

Heritage Statement

Fox Wood Garden Village, Whiston, Merseyside

Taylor Wimpey North West

March 2024

5084/H





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Fox Wood Garden Village, Whiston, Merseyside

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Non-Technical Summary

Lanpro Services Limited was commissioned by Taylor Wimpey North West to produce a heritage statement to inform a Section 73 application regarding the repair and reinstatement of the former Halsnead Park Wall along Fox's Bank Lane, Whiston, Merseyside (NGR centred SJ 4784 8994). The application is in reference to details pertaining to Condition 10 of permission granted (reference 20/00417/FUL) for a residential development for 350 no. dwellings, referred to as Fox's Garden Village, and alterations required from that approved by Knowsley Metropolitan Borough Council. This heritage statement has assessed the effects of the proposed changes in line with NPPF and the proportionate response sought by the NPPF.

Four of the heritage assets identified within the assessments accompanying the planning application (Pegasus Group 2020, CgMs 2020) are sensitive to the intended changes to the development boundary. The section of the non-designated Halsnead Park Wall recorded on the HER (MME15681) that forms much of the east boundary of the development site will be directly impacted. Three designated heritage assets on the east side have also been assessed. This includes any effects to the setting of Grade II listed Snape Gate Barn (NHLE 1253250) to the immediate south on the west side of Fox's Bank Lane, together with the section of wall that falls within the curtilage listing of the Grade II listed North East Lodge (NHLE 1263249) and associated Grade II listed Gate Piers (NHLE 1253429) to the north-east of the development.

Condition 10 covers the requirements relating to Halsnead Park Wall along Fox's Bank Lane in terms of repair and reinstatement. It also includes the boundary treatments adjacent to the Grade II listed Snape Gate Barn. There is also an additional element of the Halsnead Park Wall that requires rebuilding to the immediate south of the Grade II listed North East Lodge and associated Grade II listed Gate Piers on Fox's Bank Lane. Details regarding design and materials have subsequently been submitted and approved by Knowsley Metropolitan Borough Council.

The section of the Halsnead Park Wall proposed for removal and rebuild in close proximity to the Grade II listed North East Lodge and associated Grade II listed Gate Piers on Fox's Bank Lane will be limited to that within the development red line boundary and at a standoff of at least 1m from that considered to be curtilage listed. Consequently, the requirement for listed building consent will not be enacted and there will be no harm to the setting of either of the listed buildings.

Iterative work on the Halsnead Park Wall and the boundary to the north of the designated Snape Gate Barn has led to several construction constraints becoming apparent relating to arboreal and ecological reasons. The approved boundary along the north perimeter of Snape Gate Barn was for that of a sandstone wall referencing the Halsnead Park Wall which would substantially impact the root protection areas of two identified trees and hedgerow. This has been revised to that of a fence line: a 1.8m high close boarded timber fence leading back from the roadside, stepping up to a 2.4m acoustic high fence heading west along the north perimeter.

The change to the boundary along the north perimeter of the grounds to the Grade II listed Snape Gate Barn will not harm the setting of the designated heritage asset. Further, the relationship between the fencing and the sandstone wall will allow for a clear identification of the original historical course of the wall and an understanding as to how the barn was an element of the Halsnead Estate.

It has been assessed that, overall, the proposed alterations to that approved under Condition 10 result in a beneficial effect to the non-designated Halsnead Park Wall in maintaining its importance as a landmark feature along Fox's Bank Lane, whilst referencing its original historical purpose of delineating the eastern edge of the parkland.

1 Introduction

- 1.1.1 This heritage statement has been prepared by Lanpro Services Limited on behalf of Taylor Wimpey North West to inform a Section 73 application regarding the repair and reinstatement of the former Halsnead estate wall along Fox's Bank Lane, Whiston, Merseyside. The application is in reference to details pertaining to Condition 10 of permission granted (reference 20/00417/FUL) for a residential development for 350 no. dwellings, referred to as Fox's Garden Village, and alterations required from that approved by Knowsley Metropolitan Borough Council.
- 1.1.2 This heritage statement has been prepared in compliance with the National Planning Policy Framework (NPPF 2023). It follows the identification and assessment of heritage assets for the purposes of an Environmental Statement submitted with the planning application (Pegasus Group 2020, CgMs 2020) and the likely effects of the proposed development. Further, following submission of the planning application and relevant response from the conservation team at Knowsley Metropolitan Borough Council, a Heritage Addendum was provided (RPS 2021). Consequently, due to the nature of the Section 73 application and in the avoidance of unnecessary repetition, the following HS aims to focus solely on the heritage assets sensitive to the changes.
- 1.1.3 The following report makes reference to the relevant legislation contained within the Planning (Listed Buildings and Conservation Areas) Act 1990 and both national and local planning policy. In addition, relevant Historic England guidance, notably the recently published *HEAN 12: Statements of Heritage Significance* (Historic England 2019), *GPA3: The Setting of Heritage Assets* (Historic England 2017) and *Conservation Principles* (English Heritage 2008) has been consulted to inform the judgements made.
- 1.1.4 This heritage statement does not consider below-ground (archaeological) heritage assets.

2 Legislation, Policy and Guidance

2.1 General

- 2.1.1 In considering any planning application for development, the local planning authority will be guided by current legislation, the policy framework set by government planning policy, by current Local Plan policy and by other material considerations.
- 2.1.2 The national policy framework (NPPF, DLUHC 2023) states that planning applications should consider the potential impact of the development upon heritage assets which includes both designated heritage assets (for example listed buildings and Conservation Areas) and non-designated heritage assets usually comprising assets recorded on a Local List or the Historic Environment Record.

2.2 Current Legislation

- 2.2.1 The Planning (Listed Buildings and Conservation Areas) Act 1990 (the 1990 Act) provides for the protection of listed buildings and Conservation Areas and is largely expressed in the planning process through policies in regional and local planning guidance, as outlined below. This act is the primary legislative instrument addressing the treatment of listed buildings and Conservation Areas through the planning process.
- 2.2.2 Section 66 of the 1990 Act states that *'...in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'*.
- 2.2.3 Buildings on the list are graded to reflect their relative architectural and historic interest, based on the below:
- Grade I buildings are of exceptional interest;
 - Grade II* buildings are particularly important buildings of more than special interest;
 - Grade II buildings are of special interest, warranting every effort to preserve them.
- 2.2.4 In addition to the statutory criteria for listing, i.e. architectural and historic interest, and group value, the following general principles are also considered by the Secretary of State when determining if a building is suitable for addition to the list of building of special architectural and historic interest:

Age and rarity: the older a building is, and the fewer the surviving examples of its kind, the more likely it is to have special interest. The following chronology is meant as a guide to assessment; the dates are indications of likely periods of interest and are not absolute. The relevance of age and rarity will vary according to the particular type of building because for some types, dates other than those outlined below are of significance. However, the general principles used are that:

- before 1700, all buildings that contain a significant proportion of their original fabric are listed;
- from 1700 to 1840, most buildings are listed;
- after 1840, because of the greatly increased number of buildings erected and the much larger numbers that have survived, progressively greater selection is necessary;
- particularly careful selection is required for buildings from the period after 1945;

- buildings of less than 30 years old are normally listed only if they are of outstanding quality and under threat.

Aesthetic merits: the appearance of a building, both its intrinsic architectural merit and any group value, is a key consideration in judging listing proposals, but the special interest of a building will not always be reflected in obvious external visual quality. Buildings that are important for reasons of technological innovation, or as illustrating particular aspects of social or economic history, may have little external visual quality.

Selectivity: where a building qualifies for listing primarily on the strength of its special architectural interest, the fact that there are other buildings of similar quality elsewhere is not likely to be a major consideration. However, a building may be listed primarily because it represents a particular historical type in order to ensure that examples of such a type are preserved. Listing in these circumstances is largely a comparative exercise and needs to be selective where a substantial number of buildings of a similar type and quality survive. In such cases, the Secretary of State's policy is to list only the most representative or most significant examples of the type.

National interest: the emphasis in these criteria is to establish consistency of selection to ensure that not only are all buildings of strong intrinsic architectural interest included on the list, but also the most significant or distinctive regional buildings that together make a major contribution to the national historic stock. For instance, the best examples of local vernacular buildings will normally be listed because together they illustrate the importance of distinctive local and regional traditions. Similarly, for example, some buildings will be listed because they represent a nationally important but localised industry, such as shoemaking in Northamptonshire or cotton production in Lancashire.

State of repair: the state of repair of a building is not a relevant consideration when deciding whether a building meets the test of special interest. The Secretary of State will list a building which has been assessed as meeting the statutory criteria, irrespective of its state of repair

2.3 National Planning Policy Framework

- 2.3.1 Section 16 of the NPPF (DLUHC 2023), entitled 'Conserving and enhancing the historic environment' provides guidance for planning authorities, property owners, developers and others on the conservation and investigation of heritage assets.
- 2.3.2 Overall, the objectives of Section 16 of the NPPF can be summarised as seeking the:
- Delivery of sustainable development,
 - Understanding the wider social, cultural, economic and environmental benefits brought by the conservation of the historic environment, and
 - Conservation of England's heritage assets in a manner appropriate to their significance.
- 2.3.3 Section 16 of the NPPF recognises that intelligently managed change may sometimes be necessary if heritage assets are to be maintained for the long term. Paragraph 200 states that planning decisions should be based on the significance of the heritage asset (and any contribution made by its setting), and that the '*level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal upon their significance*'. This is supported by paragraph 201 which states that LPAs should take this into account when considering applications.
- 2.3.4 Paragraphs 205-207 consider the impact of development proposals upon the significance of designated heritage assets. Paragraph 205 states that where a development is proposed that would affect the significance of a designated heritage asset '*great weight should be given to the*

asset's conservation (and the more important the asset, the greater this weight should be)'. Paragraph 208 emphasises that '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 scheme, bearing in mind the great weight highlighted in Paragraph 205.

2.3.5 Heritage Assets are defined in Annex 2 of the NPPF as: *'a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing)'.*

2.3.6 A Designated Heritage Asset comprises a *'World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation.'*

2.3.7 In short, government policy provides a framework which:

- Protects nationally important designated heritage assets,
- Protects the settings of such designations,
- In appropriate circumstances seeks adequate information (from desk-based assessment and field evaluation where necessary) to enable informed decisions, and
- Provides for the recording of sites not significant enough to merit in situ preservation.

2.4 Planning Practice Guidance

2.4.1 The Planning Practice Guidance (MHCLG 2019) is a web-based resource which is to be used in conjunction with the NPPF. It is aimed at planning professionals and prescribes best practice within the planning sector. The relevant section is entitled 'Conserving and enhancing the historic environment'. The guidance given in this section sets out the best practice to applying government policy in the NPPF. It provides an interpretation for each of the interests assigned to heritage assets in understanding significance: archaeological, architectural and artistic, and historic (Paragraph: 006 Reference ID: 18a-006-20190723).

2.5 Local Planning Policy

2.5.1 The Knowsley Local Plan comprises several documents, including the *Core Strategy* (KMBC 2016), which sets out the strategic framework for the growth and development of Knowsley up to 2028 and beyond. The following policy relevant to heritage contained within the *Core Strategy* is *Policy CS20: Managing the Borough's Historic Environment*.

2.6 Professional Guidance

2.6.1 The *CifA Standard and Guidance for Historic Environment Desk-based Assessment* (2020) provides guidelines and recommendations for best practice in undertaking archaeological desk-based research and assessment.

2.6.2 This document has also been prepared in accordance with the general guidelines set out in British Standard 7913:2013 *Guide to the Conservation of Historic Buildings*.

2.6.3 Guidance on the implementation and interpretation of historic environment policy has been provided by the Historic England publications *Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision Taking in the Historic Environment* (GPA2, 2015) and the *Historic Environment Good Practice Advice in Planning Note 3 (Second Edition): The Setting of Heritage Assets* (GPA3, 2017).

2.6.4 Historic England's GPA2 outlines a seven-stage process for the assembly and analysis of relevant information relating to heritage assets potentially affected by a proposed development:

- Understand the wider social, cultural, economic and environmental benefits brought by the conservation of the historic environment,
- Understand the significance of the affected assets,
- Understand the impact of the proposal on that significance,
- Avoid, minimise and mitigate impact in a way that meets the objectives of the NPPF,
- Look for opportunities to better reveal or enhance significance,
- Justify any harmful impacts in terms of the sustainable development objective of conserving significance and the need for change, and
- Offset negative impacts on aspects of significance by enhancing others through recording, disseminating and archiving archaeological and historical interest of the important elements of the heritage assets affected.

2.6.5 In order to understand the nature, extent and level of significance GPA2 advocates considering the four types of heritage value an asset may hold, as identified in *Conservation Principles* (English Heritage 2008): *aesthetic, communal, historic* and *evidential*. However, NPPF (2023) has since provided a definition of significance dependant on the following four interests: *archaeological, architectural and artistic, or historic* (para 2.4.1, above). The following assessment of significance results from a combination of any, some or all of these values and interests.

2.6.6 Historic England's GPA3 recognises that whilst setting is not a heritage asset, 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*' (para. 4). Setting is described as being distinct to curtilage, character and context. This guidance also notes that the contribution of setting to the significance of a heritage asset is often expressed by reference to views, although the importance of setting lies in what it contributes to the significance of the heritage asset, and this can be influenced by a number of other factors.

2.6.7 The Historic England advice note, *Statement of Heritage Significance: Analysing Significance in Heritage Assets. Historic England Advice Note 12* (HEAN 12, 2019), brings together all of the above guidance in an analysis of an appropriate approach for applicants for heritage and other consents in providing an understanding of the significance of heritage assets in line with NPPF. It emphasises the level of detail required in support of both planning and listed building consent applications, which should be no more than is necessary, i.e. proportionate to the significance of the heritage asset affected, to reach an informed decision.

3 Methodology

3.1 General Introduction

- 3.1.1 The purpose of a heritage statement is to meet the requirements of the NPPF and any local plans, in order to inform planning decisions when considering proposals that have the potential to have an impact, directly or indirectly, upon a heritage asset. It is not concerned with other planning issues.
- 3.1.2 The degree of impact on heritage assets is variable and can sometimes be positive rather than negative. The wide range of possible impacts can include loss of historic fabric, loss of historic character, damage to historic setting, and damage to significant views.
- 3.1.3 Under the requirements of national and local policy and in line with professional guidance, the process of heritage impact assessments can be summarised as involving three parts:
1. understanding the heritage values and significance of the designated and non-designated heritage assets involved and their settings,
 2. understanding the nature and extent of the proposed development,
 3. making an objective judgement on the impact that the proposals outlined in Part 2 may have on the information outlined in Part 1.

3.2 Information sources

- 3.2.1 Table 1, below, provides a summary of the key data sources that was used to inform the assessment for the Environmental Statement (Pegasus Group 2020) and subsequent Heritage Addendum (RPS 2021) on which this HS is based.

Table 1: Summary of data sources

Source	Data	Detail
Historic England	Statutory designations and an understanding of their special interest	National Heritage List for England (NHLE), Heritage Gateway
Local Authority	Local plan document and guidance to steer development and conservation	Local Plan, Local Historic Environment Records (HER), Heritage Gateway
Historic Mapping	Indication of the development of settlements and landscape through time	Ordnance Survey (OS) maps from the first edition through to present day, Estate plans, Tithe maps etc.
Online Sources	Web-published local history, grey literature, archival catalogues	British Newspapers Online, The Genealogist, Blackwell's mapping
Archives	Historic archives collections	Historic photographs from the 19 th century through to present day
Libraries	Public and private libraries	Secondary literature including architects' monographs, topographical surveys
Client information	Plans, proposals, design intent and known parameters	Plans, elevations and sections of existing buildings, proposed development plans, other technical reports

3.3 Assessment Criteria

Significance

3.3.1 NPPF defines significance as:

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

3.3.2 Historic England's *Conservation Principles* (previously English Heritage, 2008) identified four high level values: evidential, historic, aesthetic and communal. NPPF (2023) defines significance in the planning context as resulting from the heritage interest of an asset determined by the following:

- Archaeological Interest: the potential of an asset to yield evidence of past human activity that could be revealed through future investigation. Archaeological interest includes above-ground structures, as well as earthworks and buried or submerged remains.
- Architectural and Artistic Interest: derives from a contemporary appreciation of an asset's aesthetics. Architectural interest is an interest in design, construction, craftsmanship and decoration of buildings and structures. Artistic interest can include the use, representation or influence of historic places or buildings in artwork. It can also include the skill and emotional impact of works of art that are part of heritage assets or assets in their own right
- Historic Interest: the way in which an asset can illustrate the story of past events, people and aspects of life (illustrative value, or interest). It can be said to hold communal value when associated with the identity of a community.

3.3.3 These values or interests encompass the criteria that Historic England are obliged to consider when statutorily designating heritage assets.

3.3.4 There are no single defining criteria that dictates the overall asset significance; each asset has to be evaluated against the range of criteria listed above on a case-by-case basis. These values are not intended to be restrictive but are identified in order to help establish a method for thinking systematically and consistently about the heritage values that can be ascribed to a place and contribute to a heritage asset's significance.

3.3.5 In relation to a recognised heritage asset, the production of this HS also takes into account the contribution which the historic character and setting makes to the overall significance of the asset.

3.3.6 The relative contribution of the heritage values to the significance of the heritage asset(s) are graded as either high, medium, low, neutral/negligible (informed by ICOMOS (2011) and Historic England guidance) and illustrated in Table 2, below.

Table 2: Significance of a heritage asset

Heritage significance	Description
Very High	World Heritage Sites (WHS)
High	Scheduled Monuments (SM), Grade I and II* Listed Buildings, Grade I and II* Registered Historic Parks and Gardens
Medium	Grade II Listed Buildings

	Grade II Registered Historic Parks and Gardens Conservation Areas
Low	Locally Listed Buildings Non-designated heritage assets
Negligible/nil	Heritage assets with very little or no surviving research value

Setting

3.3.7 The NPPF defines the setting of a heritage asset 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 make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

3.3.8 Historic England's GPA3, The Setting of Heritage Assets Setting (2017), was used to inform the methodology for this assessment. The guidance recommends that a systematic and staged '5-step process' to assessment should be adopted, to which this HS has adopted steps i) to iv):

- i. identify which heritage assets and their settings are affected,
- ii. assess the degree to which these settings make a contribution to the significance of the heritage asset(s) or allow significance to be appreciated,
- iii. assess the effects of the proposed development, whether beneficial or harmful, on that significance or on the ability to appreciate it,
- iv. explore the way to maximise enhancement and avoid or minimise harm,
- v. make and document the decision and monitor outcomes.

3.3.9 The production of this HS has taken into account the physical and sensory surroundings of the asset, in order to understand the contribution 'setting' makes to the heritage significance of the asset(s). This has included topography and intervening development and vegetation. It also considers how the asset is currently experienced and understood through its setting, in particular views to and from the asset and the site, along with key views, and the extent to which setting may have already been compromised.

3.3.10 The relative contribution of the heritage values to the significance of the asset(s) are graded as either high, medium, low, neutral or detrimental.

Definition of Harm

3.3.11 Current guidance by Historic England is that 'change' does not equate to 'harm'. The NPPF and its accompanying PPG effectively distinguish between two degrees of harm to heritage assets – substantial and less than substantial (paragraphs 201 and 202).

3.3.12 In determining the effects of the proposed scheme this assessment is cognisant of case law. In particular, that for Flag Station, Mansel Lacy, Herefordshire [22/09/2015] Case Number EWHC 2688, wherein it emphasised the primacy of the 1990 Planning Act and the fact that it is up to the decision makers in the planning system to 'have special regard to the desirability of preserving the [listed] building or its setting'. HH Judge David Cooke stated, in regards to an impact on the setting of a listed building, (Court of Appeal (PALMER and HEREFORDSHIRE COUNCIL & ANR) in 2016 (Case No: C1/2015/3383) para.34):

It is still plainly the case that it is for the decision taker to assess the nature and degree of harm caused, and in the case of harm to setting rather than directly to a listed building itself, the degree to which the impact on the setting affects the reasons why it is listed.

3.3.13 The judgment was agreed by Lord Justice Lewison at the Court of Appeal, who stated that:

It is also clear as a matter both of law and planning policy that harm (if it exists) is to be measured against both the scale of the harm and the significance of the heritage asset. Although the statutory duty requires special regard to 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.

Methodology for assessing harm

3.3.14 Heritage impact is defined as the potential level of harm or benefit to special architectural or historic interest causes by proposed development. The NPPF stresses that impacts on heritage assets should be avoided and if it cannot be avoided, it should be minimised or mitigated. The NPPF does not prescribe a format or title for analyses of heritage significance and/or impact. The following methodology is based on the guidance set out in HEAN12 (2019):

- Assessment of impact:
 - Effect on fabric
 - Effect on setting
 - Cumulative impact
- Avoiding harmful impact(s),
- Enhancing significance,
- Justification for harmful impacts.

Assessment of impact

3.3.15 Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Section 8 assesses the effect of the proposals on fabric, setting and cumulative impact on significance. A level of relative impact (major, moderate, minor or negligible) will be assigned to the proposal. Impact may also be beneficial and defined under the NPPFs sustainable development criteria of social, economic or environmental.

Avoiding Harmful Impact(s)

3.3.16 Harm to heritage assets should be avoided and if it cannot be avoided, it should be minimised or mitigated. This section will set out how decisions have been taken in the interest of the heritage asset to avoid harm, and if this is not possible, how risk has been mitigated or minimised through design changes.

Enhancing Significance

3.3.17 Impact may also have public benefits that can be defined as social, economic or environmental. Heritage benefits such as repairs and reinstatement can be defined as environmental benefits. Any outcomes of the scheme that will enhance significance will be articulated here.

Justification for harmful impacts

3.3.18 Where a proposed development will lead to substantial or less than substantial harm, the proposals must achieve substantial public benefits that outweigh that harm or weigh the harm against the public benefits, respectively (NPPF paragraph 207 - 209). The proposals will be

justified under the NPPF's sustainable development criteria of social, economic or environmental.

4 Understanding the site

4.1 Site description

- 4.1.1 The area subject to this HS is located to the east of the proposed development site (NGR centred SJ 4784 8994). Specifically, it concerns both the north and south ends of the proposed development's eastern boundary wall along Fox's Bank Lane and additionally where the boundary turns through 90 degrees to provide the northern property boundary to Snape Gate Barn (A-B and I-K respectively, Appendix 1 and Figure 1).

4.2 Heritage Assets

- 4.2.1 Four of the heritage assets identified within the assessments accompanying the planning application (Pegasus Group 2020, CgMs 2020) are sensitive to the intended changes to the development boundary. The section of the non-designated Halsnead Park Wall recorded on the HER (MME15681) that forms much of the east boundary of the development site will be directly impacted. The setting of the Grade II listed Snape Gate Barn (NHLE 1253250) to the immediate south on the west side of Fox's Bank Lane will also be assessed together with the section of park wall that falls within the immediate setting of the Grade II listed North East Lodge (NHLE 1263249) and associated Grade II listed Gate Piers (NHLE 1253429) to the north-east of the development.

Halsnead Park Wall (MME15681)

- 4.2.2 The non-designated Halsnead Park Wall will be directly impacted due to the intended repairs and reinstatement. This sandstone wall bounds the eastern extent of the former Halsnead Park within which Halsnead Hall once stood. It is assumed to date to the late 18th or early 19th century and was originally assessed in 2020 as being relatively well-preserved as an historic parkland feature (CgMs 2020), although some portions had been breached or were damaged, with former repairs also evident.
- 4.2.3 The wall is considered to be a local landmark due to its continual length within a rural context. It is not of a uniform height along this length as it rises and falls in line with associated function or due to damage and loss of material. A section of the wall along Fox's Bank Lane and immediately to the north of the grounds to Snape Gate Barn is only approximately three courses high above current ground level. This increases in height to the south as it bounds the east of the grounds to Snape Gate Barn and to the north from the former Cherry Tree Farm entrance where it is more substantial and regular in construction.
- 4.2.4 The wall is of local significance, being a non-designated heritage asset. This significance is derived from its communal value as a landscape or roadside feature, as well as historical interest in its association with the Halsnead Estate and its survival after two centuries. It also provides aesthetic interest.
- 4.2.5 Where the wall extends beyond the red line boundary for the proposed development and forms a boundary wall to the immediate east of the Grade II North East Lodge to the point at which it adjoins the Grade II listed Gate Piers it forms part of the curtilage to the designated heritage assets (see below and Figure 1).

North East Lodge to Halsnead Park (NHLE 1253249)

- 4.2.6 The Grade II North East Lodge is a typical example of a gate lodge, i.e. single storey and originally square in plan with a pyramidal roof, although extended to the south in the later 20th century with an architecturally plain and unsympathetic single storey addition. It is positioned on the south side of the former estate drive and is mainly constructed of ashlar with rusticated quoins beneath a slate roof. The round-headed doorway under a stone round-arched porch faces north

onto the east driveway, with the west elevation intended to have been seen on the approach to the east exit of the Halsnead Park. The entry description dates the Lodge to the Georgian period. However, whilst the wide convex entrance to the east driveway to Halsnead Hall from Fox's Bank Lane is evidenced on historic maps dating to the early 19th century, the Lodge is not shown until 1890s Ordnance Survey maps.

- 4.2.7 The original setting of the Lodge was immediately within Halsnead Park behind the apparent gated wide entrance formed by the listed Gate Piers (NHLE 1253429), with Halsnead Park Wall bounding its east side. The sale of the Hall and park in 1929 resulted in the demolition of the Hall in 1932, removing the original purpose of the Lodge and parkland. The Lodge still maintained, then and through to the present day, a relationship, in terms of residual historic association, with the extant park landscape features. These include the adjacent Grade II listed Gate Piers to the east, Halsnead Park Wall and the former east drive, which provide an insight into their former use and function. However, in the absence of Halsnead Hall and parkland it is now in private ownership and no longer serves its originally intended purpose to maintain watch over the park's east entrance.
- 4.2.8 Much of the Lodge is screened from the road by the flanking entrance walls and the park wall, with only the roof visible. From within the proposed development site, the north elevation can be seen fully, whilst the west elevation is partially obscured by a low hedge, and from the south the Lodge is currently screened by mature vegetation that bounds its garden.
- 4.2.9 The Grade II listed lodge derives its significance from its architectural and aesthetic values, as well as group value with the non-designated former Halsnead Park and Halsnead Park Wall, together with the designated Gate Piers adjacent to the Lodge. This group value is derived from historical association which is the most important element to the setting of the Lodge.
- 4.2.10 Based on the above, it is considered that the section of the Halsnead Park Wall immediately to the east of the Lodge, from the point at which it adjoins the listed Gate Piers to the north to that where the garden boundary adjoins to the south, forms part of its listed curtilage (Figure 1).

Gate Piers beside North East Lodge to Halsnead Park (NHLE 1253429)

- 4.2.11 The Grade II Gate Piers are listed as four square gate piers, with two beside the Lodge and two on the roadside, between which there is a flanking convex wall. The two gate piers described in the list entry as being on the roadside are not in reality gate piers but wall end piers butted by the flanking entrance walls, with an additional pier in the centre of the north flanking wall. In total there are seven rusticated identical stone piers at the former east entrance to the former Halsnead Park, each with a cornice and ball, flanked by a convex wall of rusticated stone of a slightly lower height.
- 4.2.12 As with the designated North East Lodge, above, the date of the Gate Piers is listed as Georgian, although from architectural detailing and materials it appears to be contemporary with the Lodge shown for the first time on late 19th century historic mapping. The Gate Piers therefore derive significance from their architectural and aesthetic interest. They are set back from the roadside on the west side of Fox's Bank Lane and form an impressive sweeping entranceway to Halsnead Park and the once Halsnead Hall. It is also inextricably linked with the former parkland features, i.e. the park wall, the former east drive and, of most importance here, the North East Lodge. These features therefore have a group value due to their historical association. Presently, however, the gate piers function as part of an entrance to a private residence at North East Lodge and the former east drive is no longer used from this entrance. As the non-designated Halsnead Park Wall adjoins the southern end of the flanking entrance walls of the designated heritage asset, it is considered to be within its immediate listed curtilage also.

Barn at Snape Gate (NHLE 1253250)

- 4.2.13 The designated barn is believed to have originally been a threshing barn but has been converted more recently for residential purposes. The list entry dates it to the 18th century, although it is not depicted on any historical maps until the early to mid-19th century. The tithe map of 1842 and its accompanying apportionment detail that the barn was owned and ‘occupied’ by Richard Willis Esq of Halsnead Hall and Park. Therefore, whilst it was not formally a parkland feature, it served the Halsnead Estate and is thought to have served the tenant farmers of the wider agricultural landscape outside of the former deer park of Halsnead Park.
- 4.2.14 It is of coursed stone rubble and irregular quoins, with unusual canted-out cart entrances either side (west and east elevations) that appear to be later additions. It was abutted to the north and south, but not tied into, the Halsnead Park Wall, which signifies the differing dates in construction. It was originally screened from the rest of the parkland by a ‘plantation’ of trees, as noted in the tithe apportionment, which enveloped it on all sides except the east wherein it faced onto the road. The east and west elevations were originally symmetrical and whilst the east side is road facing, there is no evidence that either was the principal elevation but more reflective of its function for threshing.
- 4.2.15 Historical mapping shows that the surrounding trees remained extant until the mid-20th century until the parkland appears to have been used more extensively for agricultural purposes. Various field boundaries were constructed and removed in proximity to the barn but it was finally separated off from the estate by its present day property boundaries in the 1990s when it is assumed it was converted to residential and gardens provided (Figure 3). The east elevation has, therefore, become the principal elevation of the dwelling. The gardens are also now bound by mature vegetation which aids in providing enclosure to its grounds and gardens and screens it from the development site to the north and west.
- 4.2.16 The barn is of regional significance due to its Grade II listed status, although not of the highest significance as deemed by the NPPF (para. 206). It is derived from its group value as an element of the wider Halsnead Estate and Parkland, which also contributes to its setting in terms of understanding its original function and how it related to the estate. The relationship with Halsnead Park Wall also provides historical context. In addition, it has architectural and historic significance as an early-mid 19th century threshing barn.
- 4.2.17 The barn will not be directly impacted by the proposed changes subject to Section 73, although its setting may be affected by the alterations to the proposed course of the wall.

5 Impact Assessment

5.1 Overview of impact

- 5.1.1 It is recognised that not all parts of a heritage asset will necessarily be of equal significance. In some cases, certain elements could accommodate change without affecting the significance of the asset. Change is only considered harmful if it erodes an asset's significance.
- 5.1.2 Local authorities have a duty under the 1990 Planning (Listed Buildings and Conservation Areas) Act (section 66[1]) to 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*'. The NPPF expects local authorities to have access to significance and impact assessments to inform these duties (paragraphs 200 and 201).
- 5.1.3 Impact is assessed according to different levels. Where substantial harm will be caused, for example by the total demolition of a listed building or a building that contributes to the character of a conservation area, local authorities should normally refuse consent, unless the criteria set out in the NPPF are met (paragraph 201). For proposals where the harm is 'less than substantial', the Local Authority is expected to weigh the harm to significance against the public benefits of the scheme.

5.2 Proposed Development

- 5.2.1 Condition 10 of the planning permission (ref. 20/00417/FUL) covers the requirements relating to Halsnead Park Wall along Fox's Bank Lane in terms of repair and reinstatement. It also includes the boundary treatments adjacent to Snape Gate Barn. Details regarding design and materials have subsequently been submitted and approved by Knowsley Metropolitan Borough Council.
- 5.2.2 Due to the current state of disrepair, a section of the non-designated Halsnead Park Wall (A-B, Figure 1 and Appendix 1) is proposed for rebuilding using like-for-like materials and to the same height. Following consultation between the client and Knowsley Metropolitan Borough Council, it has been agreed that the section of rebuild will be at a minimum 1m distance setback from that portion of the wall that is considered to be curtilage listed in association with the designated North East Lodge and associated Gate Piers.
- 5.2.3 Iterative work on the Halsnead Park Wall and the boundary to the north of the designated Snape Gate Barn has led to several construction constraints becoming apparent, mainly relating to arboreal and ecological reasons. The proposals illustrated in Appendix 1 shows the adaptive changes to the boundary treatments.
- 5.2.4 TEP provided information relating to these constraints in a letter dated 23rd August 2023 (Appendix 2) wherein information is given relating to trees G13.2, adjacent to both the park wall and the north perimeter boundary, and G14 which is adjacent to the north perimeter boundary (the north perimeter boundary being K-M, Appendix 1). Hedgerow H1 also runs along the north perimeter boundary. The excavation of strip footings to continue the site boundary through 90 degrees from that on Fox's Bank Lane and along the north perimeter boundary would be within the root protection area of these two trees and hedgerow and cause considerable damage to the roots and therein significant arboreal and ecological effects.
- 5.2.5 An alternative to strip foundations for the wall would be piled foundations which would cause a similar effect to the roots due to pile depth and the proximity of the piles to each other. The presence of overhead lines (boundary section K-L, Appendix 1) also prohibits the use of a piling rig in this location.

- 5.2.6 Therefore, the design changes comprise a 1.8m high close boarded timber fence leading back from the roadside (K-L, Appendix 1), stepping up to a 2.4m acoustic high fence heading west along the north perimeter and adjacent to the proposed dwelling (L-M, Appendix 1). The use of fences is considered to be less impactful to the roots in terms of construction and installation (TEP letter, p2, Appendix 2).

5.3 Impact to Heritage Assets

- 5.3.1 Appendix 1 provides detail relating to the section of the red sandstone park wall, A-B, that will be taken down and rebuilt. This will be wholly within the red line boundary for the development and will not extend beyond. Furthermore, to negate the requirement for listed building consent, the section of the wall considered to be within the curtilage of the Grade II listed North East Lodge and the Grade II listed Gate Piers (outside of the red line boundary) will be excluded from any rebuild and will, therefore, not be directly impacted. Consequently, there will be no harm to the curtilage or the setting of the designated North East Lodge and Gate Piers.
- 5.3.2 The boundary treatment proposals for section I-M are detailed in Appendix 1. The wall will be retained at a J-K at the extant low height, with a native hedging mix to the rear to increase the overall boundary height. The G13 and G15 trees can then be retained, and their roots protected with appropriate repairs to the wall. This section will be 'bookended' by 2.4m piers constructed in the same red sandstone, at points J and K. This will provide interest to the low wall section between the stretches of park wall that extend to its north and south, bounding Snape Gate Barn.
- 5.3.3 The installation of a 1.8m high close boarded timber fence at K-L, stepping up to a 2.4m acoustic high fence at L-M is a more appropriate boundary treatment than the originally intended sandstone wall approved as part of the permission granted. The relationship between the fence and the wall can, therefore, be more easily understood in terms of their historical context. The park wall historically delineated the perimeter of the parkland, which had originally incorporated Snape Gate Barn within its plantation (Figure 2). The barn is considered to be inextricably linked with the parkland. Its conversion to residential use has not inhibited any understanding of its original agricultural function. The surrounding grounds can also be understood as having been carved out from the former parkland. This is due to the fact the park wall continues uninterrupted along the west side of Fox's Bank Lane and abuts the barn, even with the entrance to the grounds having been constructed during its conversion in the same sandstone material.
- 5.3.4 The use of a sandstone wall at K-M could have, therefore, been misunderstood to have been part of the historical park landscape and thereby would appear to be excluding or setting apart the barn from this landscape. The revised boundary treatment enhances the screening currently provided by the hedgerow and mature vegetation, with acoustic screening adjacent to the new dwellings. This maintains the current immediate setting of the barn, i.e. its grounds and gardens, enclosed by vegetation, whilst also maintaining the significance of Halsnead Park Wall in terms of its purpose to demarcate the parkland boundary.
- 5.3.5 The change to the boundary along the north perimeter of the grounds to the Grade II listed Snape Gate Barn will not harm the setting of the designated heritage asset. Further, the relationship between the fencing and the sandstone wall will allow for a clear identification of the original historical course of the wall and an understanding as to how the barn was an element of the Halsnead Estate.
- 5.3.6 It is considered, therefore, that the proposed alterations to that approved under Condition 10 results in a beneficial effect to the non-designated Halsnead Park Wall in maintaining its importance as a landmark feature along Fox's Bank Lane, whilst referencing its original historical purpose of delineating the eastern edge of the parkland.

6 Conclusions

- 6.1.1 This heritage statement examines the boundary treatments on the south-east side of the Fox Wood Garden Village, along Fox's Bank Lane, Whiston. Following approval of the planning application (reference 20/00417/FUL) for 350 no. dwellings, in which Condition 10 details the requirements for the boundary treatments, a Section 73 application is necessary for revision to that approved. This heritage statement has assessed the effects of the proposed changes in line with NPPF and the proportionate response sought by the NPPF.
- 6.1.2 Four of the heritage assets identified within the assessments accompanying the planning application (Pegasus Group 2020, CgMs 2020) are sensitive to the intended changes to the development boundary. The section of the non-designated Halsnead Park Wall recorded on the HER (MME15681) that forms much of the east boundary of the development site will be directly impacted. Three designated heritage assets on the east side have also been assessed. This includes any effects to the setting of Grade II listed Snape Gate Barn (NHLE 1253250) to the immediate south on the west side of Fox's Bank Lane, together with the section of wall that falls within the curtilage listing of the Grade II listed North East Lodge (NHLE 1263249) and associated Grade II listed Gate Piers (NHLE 1253429) to the north-east of the development.
- 6.1.3 Condition 10 covers the requirements relating to Halsnead Park Wall along Fox's Bank Lane in terms of repair and reinstatement. It also includes the boundary treatments adjacent to the Grade II listed Snape Gate Barn. There is also an additional element of the Halsnead Park Wall that requires rebuilding to the immediate south of the Grade II listed North East Lodge and associated Grade II listed Gate Piers on Fox's Bank Lane. Details regarding design and materials have subsequently been submitted and approved by Knowsley Metropolitan Borough Council.
- 6.1.4 The section of the Halsnead Park Wall proposed for removal and rebuild in close proximity to the Grade II listed North East Lodge and associated Grade II listed Gate Piers on Fox's Bank Lane will be limited to that within the development red line boundary and at a standoff of at least 1m from that considered to be curtilage listed. Consequently, the requirement for listed building consent will not be enacted and there will be no harm to the setting of either of the listed buildings.
- 6.1.5 Iterative work on the Halsnead Park Wall and the boundary to the north of the designated Snape Gate Barn has led to several construction constraints becoming apparent relating to arboreal and ecological reasons. The approved boundary along the north perimeter of Snape Gate Barn was for that of a sandstone wall referencing the Halsnead Park Wall which would substantially impact the root protection areas of two identified trees and hedgerow. This has been revised to that of a fence line: a 1.8m high close boarded timber fence leading back from the roadside, stepping up to a 2.4m acoustic high fence heading west along the north perimeter.
- 6.1.6 The change to the boundary along the north perimeter of the grounds to the Grade II listed Snape Gate Barn will not harm the setting of the designated heritage asset. Further, the relationship between the fencing and the sandstone wall will allow for a clear identification of the original historical course of the wall and an understanding as to how the barn was an element of the Halsnead Estate.
- 6.1.7 It has been assessed that, overall, the proposed alterations to that approved under Condition 10 result in a beneficial effect to the non-designated Halsnead Park Wall in maintaining its importance as a landmark feature along Fox's Bank Lane, whilst referencing its original historical purpose of delineating the eastern edge of the parkland.

7 References

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RPS 2021, *Halsnead Garden Village Heritage Addendum*

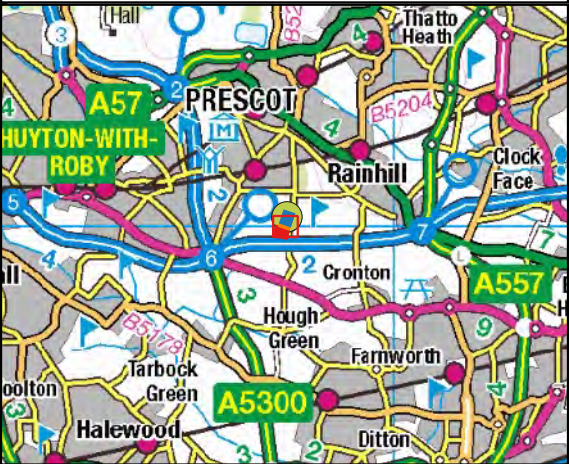
8 Figures



Foxwood Garden Village, Whiston

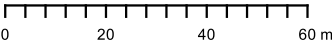
Title:
Fig 1: Location of the boundaries subject to S73

- Legend:
- Barn at Snape Gate
 - Gate Peirs Beside North East Lodge
 - North East Lodge
 - Halsnead Park Wall
 - Approximate line A to B
 - Approximate line K to M
 - Curtilage listed wall



Co-ordinate system: OSGB36 / British National Grid

Scale: 1:1500 @ A3





Foxwood Garden Village, Whiston

Title: Fig 2: Extract from 1842 Tithe map of the Township of Whiston

Legend:

- Snape Gate Barn
- Halsnead Park Wall
- Approximate line K to M

Co-ordinate system: OSGB36 / British National Grid

Scale: 1:1000 @ A3

0204060 m

N



Foxwood Garden Village, Whiston

Title:
Fig 3: Extract from the 1989-1990 Ordnance Survey
1:10,000 map

Legend:

- Snape Gate Barn
- Halsnead Park Wall
- Approximate line K to M

Co-ordinate system: OSGB36 / British National Grid
Scale: 1:1000 @ A3

0204060 m

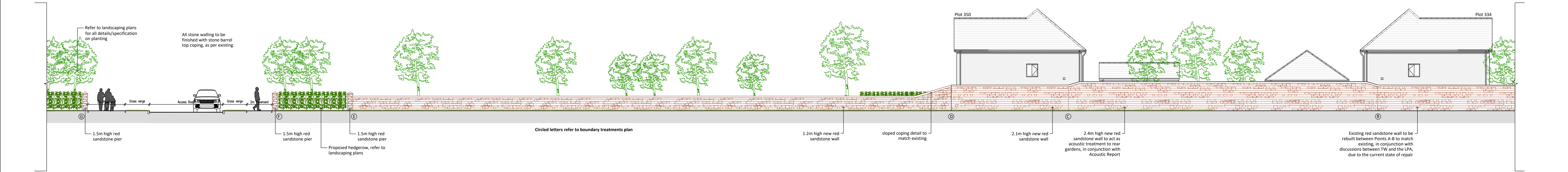
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Appendix 1

Proposed boundary treatment



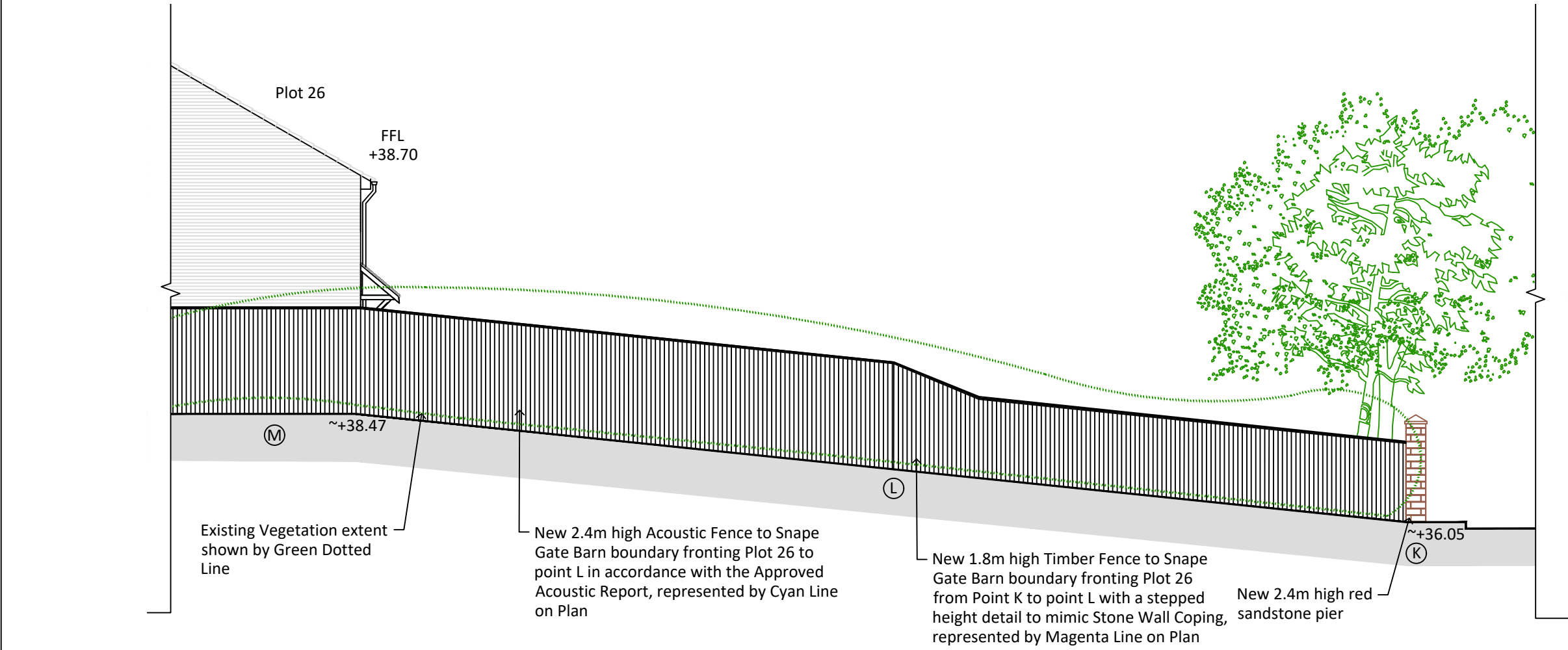
Wall Elevation from Fox's Bank Lane (Section 1) - NTS



Wall Elevation from Fox's Bank Lane (Section 2) - NTS

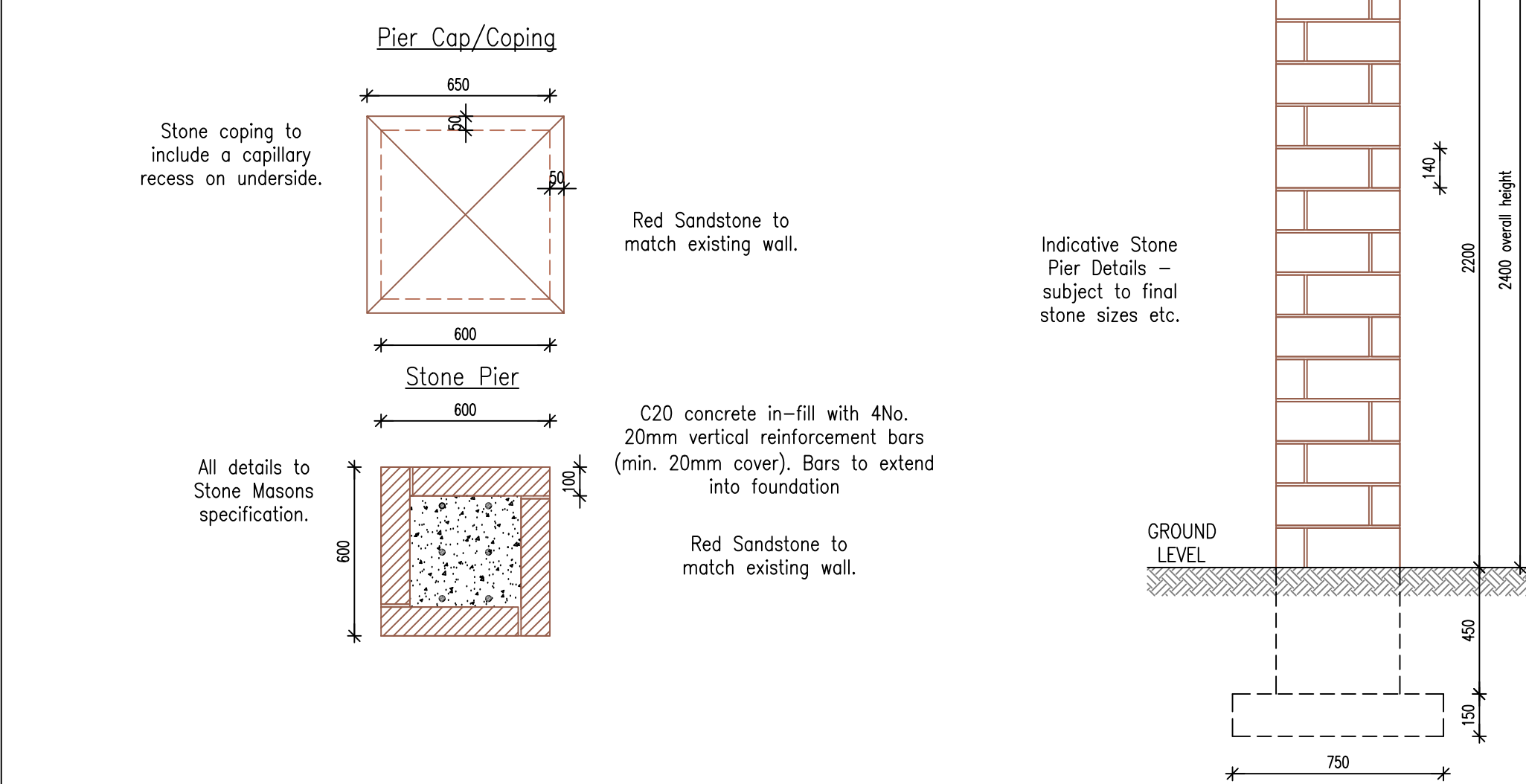


Site Layout Plan - NTS

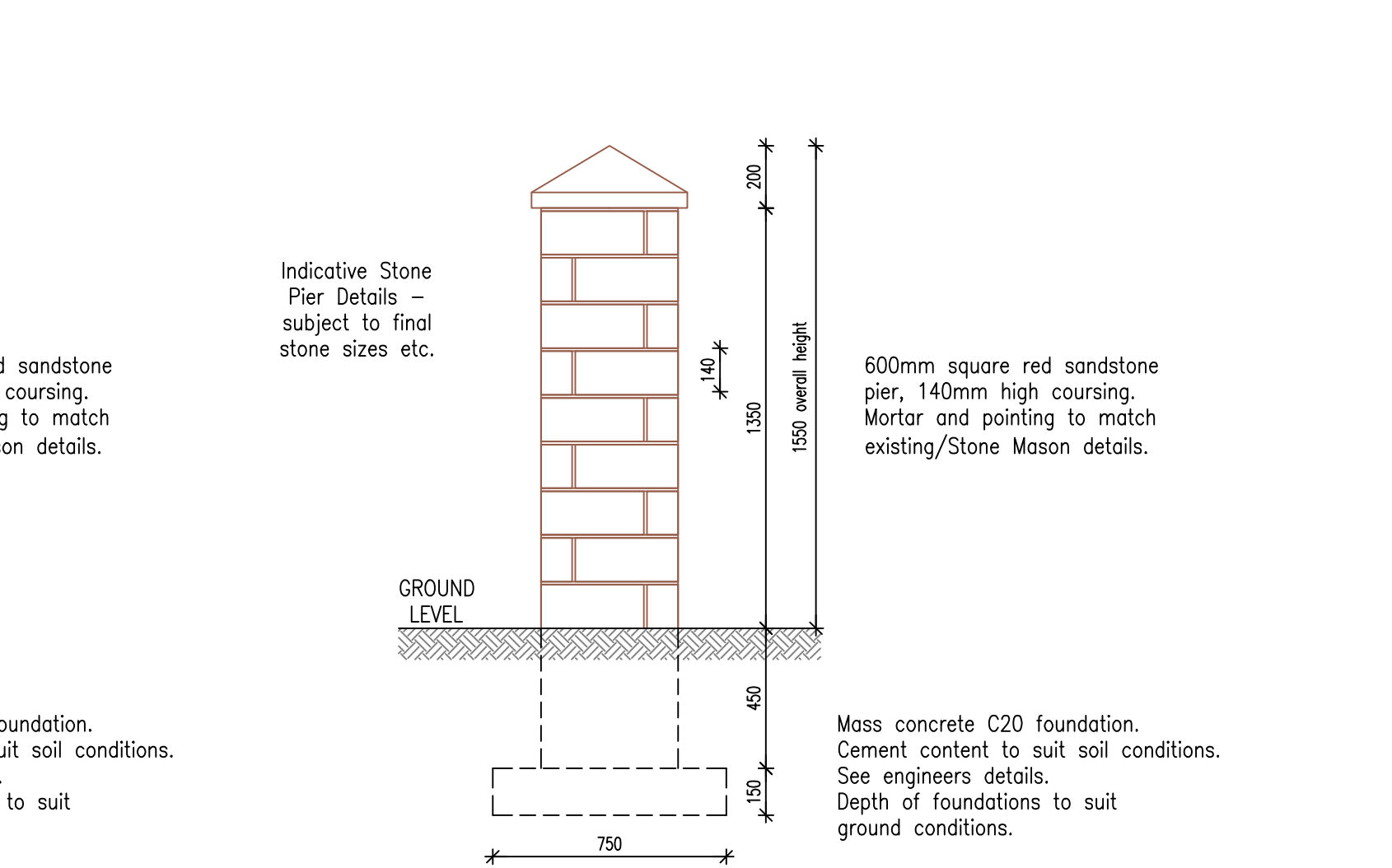


Fence Elevation from Snape Gate Barn - NTS

Indicative Stone Pier Details - 1:20



Indicative Stone Pier Elevations - NTS



Google Street View Photographs of Sloped Coping - NTS



Google Street View Photographs of Low Level Wall - NTS



Proposed Wall to tie in with Existing Coursing Bands as shown - NTS

Technical Data* for St Bees Sandstone

Density	2345kg/m ³
Compressive Strength	77.6 MPa
Water Absorption	0.22%/24hrs
Porosity	13.30%
Durability (Phase II)	0.8 MPa
Flexural Strength	0.8 MPa
Breaking Load at 28 days	840
Slip Resistance (Dry)	111
Slip Resistance (Wet)	88
Abrasion Resistance	400
Vapour Permeability	0.025 (100)
Reaction to Fire	Non-combustible

Proposed Facing Stone to be used by Stone Central (Stone Masons) where the new stone is required



Methodology of Works

Fox wood Garden Village

- Source and obtain samples of suitable matching stone for approval by the client.
- Ensure that stone can be supplied in sufficient quantity and of consistent quality to meet the requirements of the project.
- Barrier workplace off with Heras fencing ensuring the public cannot enter
- Stone Central operatives to sort stone from bags where others have taken down existing wall
- Carefully clean off stone and place on pallets in various sizes to rebuild
- Using NHL 2 and locally sourced sands in 3 to 1 ratio to be agreed by conservation officer
- Carefully tooth out existing wall to enable bond
- Build wall to the correct line and level agreed with MC
- Pointing
- Agree pointing sample colour and finish with conservation officer before works commence
- Cleaning
- Before the end of each shift the area is to be cleaned up and compound to be made secure

Key

- Proposed 2.4m high Acoustic Fence as per the details set out in the Approved Acoustic Report
- Proposed 1.8m high Close Boarded Timber Fence
- Proposed Stone Wall to Fox Bank Lane

E	Revised in line with As Built section, specification updated to St. Bees and Point A buffer shown.	27/02/24	BB
D	Revised in line with on site discussion with Stone Central & Knowlesy MBC to increase the pillar width to 600x200mm.	20/10/23	BB
C	Revised in line with TEP's comments.	04/05/23	BB
B	Revised in line with Planner's comments.	09/03/23	BB
A	Revised in line with Planner's comments.	16/12/22	BB
Rev	Description	Date	Initial

Taylor Wimpey

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www.taylorwimpey.com

FOX WOOD GARDEN VILLAGE INDICATIVE ELE/SECTION STONE WALL - FINAL			
PLANNING			
AS SHOWN @ A0	25/10/22	BB	BE
DRAWING NUMBER	20285	IWE	04
REVISION			E

16th August 2023

Document Ref: 7137.06.001, Version 4.0



Heather Eilbeck is dealing with this matter
Mobile: **07767 167 503**
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PLANNING | DESIGN | ENVIRONMENT

Dear Brandon,

RE: Foxwood Garden Village (Halsnead Park), Whiston – Conflict Between Retained Trees and Boundary Treatment

I write to provide my advice on the proposed boundary treatment adjacent to Plot 26 in respect of arboriculture and effects on existing trees. The location of the boundary treatment is between points K and M as shown on the Boundary Treatment Plan (ref: *HALS BTP 02 Rev I, Sheet 2*). I understand that Knowsley Council have requested that a stone wall, matching that of the existing red sandstone wall along Fox's Bank Lane, is provided. Taylor Wimpey however, are currently proposing a 1.8m high close boarded fence due to the proximity of retained trees and hedgerow along the shared site boundary. The current proposed boundary treatment is shown on Inset 1 of the Boundary Treatment and Tree Conflict Plan (ref: *D7137.06.001*) enclosed at Appendix A.

Design and Construction Methods

Several different options for boundary treatments have been explored with Taylor Wimpey, primarily comprising different wall designs; including a low-level (0.9m) wall and a 2m high wall. However, concerns were raised with regard to the suitability of installing a new wall within the Root Protection Area (RPA) of two retained trees; G13.2 (southernmost tree of G13) and G14 (northernmost tree of this group), both categorised as being of moderate quality (Category B) in accordance with BS 5837: 2012; and immediately adjacent to retained hedgerow H1. The RPA is deemed to be the minimum area around a tree deemed to contain sufficient roots and rooting volume to maintain the tree's viability, and where the protection of the roots and soil structure is treated as a priority. Disturbance within the RPA should ideally be avoided and in general terms, the greater the infringement into the RPA the less certainty can be given over the long-term health or survival of a tree.

The locations of these features, inclusive of RPA, is shown at Appendices A and B. Categorisation in accordance with BS 5837:2012 is shown at Appendix B. Photographs of this boundary and the relevant arboreal features can be seen in Appendix C. At present, the



Gold

alignment of the boundary treatment cuts significantly into the RPA of G13.2 and across the entire width of the RPA of G14. This gives rise to concerns due to the potential impact that the construction of the proposed wall may have on these features, some of which are located on third party land or are under shared ownership, and the loss of which would increase the overall arboreal and ecological impacts of the proposed development.

A wall constructed on a standard strip foundation would necessitate an excavation of 1000mm wide and 850mm deep, inclusive of a 250mm deep poured concrete foundation. The majority of tree roots are found in the top 600mm of soil, with fine fibrous roots vital for gaseous exchange and water uptake typically found in the top 300mm. Therefore, due to the linear nature of walls and the proposed alignment along the site boundary, the severance of a significant proportion of roots would be unavoidable, particularly with regard to G14. Whilst any such root severance could be controlled via sensitive excavation, root pruning would affect approximately 27% of G14's RPA, and a much higher percentage of the northernmost tree's individual RPA, and approximately 22% of G13.2's RPA. This amount of root pruning would not be tolerable and would lead to deterioration of the trees. In addition, the trees within G13 are growing immediately adjacent to and within the existing stone wall and therefore their root growth is highly likely to be heavily biased to the west within the field, resulting in increased anticipated effects. The proposed alignment would also bring foundation excavation within 1.5m of the base of G13.2, where larger and much more significant structural roots are highly likely to be located, and therefore the impact will be significant. In both instances, the level of root pruning that would be required to accommodate the excavation of strip foundations would not be tolerable and would cause harm to both trees and potential instability due to severance of structural roots. At the current alignment, the required width of the foundation excavation would also cut significantly into hedge H1 and necessitate its removal in this location to accommodate the foundation excavation.

An alternative to strip-footings is piled foundations. It has been confirmed by the project engineer that the wall would require staggered piles, driven to a depth of approximately 3000mm (subject to ground conditions). These would cover a 1m wide plinth along the proposed alignment with a beam installed across the top. From an arboricultural perspective, due to the depth of the piles and their proximity to one another, the effect on the roots of G13.2 and G14 is unlikely to be substantially different to strip footings. As with the standard foundation method above, the required width of the current alignment would also significantly cut into H1 and necessitate removal in this location. There would also be a requirement for the piling rig to access beneath the canopy of G13.2 and G14, necessitating heavy pruning. There are also overhead lines located between points K and L which would further complicate the use of a piling rig in this area.

Due to the potential impacts of the proposed wall construction on adjacent retained trees and hedgerow between points K and M, Taylor Wimpey removed the proposed wall in this section entirely and replaced it with the currently proposed 1.8m high close boarded fence. Fences are inherently more flexible and less impactful in terms of construction and installation, because the post holes are much smaller; less frequent in number; and can be microsituated to avoid significant roots. From an arboricultural perspective, the use of a fence is preferable between points K to M as it wouldn't necessitate any additional tree removal.

Conclusion

Inset 2, shown at Appendix A, indicates the feasibility of the wall construction based on the impact it would have on adjacent trees. Yellow sections indicate where a wall could potentially be constructed subject to modification and red sections indicate where modification and subsequent wall construction is not viable without felling trees. There are no sections where the wall could be constructed without trees or hedgerow posing some form of constraint.

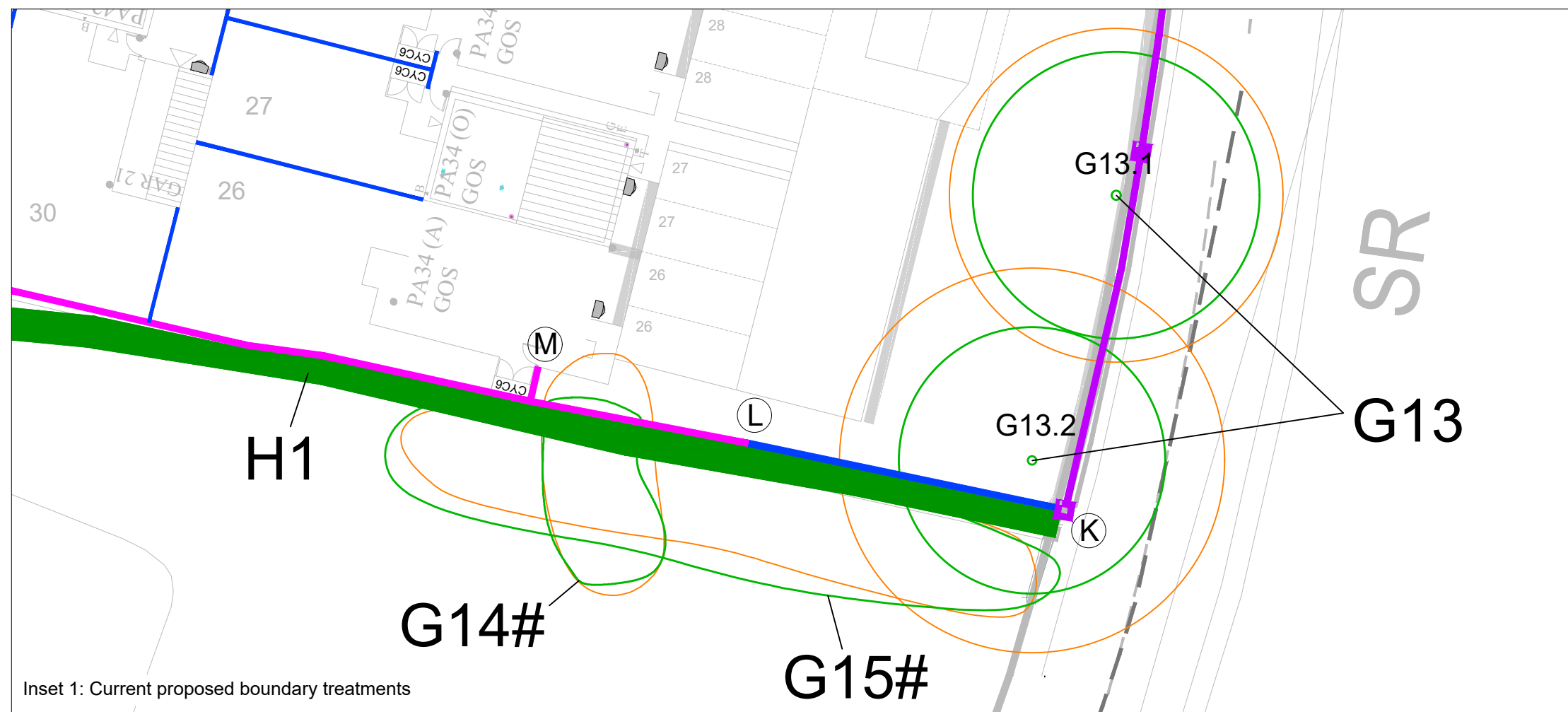
It may be possible to construct a wall in a conventional manner between the RPAs of G13.2 and G14, however the alignment would need to be adjusted to bring the required foundation excavation far enough away from the adjacent hedge H1 to ensure that it could be retained without deterioration. The southernmost edge of the excavation would need to be a minimum of 0.5m away from the canopy edge of H1, with the centreline of the wall a minimum of 1m away from the canopy edge. The sections of wall either side of this adjusted section would need to tie-in but there is insufficient space due the proposed property to accommodate sufficient movement to avoid the RPA of existing trees. Construction of a wall in this location is therefore prevented unless additional tree loss is accepted.

Yours sincerely,



Heather Eilbeck BSc (Hons) MICFor
Arboricultural Consultant
TEP

Appendix A – Boundary Treatment and Tree Conflict Plan



KEY

[This drawing must be reproduced in colour]

-  G1 Retained Tree Groups
 H1 Retained Hedgerow
 Root Protection Area (RPA)
 # Approximate location
 (Feature not shown on supplied topographical survey)

Current proposed boundary treatment (Inset 1)

- | | |
|---|--------------------------------------|
|  | 1.8m high close boarded fence |
|  | 2.4m high acoustic fencing |
|  | 1.8m high brick wall |
|  | Red sandstone wall to match existing |
-
- 

Boundary Treatment Plan Point Reference

(Plan ref: HALS BTP 02 Rev 1, Sheet 2)

Construction viability of new stone wall (Inset 2)

-  Viable with modification
 Not viable



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Rev	Description	Drawn	Approved	Date



**THE
ENVIRONMENT
PARTNERSHIP**

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Tel 01925 844004 e-mail tep@tep.uk.com www.tep.uk.com

Project

Foxwood Garden Village (Halsnead Park), Whiston

Title

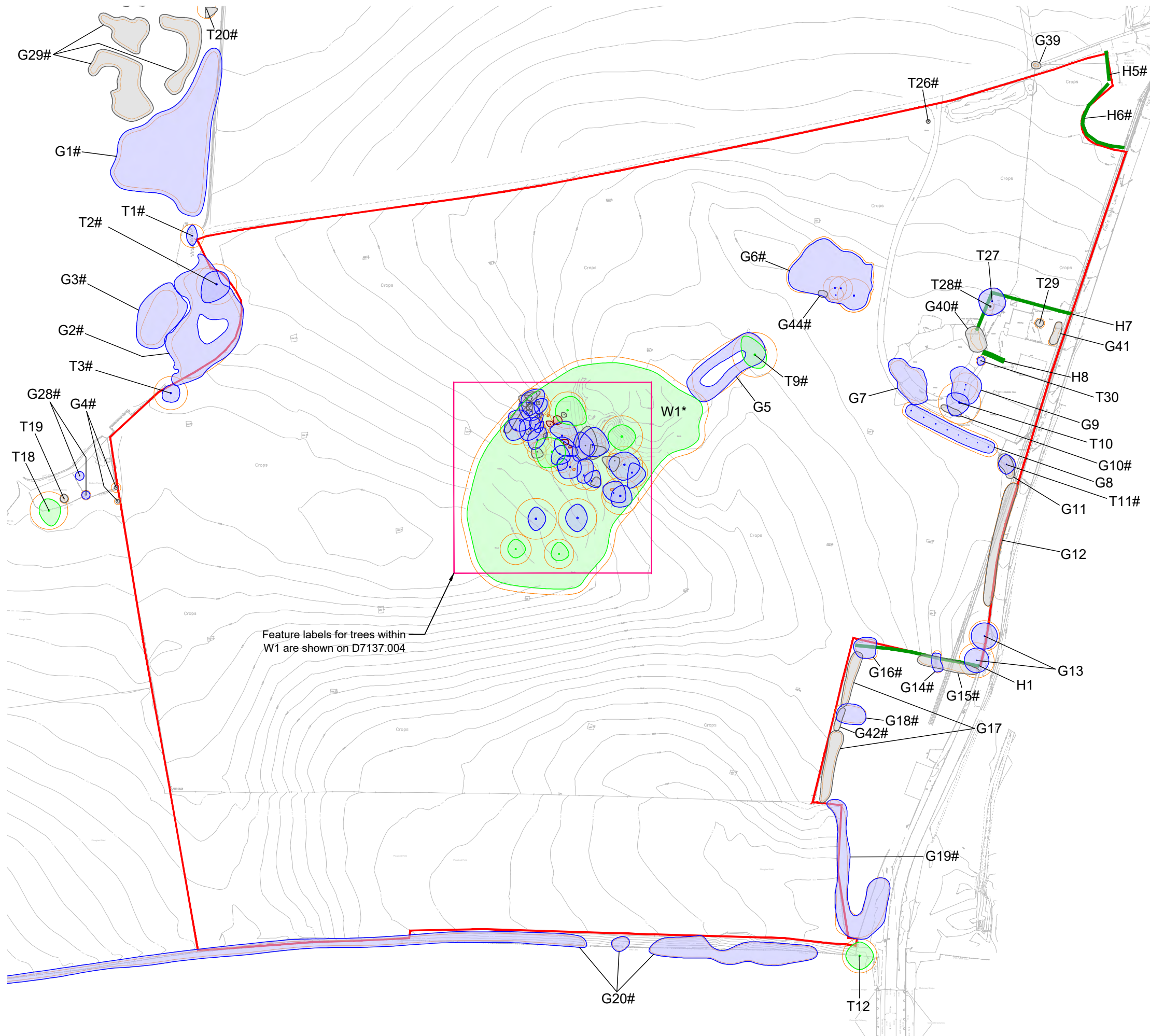
Boundary Treatment and Tree Conflict Plan

Drawing Number

D7137.06.001

Drawn HEE	Checked AAB	Approved JGS	Scale 1:250 @ A3	Date 18/07/2023
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**Appendix B – Tree Constraints Plan, produced as part of Arboricultural Impact
Assessment**



KEY

[This drawing must be reproduced in colour]

- T1/G1/W1 Trees
- H1 Hedgerow
- Root Protection Area (RPA)
- Small Trees (<70mm stem diameter at 1.5m)
- Application Boundary
- # Approximate location (Feature partially shown or not shown on topo)
- * Tree Preservation Order 64/00001/TPO (Halsnead Park, Lickers Lane Tree Preservation Order No. 1)

Tree Quality Categorisation

(Based on BS 5837:2012 Trees in relation to design, demolition and construction - Recommendations)

- Category A (High quality)
- Category B (Moderate quality)
- Category C (Low quality)
- Category U (Unsuitable for retention)
- Hedgerow (Not categorised)

NOTES:

This drawing should be read in conjunction with the respective Arboricultural Survey Data (Appendix A).

Coloured hatch not shown for W1 on drawing D7137.004 for clarity.



C	T12 and H1 aligned with topo survey	HEE	TDP	16.03.2022
B	Updated topo survey and additional survey data	HEE	TDP	14.03.2022
A	Updated development area survey data	HEE	JGS	22.12.2020
Rev	Description	Drawn	Approved	Date



THE ENVIRONMENT PARTNERSHIP

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Project

Halsnead Park, Whiston
Arboricultural Impact Assessment

Title

Drawing 1: Tree Constraints Plan [BASELINE] - Application Site

Drawing Number
D7137.001

Drawn	Checked	Approved	Scale	Date
HEE	AAB	JGS	1:2000 @ A3	14/05/2019

Appendix C – Site Photographs



Figure 1 G13.2 and H1 (left to right - approximately Sections K to L of Boundary Treatment Plan)



Figure 2 H1 and G14 (left to right - approximately Sections L to M of Boundary Treatment Plan)



Figure 3 H1 and G14 (left to right - approximately Sections L to M of Boundary Treatment Plan)

