, as identified in paragraph 139 of the NPPF;**
- **Designated heritage assets of less than the highest significance, as identified in paragraph 132 of the NPPF, comprising Grade II Listed buildings and Grade II Registered Parks and Gardens (and also some Conservation Areas); and**
- **Non-designated heritage assets. Non-designated heritage assets are defined within the Government's Planning Practice Guidance as "*buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions but which are not formally designated heritage assets*"<sup>8</sup>.**

3.22 Additionally, it is of course possible that sites, buildings or areas have **no heritage significance**.

### Assessment of harm

- 3.23 Assessment of any harm will be articulated in terms of the policy and law that the proposed development will be assessed against, such as whether a proposed development preserves or enhances the character or appearance of a Conservation Area, and articulating the scale of any harm in order to inform a balanced judgement/weighting exercise as required by the NPPF.
- 3.24 In order to relate to key policy, the following levels of harm may potentially be identified:
- **Substantial harm or total loss. It has been clarified in a High Court Judgement of 2013<sup>9</sup> that this would be harm that would 'have such a serious impact on the significance of the asset that its significance was either vitiated altogether or very much reduced'; and**
  - **Less than substantial harm. Harm of a lesser level than that defined above.**
- 3.25 It is also possible that development proposals will cause **no harm or preserve** the significance of heritage assets. A High Court Judgement of 2014 is relevant to this<sup>10</sup>. This concluded that with regard to preserving the setting of a Listed building or preserving the character and appearance of a Conservation Area, 'preserving' means doing 'no harm'.
- 3.26 Preservation does not mean no change; it specifically means no

harm. *GPA 2: Managing Significance* states that "*Change to heritage assets is inevitable but it is only harmful when significance is damaged*". Thus, change is accepted in Historic England's guidance as part of the evolution of the landscape and environment. It is whether such change is neutral, harmful or beneficial to the significance of an asset that matters.

- 3.27 As part of this, setting may be a key consideration. For an evaluation of any harm to significance through changes to setting, this assessment follows the methodology given in *GPA 3: The Setting of Heritage Assets*, described above. Again, fundamental to the methodology set out in this document is stating '*what matters and why*'. Of particular relevance is the checklist given on page 11 of *GPA 3: The Setting of Heritage Assets*.
- 3.28 It should be noted that this key document states that:
- "setting is not a heritage asset, nor a heritage designation"**
- 3.29 Hence any impacts are described in terms of how they affect the significance of a heritage asset, and heritage values that contribute to this significance, through changes to setting.
- 3.30 With regards to changes in setting, *GPA 3: The Setting of Heritage Assets* states that "*protection of the setting of heritage assets need not prevent change*".

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<sup>9</sup> EWHC 2847, R DCLG and Nuon UK Ltd v. Bedford Borough Council

<sup>10</sup> EWHC 1895, R (Forge Field Society, Barraud and Rees) v. Sevenoaks DC, West Kent Housing Association and Viscount De L'Isle

**3.31** Additionally, it is also important to note that, as clarified in the Court of Appeal<sup>11</sup>, whilst the statutory duty requires that special regard should be paid to the desirability of not harming the setting of a Listed Building, that cannot mean that any harm, however minor, would necessarily require planning permission to be refused.

#### Benefits

**3.32** Proposed development may also result in benefits to heritage assets, and these are articulated in terms of how they enhance the heritage values and hence significance of the assets concerned.

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<sup>11</sup> Palmer v Herefordshire Council & Anor [2016] EWCA Civ 1061 (04 November 2016)

## 4. Planning Policy Framework

- 4.1 This section of the Statement sets out the legislation and planning policy considerations and guidance contained within both national and local planning guidance which specifically relate to the historic environment within the study area.

### Legislation

- 4.2 Legislation relating to the Built Historic Environment is primarily set out within the Planning (Listed Buildings and Conservation Areas) Act 1990 which provides statutory protection for Listed Buildings and Conservation Areas.
- 4.3 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that:

**“In considering whether to grant planning permission [or permission in principle] 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”.**

- 4.4 In the 2014 Court of Appeal judgement in relation to the Barnwell Manor case<sup>12</sup>, Sullivan LJ held that:

**“Parliament in enacting section 66(1) did intend that the desirability of preserving the settings of listed buildings should not simply be given careful consideration by the decision-maker for the purpose of deciding whether there would be some harm, but should be given “considerable importance and weight” when the decision-maker carries out the balancing exercise.”**

- 4.5 Recent judgement in the Court of Appeal<sup>13</sup> (‘Mordue’) has clarified that, with regards to the setting of Listed Buildings, where the principles of the NPPF are applied (in particular paragraph 134, see below), this is in keeping with the requirements of the 1990 Act.
- 4.6 With regards to development within Conservation Areas, Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:

**“In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”**

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<sup>12</sup> East Northamptonshire District Council v SSCLG (2015) EWCA Civ 137

<sup>13</sup> Jones v Mordue Anor (2015) EWCA Civ 1243

## National Policy Guideline

The National Planning Policy Framework (March 2012)

4.7 National policy and guidance is set out in the Government's National Planning Policy Framework (NPPF) published in March 2012.

4.8 Heritage Assets are defined in Annex 2 of the NPPF as:

**"A building, monument, site, place, area or landscape meriting consideration in planning decisions, because of its heritage interest. Heritage assets include designated heritage assets and assets identified by the Local Planning Authority (including Local Listing)"**

4.9 The NPPF goes on to define a Designated Heritage Asset as:

**"World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under relevant legislation<sup>14</sup>" (our emphasis)**

4.10 As set out above, significance is also defined as:

**"The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting<sup>15</sup>"**

4.11 With regard to the impact of proposals on the significance of a

heritage asset, paragraph 132 is relevant and reads as follows:

**"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. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alterations or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites should be wholly exceptional"**

4.12 In the context of the above, it should be noted that paragraph 133 reads as follows:

**"Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss or all of the following apply:**

- the nature of the heritage asset prevents all reasonable uses of the site; and

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<sup>14</sup> NPPF, Annex 2

<sup>15</sup> IBID

- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use"

4.13 Paragraph 134 goes on to state:

**"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 securing its optimum viable use"**

4.14 The NPPF also provides specific guidance in relation to development within Conservation Areas, stating at paragraph 137 that:

**"Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably"**

4.15 Paragraph 138 goes on to recognise that *"not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance"* and with regard to the potential

harm from a proposed development states:

**"Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated as substantial harm under paragraph 133 or less than substantial harm under paragraph 134, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole" (our emphasis)**

4.16 With regards to non-designated heritage assets, paragraph 135 of NPPF states that:

**"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 affect directly or indirectly 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."**

4.17 As set out later in this Statement, it can be demonstrated that the proposals would not significantly impact the Weobley Conservation Area and would not negatively impact the settings or nearby Scheduled Monuments or Listed buildings. Thus, the planning application should be granted as per the requirements of paragraphs 186 and 187 which state that:

**"Local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development...Local**

authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.”

#### National Planning Guidance

- 4.18 The national Planning Practice Guidance (PPG) which comprises a full and consolidated review of planning practice guidance documents to be read alongside the NPPF.
- 4.19 The PPG has a discrete section on the subject of ‘Conserving and enhancing the historic environment’ which confirms that the consideration of ‘significance’ in decision taking is important and states:

“Heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals<sup>16</sup>”

- 4.20 In terms of assessment of substantial harm, the PPG confirms that whether a proposal causes substantial harm will be a judgement for the individual decision taker having regard to the individual circumstances and the policy set out within the NPPF.

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<sup>16</sup> PPG, paragraph 009 (ID: 18a-009/20140306 revision date 06.03.2014)

It goes on to state:

“In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset’s significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting<sup>17</sup>.

While the impact of total destruction is obvious, partial destruction is likely to have a considerable impact but, depending on the circumstances, it may still be less than substantial harm or conceivably not harmful at all, for example, when removing later inappropriate additions to historic buildings which harm their significance. Similarly, works that are moderate or minor in scale are likely to cause less than substantial harm or no harm at all. However, even minor works have the potential to cause substantial harm” (our emphasis)

#### **Local Planning Policy**

- 4.21 Planning applications within Weobley are currently considered against the policy and guidance set out within the Herefordshire Local Plan Core Strategy 2011 – 2031 (adopted October 2015).

#### **Policy LD4 – Historic environment and heritage assets**

<sup>17</sup> PPG, paragraph 017 (ID: 18a-017-20140306 revision date 06.03.2014)

Development proposals affecting heritage assets and the wider historic environment should:

1. **Protect, conserve, and where possible enhance heritage assets and their settings in a manner appropriate to their significance through appropriate management, uses and sympathetic design, in particular emphasising the original form and function where possible;**
2. **where opportunities exist, contribute to the character and local distinctiveness of the townscape or wider environment, especially within conservation areas;**
3. **use the retention, repair and sustainable use of heritage assets to provide a focus for wider regeneration schemes;**
4. **record and advance the understanding of the significance of any heritage assets to be lost (wholly or in part) and to make this evidence or archive generated publicly accessible and**
5. **where appropriate, improve the understanding of and public access to the heritage asset.**

The scope of the works required to protect, conserve and enhance heritage assets and their settings should be proportionate to their significance. Development schemes should emphasise the original form and function of any asset and, where appropriate, improve the understanding of and public access to them.

#### **Local Plan Policies with regards to the NPPF and the 1990 Act**

4.22 With regards to the Herefordshire Local Plan Core Strategy 2011 – 2031, although the plan and policy LD4 were adopted after the inception of the NPPF, it also does not allow for the balancing exercise to be undertaken. As such, the policies are not considered to reflect the guidance within the NPPF and thus the weight that can be attached to it in the decision-making process is limited.

4.23 This interpretation of the requirements of the NPPF has been accepted by a number of Appeal Inspectors, including the Appeal Inspector in the consideration of the Appeal by Gladman Developments Ltd at Land of Milton Way, Leek<sup>18</sup> with regards to Local Plan policies adopted after the publication of the NPPF which do not allow for a weighing of public benefits against harm and thus conflict with the requirement of paragraphs 132-135 of the NPPF.

#### **Emerging Policy**

4.24 Weobley Parish Council are currently preparing a draft Neighbourhood Plan which they hope to be implemented in 2018. No draft policies had been published at the time this report was written.

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<sup>18</sup> PINS ref: APP/B3438/W/15/3005261

# 5. The Historic Environment

5.1 This section provides a review of the recorded heritage resource within the study area and its vicinity in order to identify any extant heritage assets within the study area and to assess the potential for below-ground archaeological remains. Designated heritage assets and HER records are illustrated on Figures 1-4. Designated heritage assets are referenced using their seven-digit NHLE number, HER 'event' numbers have the prefix EHE and HER 'monument' numbers have the prefix MHE. A gazetteer of heritage data is included as Appendix 1.

## Designated Heritage Assets

5.2 The study area lies within the eastern extent of Weobley Conservation Area (Fig. 3 and 4). This Conservation Area includes one Grade I Listed Building, the Parish Church of St Peter and St Paul, eleven Grade II\* Listed Buildings and sixty-seven Grade II Listed Buildings. These are mainly concentrated within the historic core of Weobley, to the north-west of the study area and separated from the study area by 20<sup>th</sup>-century built form.

5.3 Three Scheduled Monuments are recorded within the vicinity of the study area, also located within Weobley Conservation Area:

The Churchyard Cross at St. Peter and St. Paul's Church (ref. 1015299), a kiln site (ref. 1005313) and Weobley Castle (ref. 1005384). The closest of these is Weobley Castle which lies c.285m west of the study area beyond intervening modern development.

5.4 Weobley Conservation Area and designated heritage assets in the vicinity of the Study area are considered in further detail in the *Weobley Conservation Area and Setting Assessment* section below.

## Previous Archaeological Works

5.5 No previous archaeological works are recorded in the study area. Previous archaeological works in the wider search area are depicted on Figure 1 and include:

- **The Central Marches Historic Towns Survey (ref. EHE1001) was a desk-based archaeological study of the smaller towns of the counties of Shropshire, Herefordshire and Worcestershire undertaken between 1995 and 1997.<sup>19</sup>**
- **Archaeological monitoring in 2011 on land to the rear of Castle View, Hereford Road, Weobley**

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<sup>19</sup> Dalwood, H. 1996. *Central Marches Historic Towns Survey: Archaeological assessment of Weobley, Hereford and Worcester*. HWCC Archaeological Service.

c.215m west-north-west of the study area (ref. EHE1964). No archaeology was recorded.<sup>20</sup>

- Archaeological evaluation at The Thone, Weobley in 2004 (ref. EHE39333), c.275m north-west of the study area. Remains of a stone feature of a single course of stones, oriented east-west were revealed and interpreted as a sill wall. A small pit was also recorded; both were probably medieval.<sup>21</sup>
- Archaeological evaluation in 2007 at Wildgoose Chase, Broad Street, Weobley, c.460m north-west of the study area (ref. EHE45148). Evidence of probable post-medieval rubbish pits and an accumulation of post-medieval garden soils were recorded.<sup>22</sup>
- Archaeological monitoring in 2008 at Plot 2 'Woodcote', Back Lane, Weobley, c.520m north-west of the study area (ref. EHE46676). No finds or features of archaeological significance were

identified.<sup>23</sup>

- Archaeological monitoring in 2014 on land adjacent to Wild Goose Chase, Broad Street, Weobley, c.460m north-west of the study area (ref. EHE80030). Only post-medieval and modern disturbance was recorded; no finds or features of archaeological significance.<sup>24</sup>
- Archaeological excavation in 2013 on land adjacent to the Red Lion Inn, Bell Square, Weobley, c.275n north-west of the study area (ref. EHE80031). An undated well (ref. MHE26857) was identified in the east of the area, c.550m north-west of the study area which appeared to have been in use until relatively recently (with a pump mechanism still in place) but may have been of some antiquity as no brick was evident in its construction. Across the rest of the study area, only evidence of considerable disturbance during the later post-medieval and modern periods was identified.<sup>25</sup>

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<sup>20</sup> Children, G. 2011. *Archaeological Observation. Land to the rear of Castle View, Hereford Road, Weobley, Herefordshire*. Border Archaeology

<sup>21</sup> Children, George (ed). 2004. *Archaeological Evaluation: The Throne, Weobley, Herefordshire*. Border Archaeology

<sup>22</sup> Archer, J. *Archaeological Evaluation. Wildgoose Chase, Broad Street, Weobley, Herefordshire*. Border Archaeology

<sup>23</sup> Archer, J. and Priestley, S. 2008. *Archaeological Observation: Plot 2 'Woodcote', Back Lane, Weobley, Herefordshire*. Border Archaeology

<sup>24</sup> Crooks, K. 2014. *Archaeological Programme of Work. Wildgoose Chase, Broad Street, Weobley, Herefordshire*. Border Archaeology

<sup>25</sup> Crooks, K. 2014. *Archaeological Excavation, Land Adjacent to the Red Lion Inn, Bell Square, Weobley, Herefordshire*. Border Archaeology

- Archaeological monitoring in 2005 during consolidation of churchyard wall, Church of St. Peter and St. Paul, Weobley, c.680m north-west of the study area (ref. EHE80092). No archaeology was recorded.<sup>26</sup>
- Archaeological monitoring in 2005 on the Weobly-Dilwyn Phase 2 Mains Refurbishment Scheme, c.595m north-west of the study area (ref. EHE80094). The foundations of a probable early post-medieval boundary wall were identified c.520m north-west of the study area (ref. MHE26862) along with the possible remains of a series of four small, 'vote houses' of early post-medieval date (ref. MHE26864), c.585m north-west of the study area. The remains of a stone wall or culvert (ref. MHE26865) were identified c.520 north-west of the study area. These latter features potentially relate to former out-buildings of the Red Lion Hotel and may date to the late medieval or early post-medieval periods.<sup>27</sup>
- Building survey in 2012 of the Throne, Hereford Street, Weobley, c.305m north-west of the study

area (ref. EHE80140).<sup>28</sup>

- Archaeological monitoring in 2015 at Castle Gate (formerly Corner House), Broad Street, Weobley, c.390m west-north-west of the study area (ref. EHE80205). No evidence of an anticipated timber-framed building were recorded.<sup>29</sup>
- Monitoring of a development study area in 1998 opposite the castle in Weobley, adjacent to Weobley Methodist Church, c.265m west of the study area (ref. EHE26822). No archaeology was recorded.
- Metal detecting in 1998 and 1999 in fields around Weobley, c.945m west of the study area (ref. EHE30086). Eleven Roman items including coins and brooches were recovered along with one Saxon enameled book clasp.
- Archaeological evaluation in 2000 at Dairy Farm, Weobley, Herefordshire, c.700m north-west of the study area (ref. EHE30643). No archaeology was

<sup>26</sup> Shoesmith, Ron. 2005. Archaeology, 2005, *Transactions of the Woolhope Naturalists' Field Club*. 53, 2005. 81-99. 87

<sup>27</sup> Logan, C. & Children, G. 2007. *Archaeological Observation - Weobley-Dilwyn Phase 2 Mains Refurbishment Scheme - Weobley Village - Laing O'Rourke / Dŵr Cymru Welsh Water*. Border Archaeology.

<sup>28</sup> James, D. 2012. *The Throne, Hereford Street, Weobley, Herefordshire, HR4 8SW*. Insight Historic Buildings Research

<sup>29</sup> Mayes, S. 2015. *Castle Gate (former Corner House), Broad Street, Weobley*. Headland Archaeology Ltd.

recorded.<sup>30</sup>

- Archaeological evaluation in 2000 at Parkfields, Weobley, Herefordshire, c.650m north-west of the study area (ref. EHE30644). No material older than the 19<sup>th</sup> century was found, although a single undated gully ran north-south across the trench.<sup>31</sup>
- Archaeological evaluation in 2000 at Burton Gardens, Weobley, c.195m west of the study area (ref. EHE31743). No archaeological features or deposits were encountered.<sup>32</sup>
- Archaeological evaluation in 2000 at the former Weobley Primary School, c.295m south-west of the study area (ref. EHE31762). Undated ridge and furrow was identified although no other archaeological finds or features were recorded.
- Archaeological observation and building recording in 2003 at Pugh's Barn, Weobley, c.680m north-west of the study area (ref. EHE32270). No archaeology was recorded.<sup>33</sup>

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<sup>30</sup> Sherlock, H. and Pikes, P. 2001. *Dairy Farm, Weobley, Herefordshire: Archaeological Evaluation*. Archenfield Archaeology.

<sup>31</sup> Sherlock, H. and Pikes, P J. 2001. *Parkfields, Weobley, Herefordshire. A report on an archaeological evaluation*. Archenfield Archaeology

<sup>32</sup> Rouse, D. 2000. *Burton Gardens, Weobley: An Archaeological Evaluation*. Archaeological Investigations Ltd

- Archaeological evaluation in 2002 at The Games Yard, Weobley, c.425m west of the study area (ref. EHE32808). A ditch containing red tile and medieval pottery was identified along with late 19<sup>th</sup>-century features.<sup>34</sup>
- Archaeological evaluation in 2003 on land off Hereford Road, Weobley, c.370m west of the study area (ref. EHE36495). No archaeological features were found despite the site's location and c.5.6% of the site being excavated. Pottery found in the topsoil was largely 19<sup>th</sup>-20<sup>th</sup>-century with two sherds of abraded medieval pottery.<sup>35</sup>
- Topographic survey in 2003 of the Churchyard of St. Peter and St. Paul, Weobley, c.570m north-west of the study area (ref. EHE37023). The survey was designed to produce an accurate plan of the churchyard and to investigate topographic features and their relationship to the archaeology

<sup>33</sup> Pikes, P.J., Sherlock, H. and Williams, R. 2003. *Pugh's Barn, Weobley, Herefordshire. Archaeological monitoring and building recording; an interim report*. Archenfield Archaeology

<sup>34</sup> Boucher, M. 2002. *The Games Yard, Weobley, Herefordshire. Archaeological evaluation*. Archaeological Investigations Ltd

<sup>35</sup> Towle, A. 2003. *An archaeological evaluation of land off Hereford Road, Weobley, Herefordshire*. Gifford.

and geology of the churchyard and environs.<sup>36</sup>

- Archaeological observation in 2005 at the Games Yard, Mill Bank, Weobley, c.430m west of the study area (ref. EHE37124). A watching brief on 1ha of land along the north-west fringe of Weobley Castle found no evidence of medieval activity or any sign of occupation.<sup>37</sup>
- Archaeological evaluation in 2004 at the Old Corner House, Weobley, c.460m north-west of the study area (ref. EHE38275). Archaeological deposits were recorded from the Medieval to Victorian periods stretching from the Broad Street frontage through to the rear boundary of the property. The deposits included a possible burgage plot boundary, burnt deposits and demolition rubble, with associated pottery.<sup>38</sup>
- Archaeological evaluation in 2006 at Sunnymede, Back Lane, Weobley, c.530m west-north-west of the study area (ref. EHE44394). Two undated pits were identified along with post-

medieval and modern features.<sup>39</sup>

- Archaeological excavation in 2006 at the Old Corner House, Weobley, c.475m north-west of the study area (ref. EHE44444). The excavation revealed a series of stratified deposits and structural remains dating from the medieval and post-medieval periods, relating to one or more medieval burgage houses occupying the street frontage on the west side of Broad Street.<sup>40</sup>
- Excavation in 2004 within the inner bailey of Weobley Castle, c.355m west of the study area (ref. EHE48679). Four trenches were hand-excavated, two within the inner bailey and two to the west of the inner bailey and east of Mill Brook. No significant archaeological deposits were encountered in the latter two trenches, but those within the Inner Bailey revealed significant medieval archaeological deposits that were largely undisturbed. A rectangular earthwork platform (ref. MHE3157), formerly identified as a

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<sup>36</sup> Lello & D N Williams. 2003. *The churchyard of the parish church of SS Peter and Paul, Weobley: A topographic survey*. Herefordshire Archaeology

<sup>37</sup> Tavener, N. 2005. *The Old Mill, Games Yard, Weobley, Herefordshire. Report on a watching brief*. Marches Archaeology

<sup>38</sup> Lewis, D., Sherlock, H. and Pikes, P.J. 2004. *Old Corner House, Weobley, Herefordshire: archaeological evaluation*. Archenfield Archaeology

<sup>39</sup> Archer, J. 2006. *Archaeological Evaluation: Sunnymede, Back Lane, Weobley, Herefordshire*. Border Archaeology.

<sup>40</sup> Priestley, S. 2007. *Archaeological Excavation: Old Corner House, Weobley, Herefordshire*. Border Archaeology

possible mill site was seen to the west of the Inner Bailey, c.430m west of the study area. Two trenches were excavated at the north-eastern side of this platform and no significant archaeological finds or features were recorded. As a result, the excavator suggested that the earthwork may relate to WWII activity.<sup>41</sup>

#### Topography, geology and the palaeoenvironment

- 5.6 The study area is relatively level, sloping very gradually down to the north. No obvious earthworks were visible other than the remains of ditches relating to former field boundaries. A slight rise of higher ground was visible in the west of the study area in an area which previously fell within other fields; this variation in height may have formed as a result of historic ploughing. A spot height in the south-east of the study area records at approximately 111m aOD and in the north-east at approximately 108m aOD.
- 5.7 The bedrock across the study area is recorded as Raglan Mudstone Formation (siltstone and mudstone, interbedded). This sedimentary bedrock formed in the Silurian period, c.419-424 million years ago in a local environment previously

dominated by rivers.<sup>42</sup>

- 5.8 The superficial geology recorded across the study area consists of Till, of Devensian date (diamicton). These deposits formed in the Quaternary Period (up to 2 million years ago) in a local environment previously dominated by ice age conditions.<sup>43</sup>

#### Prehistoric (pre-43 AD)

- 5.9 A Neolithic stone axe (c.4000 BC to 2401 BC) is presumed to have been found within the Weobley area (ref. MHE2379); the exact location of where this find was recovered from is unknown but it is given a general location c.810m south-west of the study area.
- 5.10 A possible socketed axehead (ref. MHE25316) was recovered during metal detecting c.535m north-west of the study area. The find potentially dates from the late Bronze Age to Early Iron Age (c.1,000 BC to 700 BC).
- 5.11 Copper alloy casting waste (ref. MHE25311) was recovered during metal detecting c.390m north of the study area. The dating of this material is uncertain and potentially ranges from 1500 BC to AD 450.
- 5.12 An unidentified copper alloy object (ref. MHE25315), was recovered by a metal detectorist from c.590m north-west of the

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<sup>41</sup> Nash, G. 2005. *Excavations within the Inner Bailey of Weobley Castle, Weobley, Herefordshire*

<sup>42</sup> British Geological Survey, 2017, *Geology of Britain Viewer*, <http://mapapps.bgs.ac.uk/geologyofbritain/home.html>

<sup>43</sup> British Geological Survey, 2017, *Geology of Britain Viewer*, <http://mapapps.bgs.ac.uk/geologyofbritain/home.html>

study area. The exact nature and date of this artefact could not be determined and it potentially dates from the late Bronze Age to the 17<sup>th</sup> century AD. Another unidentified, copper alloy object (ref. MHE25317) with a similar possible date-range is recorded c.645m north-west of the study area.

#### **Romano-British (AD 43 - 410)**

- 5.13 A single coin dating to AD 154-155 (ref. MHE29455) was found by a metal detectorist c.35m north of the study area. Another coin, dating to AD 197-198 (ref. MHE25275) was recovered in the same manner, c.480m north-west of the study area. Three further Roman coins are recorded as having been found in Weobley (ref. MHE2377); the exact locations of where these finds were recovered from is unknown but they are given a general location c.810m south-west of the study area.
- 5.14 A lead alloy spindle whorl (ref. MHE25309) was recovered during metal detecting c.670m north-west of the study area. The exact date of the artefact is unknown and its potential date ranges from the 1<sup>st</sup> to the 7<sup>th</sup> century AD (i.e. Roman or Early Medieval). Another socketed axehead (ref. MHE25318) with the same date-range was found c.650m north-west of the study area.

#### **Early medieval (410 AD – 1066) and Medieval (1066 – 1539)**

- 5.15 The historic settlement core of Weobley displays all the

characteristics of a planned medieval town (ref. MHE5403), centred c.420m west-north-west of the study area.<sup>44</sup> Medieval settlement remains have been identified within the historic settlement core of Weobley, at Broad Street, c.495m north-west of the study area (ref. MHE567). The former location of a medieval market cross is inferred from conjectural evidence and is placed c.370m north-west of the study area (ref. MHE5289).

- 5.16 The site was most likely part of the agricultural hinterland to settlement at Weobley from the medieval period onwards. The western and eastern site boundaries display a reverse-S shape characteristic of medieval ploughing, suggesting that their form fossilizes part of the medieval agricultural field system. Internal boundaries (see also *Post-Medieval and Modern below*) are generally straighter and may be of later origin, i.e. may represent paddocks rather than strip-fields.
- 5.17 Weobley Castle is a Scheduled Monument (ref. DHE6009) and lies c.285m west of the study area. Weobley Castle (ref. MHE565) originated as a motte and bailey castle which is thought to have been constructed shortly after AD 1215 and was described as in poor condition by AD 1535.<sup>45</sup> The castle consists of an outer bailey (ref. MHE8899) and associated earthworks (ref. MHE8900) with the main works to the south and the bailey to the north. Defences are most complete on the eastern side but appear to have been much altered. The central mound has

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<sup>44</sup> Salt, Major A.E.W. 1953. *The Borough and Honour of Weobley*

<sup>45</sup> Goodbury, V. 2003. *Weobley Castle and its environs. Documentary research for Weobley & District Local History Society*

been quarried away, possibly to extract the stone.

- 5.18** A former medieval deerpark (ref. MHE5453), is recorded c.620m south-west of the study area, in the area of the later Garnstone Park. The location of the medieval deerpark is interpreted from a variety of sources and extends southwards from Weobley Castle. The earliest reference to the park is in 1086 when it was owned by Theobald de Verdon.<sup>46</sup>
- 5.19** A trench was excavated, by the Weobley Local History Society, through the village defences (ref. MHE8896) in the north-east corner of Weobley, c.680m north-west of the study area. Medieval pottery was reportedly recovered from below the bank.
- 5.20** Earthworks potentially relating to the dam of a medieval fishpond (ref. MHE8897) are recorded south-west of Weobley Castle, c.495m west-south-west of the study area.
- 5.21** A holloway is recorded on the 1<sup>st</sup> Edition OS Map c.520m west of the study area, where the B4230 now lies (ref. MHE8898).
- 5.22** The Weobley churchyard (ref. MHE8901) is recorded in the north-east of Weobley, c.595m north-west of the study area. The churchyard contains a 12<sup>th</sup>-century Church of St Peter and St Paul (Grade I Listed Building 1301343) and a medieval churchyard cross with a 14<sup>th</sup>-century octagonal base with a modern shaft and head (Scheduled Monument 1015299). The

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<sup>46</sup> Cantor, L. 1983. *The Medieval Parks of England: A Gazetteer*. Dept of Education, Loughborough University of Technology

first recorded church on the site was a wooden building which was replaced by a stone building in the 12<sup>th</sup> century by Hugh de Lacy. The present church includes 12<sup>th</sup>-century and later elements.<sup>47</sup>

- 5.23** Bell Square is identified as the former market place of the medieval village (ref. MHE8902) and is recorded c.600m north-west of the study area.
- 5.24** The site of Market House at Weobley (ref. MHE5454) is recorded c.370m west-north-west of the study area. This former medieval market house was reportedly demolished in the mid-19<sup>th</sup> century.
- 5.25** An area of house platforms is recorded in Bell Square, Weobley (ref. MHE446), c.580m north-west of the study area. These platforms potentially relate to the historic centre of the settlement that preceded the planted borough of the mid-12<sup>th</sup> century and may pre-date the Norman conquest.<sup>48</sup>
- 5.26** A late medieval kiln site of probable 13<sup>th</sup>-century date (ref. MHE566) is recorded c.510m west-north-west of the study area. The site was identified when large quantities of glazed pottery sherds and kiln debris were recovered during pipe laying and

<sup>47</sup> Moorcroft, G E. Welcome to Weobley Parish Church, St Peter and St Paul. Church Guide

<sup>48</sup> Wilson, A.M. 1980. *Leominster DC Planning*. SMR File

was identified on a geophysical survey conducted in 1981.<sup>49</sup> The kiln site is a Scheduled Monument (ref. DHE6002).

- 5.27 A copper alloy stirrup dating to the 10<sup>th</sup>-11<sup>th</sup> century AD (ref. MHE25819), was found during metal detecting c.595m north of the study area.
- 5.28 A lead seal matrix dating to the 12<sup>th</sup>-13<sup>th</sup> century AD (ref. MHE26762), was found during metal detecting c.455m west-north-west of the study area.
- 5.29 A single coin dating to AD 1301-1310 (ref. MHE25628), was found during metal detecting c.715m north-west of the study area.
- 5.30 A single coin, dating to AD 1351-1352 (ref. MHE25292) was discovered during metal detecting c.590m north-west of the study area. Another coin, dating to AD 1485-1509 (ref. MHE25293) was discovered during metal detecting in the same area.
- 5.31 A silver coin dating to the late 12<sup>th</sup> century AD (ref. MHE25307) is recorded c.545m north-west of the study area.
- 5.32 A copper alloy buckle dating to the 12<sup>th</sup>-15<sup>th</sup> century AD (ref. MHE25312), was discovered during metal detecting c.610m north-west of the study area.
- 5.33 A copper alloy mount, dating to the 13<sup>th</sup> to 15<sup>th</sup> century AD (ref.

MHE25305), is recorded c.600m north-west of the study area. A copper alloy strap end of a similar date (ref. MHE25313) was recovered c.85m west of this.

- 5.34 A copper alloy vessel (ref. MHE25310), dating to the 14<sup>th</sup>-16<sup>th</sup> was recovered during metal detecting c.600m north-west of the study area.
- 5.35 A ceramic vessel (ref. MHE25225) dating to 14<sup>th</sup>-17<sup>th</sup> century AD was recovered during gardening and is recorded c.745m north-west of the study area.
- 5.36 A lead alloy weight (ref. MHE25308), potentially dating to the 14<sup>th</sup>-17<sup>th</sup> century AD was recovered during metal detecting and is recorded c.945m north-west of the study area.
- 5.37 A copper alloy strap fitting (ref. MHE25314), potentially dating from the 14<sup>th</sup>-17<sup>th</sup> century AD, was recovered during metal detecting c.630m north-west of the study area.
- 5.38 A copper alloy token (ref. MHE26761) potentially dating from the 14<sup>th</sup>-17<sup>th</sup> century AD was found during metal detecting c.455m west-north-west of the study area.
- 5.39 Several Listed buildings are recorded in the vicinity of the study area, some of which originally date to the medieval period and include:
  - Red Lion Hotel, Weobley, a timber-framed, tile-roofed

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<sup>49</sup> Bartlett, A. 1981. *Geophysical Survey at Weobley, Hereford*. English Heritage AML Report

house (ref. MHE5405), recorded c.520m north-west of the study area. Parts of the building date to the 14<sup>th</sup> century however the main block was altered or re-built in the 17<sup>th</sup> and 18<sup>th</sup> centuries. The Red Lion Hotel is Grade II\* Listed (ref. DHE548).

- The Throne (The Unicorn/The Crown), High street/Hereford Street, Weobley is a timber-framed building with tile and stone roofs (ref. MHE5407), recorded c.280m north-west of the study area. The building appears to have gone through multiple building phases with the earliest parts of the building dating to the 15<sup>th</sup> century. It appears to have been used as a coaching inn from the 16<sup>th</sup> century and its name was changed to 'The Crown' following a visit by Charles I in 1645. It is assumed that it was converted into a private dwelling in the 18<sup>th</sup> or 19<sup>th</sup> century when it was re-named 'The Throne'.<sup>50</sup> The building is Grade II\* Listed (ref. DHE559).
- The Grade II Listed Terrace to the north of Lloyds Bank (ref. DHE546). This lies on the corner of Broad St & Hight St, Weobley, c.390m west-north-west of the study area, and has a possibly 15<sup>th</sup>-century core with probable 16<sup>th</sup>-century additions (ref. MHE5432).

- The Grade II\* Listed Unicorn House (ref. DHE570), High St, Weobley, c.355m west-north-west of the study area. This is a timber-framed, slate roofed house probably built in the 14<sup>th</sup> century and altered in the 15<sup>th</sup> (ref. MHE5435).
- The Grade II Listed Corner House (ref. DHE578), High St, Weobley, c.370m west-north-west of the study area. This is a timber-framed tiled roofed houses of possible late 14<sup>th</sup>- or early 15<sup>th</sup>-century date with 18<sup>th</sup>-century alterations and enlargements (ref. MHE5438).
- The Forge, Mill Bank, Weobley, a possible medieval building which was probably largely re-built in the early 18<sup>th</sup> century (ref. MHE5446), recorded c.425m west of the study area. The is Grade II Listed (ref. DHE595).
- Marlbrook House, Mill Bank, Weobley, a probable 14<sup>th</sup>-century timber-framed building with later alterations (ref. MHE5447), recorded c.475m west-north-west of the study area. The building is Grade II\* Listed (ref. DHE594).
- The Grade II Listed Jules Café (ref. DHE597), Portland St, Weobley, c.405m west-north-west of the study area. This is a timber-framed, slate roofed building probably built in the 15<sup>th</sup> century (ref. MHE5434).

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<sup>50</sup> James, D. 2012. *The Throne, Hereford Street, Weobley, Herefordshire, HR4 8SW*. Insight Historic Buildings Research

- Parkfields, Weobley, a 15<sup>th</sup>-century farmhouse and attached barn with 17<sup>th</sup>- and 20<sup>th</sup>-century additions (ref. MHE13420), recorded c.660m north-west of the study area. The building is Grade II Listed (ref. DHE555).
- The Grade II Listed The CWM House, east of RC Church, Weobley, c.860 north-west of the study area. This is a partly 15<sup>th</sup>-century timber-framed house (ref. MHE5414) (ref. DHE586).
- The site of houses in Broad Street (ref. MHE5433), recorded c.390m west-north-west of the study area. The north house was probably built in the late 15<sup>th</sup> century and the southern house was altered and largely rebuilt in the 17<sup>th</sup> century.
- Dairy Farm, Weobley (ref. MHE13419), recorded c.740m north-west of the study area. The timber-framed farmhouse and attached farm date to the 15<sup>th</sup> century AD with 17<sup>th</sup>-and 20<sup>th</sup>-century additions and alterations. The dairy farmhouse and attached barn are Grade II\* Listed (ref. DHE585).
- Aroha, Meadow St, Weobley (ref. MHE5415), recorded c.710m north-west of the study area, is a much altered and possibly re-built timber-framed building with elements potentially dating to the 15<sup>th</sup> century. The building is Grade II Listed (ref. DHE587).
- The Grade II\* Listed 1, Bell Square House, south side Bell Square, Weobley (ref. MHE5419), recorded c.565m

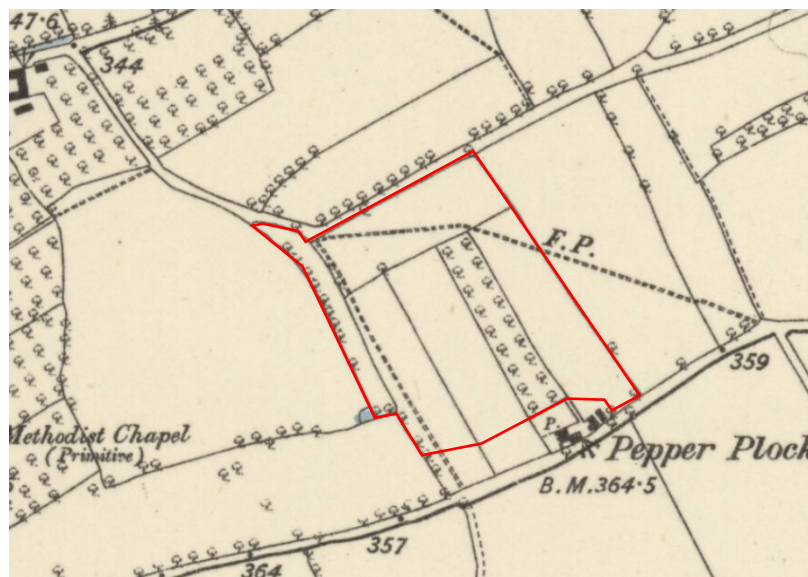
north-west of the study area. This timber-framed building was built in the late 14<sup>th</sup> or early 15<sup>th</sup> century (ref. DHE532).

- The Grade II\* Listed The Old Manor, south side Bell Square, Weobley (ref. DHE533) (ref. MHE5420), recorded c.560m north-west of the study area. This timber-framed building was built in the 14<sup>th</sup> century with a central hall and cross wings and was later divided into two storeys.
- The Old Corner House, Broad Street, Weobley (ref. MHE5421), recorded c.515m north-west of the study area. The timber-framed building was constructed in the 14<sup>th</sup> century but divided into two storeys in the 17<sup>th</sup> century. The building is Grade II\* Listed (ref. DHE549).
- The Grade II\* Listed The Gables House & Barn, Broad St, Weobley (ref. MHE5429), c.460m north-west of the study area. This timber-framed house probably dates to the 14<sup>th</sup> century and the barn to the 17<sup>th</sup> century.

#### **Post-medieval (1540 – 1800) and Modern (1801 – present)**

- 5.40** The study area is first depicted on the Tithe Map of 1838 (not reproduced, with the boundaries as shown on the First Edition map Plate 5). At this time, the study area is divided into six distinct fields. These are predominantly rectangular in shape with four fields running on a roughly north-south alignment, adjacent to one another; they are all named 'Pepper Plock'. A

footpath or trackway is clearly evident running across the north of the study area on a roughly east-west alignment. This field pattern may be remnant of the medieval agricultural system, with post-medieval boundaries established in the pattern of the medieval furlongs. The western boundary in particular displays a reverse-S shape in plan characteristic of medieval agricultural practices. Some of the internal boundaries however appear somewhat straighter and may be of later origin.



*Plate 5: 1<sup>st</sup> Edition OS Map 1886.*

- 5.41 The First Edition Ordnance Survey map of 1886 (Plate 5) shows the study area with the same internal boundaries as the Tithe Map. A second footpath is depicted running across the west of the study area on a roughly north-west-south-east alignment;

the other footpaths is still evident on this edition. Structures labelled as 'Pepper Plock', likely drawing their name from the previous field names, are now represented immediately to the south of the study area. These buildings are still present today. A narrow strip of orchard is recorded in the field to the north of these buildings.

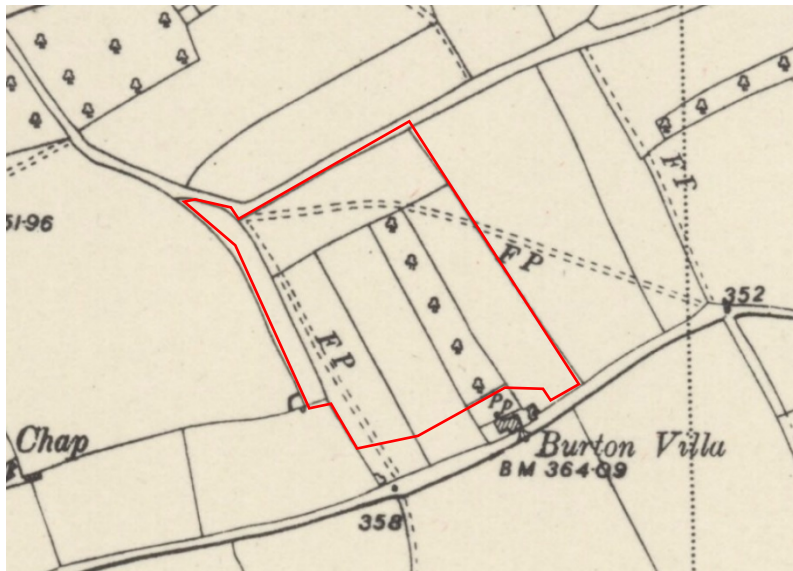
- 5.42 The Ordnance Survey map of 1905 (Plate 6) shows no obvious changes to the 1<sup>st</sup> Edition OS Map. The buildings to the south of the study area are however, now labelled 'Burton Villa'.



*Plate 6: Ordnance Survey Map 1905*

- 5.43 The Ordnance Survey map of 1945 (Plate 7) shows no apparent changes to the 1905 Ordnance Survey map within the study

area or its environs.



*Plate 7: Ordnance Survey Map 1945*

- 5.44 An aerial photograph of the study area, dating to 1951 (not reproduced) shows no obvious changes to the study area itself, however new development is evident to the west of the study area.



*Plate 8: 1971 Aerial Photograph*

- 5.45 An aerial photograph of the study area (Plate 8), dating to 1971 shows no obvious changes to the study area itself other than the beginnings of some internal boundary loss and a diminishing of the number of trees in the orchard. However, significant new development is evident to the west of the study area.
- 5.46 Changes towards the end of the 20<sup>th</sup> century include some further reduction of boundaries, which is clearly evident today. A few scattered trees are still evident in the centre of the study area which relate to a probable former orchard represented on late 19<sup>th</sup> and 20<sup>th</sup> century Ordnance Survey maps.

- 5.47** Extensive development has occurred from the 1950s onward to the immediate west and north-west of the study area. Most recently, residential development has been established immediately south of the study area, between the study area and the road.

#### Boundaries and Hedgerows

- 5.48** As discussed above, the external site boundaries display a reverse-S shape in plan, characteristic of medieval agricultural practices. Internal boundaries are generally straighter and may be of later origin, i.e. may represent paddocks rather than furlongs. In either case, the boundaries are incomplete being intermittent within the site, and have been encroached upon by recent housing at their southern extent (Plate 1). As such they are considered to have limited heritage interest. Hedgerows within the site do not meet the criteria for 'Important' hedgerows under the Hedgerow Regulations 1997 criteria for archaeology and history.

#### The wider area

- 5.49** Post-medieval and modern features recorded in the wider area include historic buildings, both designated and non-designated, focused within the historic core of Weobley, to the north-west of

the study area, but also scattered across the wider area.

- 5.50** Several post-medieval finds are recorded in the vicinity of the study area. These comprise a 16<sup>th</sup>-century coin (ref. MHE24954), recorded c.35m north of the study area; a 17<sup>th</sup>-century toy (ref. MHE25224), recorded c.710m north-west of the study area; 16th-18th century pottery (ref. MHE25226), recorded c.725m north-west of the study area; a clay pipe (ref. MHE25227), recorded c.725m north-west of the study area; and two copper alloy spurs (ref. MHE25304), recorded c.645m north-west of the study area.

#### **Undated**

- 5.51** Undated house platforms (ref. MHE5455) are recorded around the church in Weobley, c.635m from the study area.
- 5.52** The possible site of an undated windmill, 'Windmill Knapp' (ref. MHE826) is recorded north-east of 'The Ley', c.860m west-north-west of the study area.
- 5.53** An undated silver coin (ref. MHE25306) was recovered during metal detecting c.540m north-west of the study area.

## 6. Weobley Conservation Area and Setting Assessment

- 6.1 The study area is located within Weobley Conservation Area. Physical impacts to the Conservation Area are considered below along with consideration of impacts as a result of alteration to setting.
- 6.2 Step 1 of the methodology recommended by the Historic England guidance *The Setting of Heritage Assets* (see *Methodology* above) is to identify which designated heritage assets might be affected by a proposed development.
- 6.3 Development proposals may adversely impact heritage assets where they remove a feature which contributes to the significance of a designated heritage asset or where they interfere with an element of a heritage asset's setting which contributes to its significance, such as interrupting a key relationship or a designed view.
- 6.4 Consideration was made as to whether any of the designated heritage assets present within or beyond the 1km search area include the Study area as part of their setting, and therefore may potentially be affected by the proposed development.
- 6.5 In addition to consideration of impacts to Weobley Conservation Area itself the following assets were identified for detailed assessment:

- **Weobley Castle (ref. 1005384), a Scheduled Monument which lies c.285m west of the study area (within Weobley Conservation Area).**
- **Grade II Listed *Dunwood Farmhouse and Attached Granary* (ref. 1157546) which lies c.825m east-north-east of the study area.**

- 6.6 During the study area visit it was concluded that the majority of the Listed Buildings within Weobley Conservation lay within the historic core of the settlement, and are screened by modern development. Given this and the absence of any apparent key historic or functional relationship, no Listed Buildings within the historic core were identified for separate detailed assessment. Other designated heritage assets in the wider area were excluded on the basis of factors including distance, an absence of intervisibility, and an absence of historic or functional relationships.

### **Weobley Conservation Area**

- 6.7 The study area lies within the eastern extent of Weobley Conservation Area. There is no adopted Conservation Area Appraisal, although a Draft Conservation Area Appraisal and one supporting figure showing Character Areas was obtained from

the HER<sup>51</sup>.

**6.8** Weobley Conservation Area was designated in 1977. It is a large Conservation Area and encompasses the historic core of Weobley as well as large parts of the surrounding agricultural landscape. The Draft Conservation Area Appraisal identified four character areas: Historic Core, which comprises the historic core of the village and agricultural land to its west and north-east; Newbridge Brook Meadows, which comprises meadows to the north of the village; Garnstone, which comprises an area which was historically parkland to the south of the village; and New Estates, which comprises 20<sup>th</sup>-century and later development at the eastern side of the village and adjacent agricultural land, including the study area.

**6.9** The Historic Core of the settlement includes the majority of the Listed Buildings and extends northward along Hereford Road c.250m west-north-west of the development study area. It extends northwards and is concentrated around Broad Street and Portland Street (Plate 9) towards the Church of St Peter and St Paul, encompassing Bell Square to the west and extending to the north along Meadow Street and south along Back Lane. Weobley is identified as an example of a medieval planned town and the street pattern retains evidence of medieval burgrave plots. To the west of Weobley agricultural fields bound the historic core of the settlement, accessed via a hollow way.



*Plate 9: View facing north along Broad Street and Portland Street, in the Historic Core of Weobley.*

**6.10** Large areas of modern development are present within Weobley Conservation Area, concentrated to the east and south-east of the town with more sparse, industrial modern development to the north-west. The extensive development to the east and south-east of the historic core, occurred from the mid-late 20<sup>th</sup> century onwards and screens and separates the development study area from the historic core.

**6.11** The Draft Conservation Area Appraisal identifies field boundaries

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<sup>51</sup> No author 2006 *Weobley Conservation Area Appraisal Draft*

on the western and eastern sides of the village as remnant of the medieval field system. The study area was formerly divided into a number of narrow fields, although parts of these boundaries have been lost and are now intermittent. The western study area boundary in particular displays a slight reverse-S shape in plan, characteristic of a medieval origin. Some of the internal boundaries are straighter, suggesting a later origin. 21<sup>st</sup>-century development immediately south of the study area has encroached upon these narrow fields. The Draft Conservation Area Appraisal comments that the eastern edge of the New Estates (the area in which the study area lies) comprises:

*"a narrow strip of agricultural land. Evidence for the enclosure of medieval open fields is still discernible here, but the area is now divorced from its previous close association with the historic core of the conservation area as a result of the recent residential development...the character of the area is now derived from its modern development".*

- 6.12** Buildings are recorded at Pepper Plock, to the south of the study area, on the 19<sup>th</sup>-century Ordnance Survey mapping. Extant buildings here are not Listed Buildings and are not identified as buildings of 'Local Interest' in the Draft Conservation Area Appraisal. These buildings post-date the establishment of the field system within the study area.
- 6.13** The study area is not the focus point of key views identified within the Conservation Area. It is screened from within the

historic core by intervening modern built form and changes in topography.



*Plate 10: View facing west from proposed development study area towards Weobley Castle.*



*Plate 11: View facing west along Burtonwood to the south of the study area, showing recent developments fronting road.*

**6.14** Weobley Conservation Area principally derives its significance from the historic buildings within it, including Listed Buildings, which are mainly focused within its historic core. Modern development to the east of the historic core, west and south of the study area, does not contribute to the significance of the Conservation Area. The Draft Conservation Area Appraisal, prepared in 2006, notes that much of the development post-dates the designation of the Conservation Area. If the Conservation Area boundary were to be redefined on the basis of current practice it seems very likely that the area to the east

of the historic core would be excluded.

**6.15** Agricultural land within the study area displays some features characteristic of a medieval origin, including the form of the western study area boundary. The internal field pattern has been degraded by partial boundary loss and also encroached upon by development to the south of the study area. The agricultural land within the study area is not a well-preserved medieval agricultural landscape. As agricultural land separated and screened from this historic settlement core by modern development it is not considered to make any notable contribution to the significance of the Conservation Area as a whole.

**6.16** Development within the study area would form an extension to existing modern built form within the Conservation Area which bounds the study area to the west and south. This would not be visible from the historic core of the Conservation Area and would not have any adverse impact on the architectural and historic interest of the historic core. It is anticipated the boundaries of the study area would be preserved, although the interior boundaries would be removed. The extension of modern built form in this area, and loss of degraded internal boundaries and agricultural land would at the very most, result in a negligible impact to Weobley Conservation Area as a whole.

## Weobley Castle

- 6.17 The Scheduled Monument *Weobley Castle* (ref. 1005384) lies c.285m west of the study area. This is a motte and bailey castle which is thought to have been constructed shortly after AD 1215 and was described as in poor condition by AD 1535.<sup>52</sup>
- 6.18 The castle lies on a slight rise immediately to the south of the historic settlement core of Weobley and holds a relatively prominent position in relation to this and the land to the west. However, due to the local topography and the intervening modern developments, the asset is not visible from the study area, nor could any views to the study area from the castle be identified at the time of the visit.
- 6.19 Due to the lack of inter-visibility and the intervening modern development along with no known historical links between the study area and the asset (other than proximity), the study area is not considered to contribute to the significance of the asset and the proposed development will not harm its heritage significance through changes to setting.



*Plate 12: View from Weobley Castle facing north towards historic settlement core.*

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<sup>52</sup> Goodbury, V. 2003. *Weobley Castle and its environs. Documentary research for Weobley & District Local History Society*