



ENGLISH HERITAGE

SOUTH WEST

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Our ref: P00105340

21 June 2012

Dear Ms Tucker,

Notifications under Circular 01/2001 & GDPO 1995

**LAND AT PARK FARM, OFF BUTT LANE, THORNBURY, SOUTH GLOUCESTERSHIRE
Application No PK11/1442/O**

Thank you for your letter of 6 June 2012 notifying English Heritage of the formal amendments to the above application. We last commented in detail in August 2011. Since that time there have been a number of changes made to this scheme, to the historic assets in the vicinity of the site and to the National Guidance on the historic environment.

In particular, we would wish to draw your attention to the matters listed below, some of which were previously raised in our last response;

- The publication of the National Planning Policy Guidance and the EH Guidance on Settings to designated assets.
- The Scheduled Fishponds.
- The assessment of New Park for designation and its outcome.
- The review of the Castle and its immediate environs for Scheduling. *
- The setting of Thornbury Conservation Area.

* Please note; the scheduling assessment for the Castle is still programmed to go ahead. A consultation draft report for Scheduling the castle as a designated asset has recently been released. We attach a copy for your information. Please be aware that a copy of this consultation has also been sent to the Programme Officer for the Core Strategy EIP as background information for the Inspector.

Summary

We are mindful that in our original response we had considerable concerns to this proposal and that we believed that the applicants had not fully understood the significance of the various heritage assets and the role they played in shaping this part of Thornbury. This may also have been confused by the designation activity that was operating in parallel to the early stages of this application in assessing the Fishponds, New Park and Thornbury Castle separately. Apart from the Castle (please see note above), these designation matters have

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now been resolved. The revised documents produced have allowed us to be able to see that a thorough assessment of these assets have been undertaken and consequently, we are in a better place to judge the proposed scheme.

We wish to thank the team in South Gloucestershire Council for their continued efforts throughout this process of engaging with the applicants and ourselves to find a solution that meets our specific issues. In addition, we recognise that the applicants have been diligent in ensuring that they have taken on board our concerns about setting issues and have adjusted the scheme to reflect this.

Overall, we believe that the present iteration of this proposal will be less harmful in terms of impact to the adjacent designated heritage assets than the original submission. Subject to some further points of clarification over the Conservation Area, Conservation Management Plan for the fishponds and the flooding strategy, we no longer consider that we can justify opposing this proposal.

English Heritage Advice

The remaining outstanding issues relate to the impact of the proposed development that will be located close to the conservation area, a number of listed buildings and the recently scheduled fishponds. Consideration also needs to be given to New Park itself that was recently identified as having “considerable local interest,” by our Designation Team in English Heritage.

- **NPPF**- We are pleased to see that the revised assessments –in particular the “Historic Building, Historic Landscape and Conservation Area Assessment”, have been undertaken since the NPPF was published and can therefore be tested against the criteria in that document. This document concludes, “... the magnitude of the proposed change in many cases is not so severe that the development will result in substantial harm or total loss of significance”. In NPPF terminology this indicates that there will be less than substantial harm to the significance of the majority of adjacent heritage assets. On this basis we believe the application complies with the NPPF in respect of the historic environment.
- **Settings**- In the original application we took the view that the settings to various assets, in particular the Conservation Area itself, had not been fully assessed or the appropriate level of mitigation put forward. By looking at each aspect of the historic environment in this location, we can judge them against the new proposals as we did for the previous version of the scheme;
 - **Listed Buildings**; It has been most helpful in fully assessing the impact of this development upon existing viewpoints of the church and castle and their immediate surroundings. We do not consider that there will be any direct impact upon the Church or the Castle by the proposal. We have, together with the applicants, looked at the possibility of a visual connection between the Castle and the Fishponds as there is likely to have been a historic link between them. We are unable to demonstrate any visual links or indivisibility between these two assets. Consequently, we do not consider there is any justification in stating that the setting of the Castle will be harmed by this proposal. We consider the setting to the fishponds separately . - Please see below.
 - **Conservation Area**; the revised masterplan has been amended and, in our opinion, improved. In particular, the relocation of the main vehicular access into the site and the separation of the most southerly part of the development from the conservation area boundary by means of a sport pitch for the school have lessened the harmful impact upon the conservation area itself. However, there will be some impact upon the current rural backcloth to the eastern side of the conservation area from this development- partly made up of by New Park land. The vicinity of the residential development, as well as a greater flow of traffic around the site, will have an impact on the current character of this area and particularly at night when lighting from houses and roads will be significantly

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invasive. However, the reinforcement of tree coverage around the boundary to the Conservation Area and use of carefully designed street lighting to avoid light spillage in the southern end of the site should help to alleviate the worst effects of this. Further details relating to these points should be provided at an appropriate time.

- o **Fishponds**; English Heritage have always maintained that providing there is a strong Conservation Management Plan (CMP) in place to ensure that the existing trees and vegetation around this monument are properly maintained and preserved then its setting will not be compromised. Without this tree cover both within the new development and the existing trees within the scheduled area, its setting will be severely compromised. We, therefore, have some difficulty presently in endorsing the draft CMP document, as we do not consider that it will provide the necessary strength of guarantee for the future mitigation of this significant monument.

Please see below our detailed comments on this particular issue, seeking further clarification:

1. We need to see confirmation from the hydrologist that the proposals will not significantly alter the water level or quality in the fishponds, and that any changes in flow-rate would not result in increased erosion to the earthwork complex. To this end we have looked at the Flood Risk Assessment and Drainage Strategy posted on the S. Gloucestershire web site recently. We do not see any indication in this document that this issue has been considered.
 2. The process of assessment should be (1) ecological and arboricultural survey, (2) access audit, (3) clearance works. The order in the document should therefore be revised.
 3. The access audit should consider the potential of the site to be used by local schools as a historic and ecological asset. We raised the matter of a basic interpretation pack being made available to local schools and this is still worth pursuing. We recall the LPA were also keen to explore this.
 4. The formal agreement will form part of the CMP and can include a schedule of works setting out clearly which works can be undertaken without reference to English Heritage (EH), those that require referral and those that would require a formal approach to EH.
 5. Any operation within the constraint area of a Scheduled Monument requires that EH is consulted on the potential need for SMC. It is possible that works that do not themselves break the ground surface can involve damage to the ground through access for plant etc. For this reason, we would *not* agree to an interim measure such as that set out in para. 5.7 of the draft CMP, where it is proposed that works are carried out on the Scheduled Monument without referring to English Heritage.
 6. **Flooding**- As stated above the Flood Risk Assessment and Drainage Strategy has been examined by us. We would not only question its lack of consideration in terms of the water levels and flow rates of the brook into the fishponds, but also what is meant by "Dry Swales" and where they will be located. It is perhaps unfortunate that the only drawing showing this detail indicates such a structure being imposed in the scheduled area. Further clarification is sort on this matter.
- **New Park** – We now have more clarity about the significance of this particular asset and how it impacts upon the character of the landscape. Irrespective of its non-designated status, this land plays an important role in contributing to the character of this part of Thornbury and to the setting of the Conservation Area. However, due to this area of land remaining non-designated, we are unable to provide further comments as it is beyond the scope of our statutory responsibility.

Recommendation

We would urge you to address the above issues, and recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice. We would still wish to receive further information concerning the fishponds monument prior to determination of the application in order to ensure that our outstanding issues for the scheduled monument are clarified and responded to appropriately. We also wish to ensure that the appropriate level of mitigation concerning the landscaping and lighting strategy for this site in respect of the Conservation Area has been sensitively designed through the masterplanning process.

Yours sincerely

Caroline Power

Historic Environment Adviser

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Encs- Consultation Designation Report for Thornbury Castle.

Cc Hugh Beamish - Inspector of Monuments, Deborah Williams- Team Leader SW Designations -English Heritage.
David Haigh- Heritage Manager.

Case Name: Thornbury Castle

Case Number: 468020

Background

We have received an application for the scheduling of Thornbury Castle. This has been prompted by a planning application as part of the planned urban extension of Thornbury. Although the castle itself is not affected by the development proposals, concern has been expressed about the impact of the development on the setting of the Castle. As part of the assessment for Thornbury Castle the list entries for the upstanding parts of the castle and the two lodges are all currently subject to amendments, as is the associated Registered Park and Garden Entry.

Asset(s) under Assessment

Facts about the asset(s) can be found in the Annex(es) to this report.

Annex	Name	Heritage Category
1	Thornbury Castle	Scheduling

Visits

Date	Visit Type
17 November 2011	Full inspection

Annex 1

The factual details are being assessed as the basis for a proposed addition to The National Heritage List for England.

Factual Details

Name: Thornbury Castle

Location

Thornbury Castle, South Gloucestershire

County	District	District Type	Parish
	South Gloucestershire	Unitary Authority	Thornbury

History

Fortified houses were residences belonging to some of the richest and most powerful members of society. They were constructed in the medieval period, primarily between the C15 and C16 centuries, although evidence from earlier periods, such as the increase in the number of licences to crenellate in the reigns of Edward I and Edward II, indicates that the origins of the class can be traced further back. Their design reflects a combination of domestic and military elements. In some instances, the fortifications may be cosmetic additions to an otherwise conventional high-status dwelling, giving a military aspect while remaining practically indefensible. They are associated with individuals or families of high status and their ostentatious architecture often reflects a high level of expenditure. The nature of the fortification varies, but can include moats, curtain walls, a gatehouse and other towers, gunports and crenellated parapets.

Their buildings normally included a hall used as communal space for domestic and administrative purposes, kitchens, service and storage areas. In later houses the owners had separate private living apartments. In common with castles, some fortified houses had outer courts beyond the main defences in which stables, brew houses, granaries and barns were located.

The first known reference to Thornbury is in an agreement of 896 between Bishop Waferth of Worcester and Aethelwold, which refers to woodlands in Gloucestershire including one at Thornbyrig. Although the precise location of a Saxon settlement at Thornbury is unconfirmed, it has been suggested that the focus lay around the present parish church of St Mary the Virgin (Listed Grade I) which is positioned on rising ground, overlooking an area of former marshland extending toward the River Severn. In 1066 it is recorded that the manor of Thornbury was held by Beorhtic, son of Aelfgar, although by Domesday it is in the hands of King William. The manor has a long history of changing ownership, being held by the Crown at intervals. In the C12 and C13, it was part of the earldom of Gloucester and was held by the de Clare family until 1314; they were responsible for the foundation of the borough of Thornbury in 1243, to the south of the church and manor house. A major fire in 1236 destroyed the manor house, leading the King to order that the Constable of St Briavels supply 20 oak trees from the Forest of Dean for its rebuilding. It was this house which was inherited by Hugh d'Audley following the partition of the Clare estates in 1327, eventually coming to Audley's son-in-law, Ralph Stafford, in 1347. Documentary sources, including early-C14 and C15 financial accounts provide evidence for an extensive complex, comprising an inner court, entered by a central gate, giving access to a hall, orientated north to south, with a buttery, pantry and kitchen to the west and larder, bakehouse and cellar beyond. A chapel, begun in 1340 and completed in 1435 lay to the east side of the hall. Accounts also record an outer courtyard containing a range of service buildings including a barn, granary, stables, dairy and dovecote.

Following a brief forfeiture at the execution for treason (following the Rebellion of 1483) of Henry Stafford, the 2nd Duke of Buckingham, The manor house was restored to the family

and inherited by his son Edward in 1498 who made it his principal seat. Plans to create an ambitious fortified house led to a licence to crenellate being granted in 1510. With the hall and chapel of the existing manor house forming the east range of an inner courtyard, Buckingham set about building an elaborate palace-castle, possibly modelled on Richmond Castle, and rivalled only by Wolsey's Hampton Court. To match his bold plans for the castle, Buckingham also enclosed large areas of parkland including 'Newe Parke' located to the north, Marlwood and Eastwood.

Edward, Duke of Buckingham was executed by Henry VIII following an investigation for treason in 1521 and the estate was confiscated, remaining in crown ownership until 1554. Henry sent surveyors Thomas Magnus and William Walweyn to make a record of his new acquisition shortly after Buckingham's death, and their account provides a detailed description of the castle and estate. Although works were not recommenced, the buildings were maintained and periodically used. Thornbury Castle was restored to the Staffords in 1554 when it was granted to Buckingham's son, Lord Henry Stafford by Queen Mary. The upkeep of the castle proved too expensive, however, and it fell into ruin, eventually coming into the ownership of a branch of the Howard family in 1637 and remaining in their hands until the 1960s.

The east wing, comprising the original medieval hall and chapel, was demolished at some point before 1732. No pictorial representations survive of the range; it is described in the detailed inventory in 1583. Although used as lodgings and a farmhouse in the C18, it was not until the C19 that real efforts were made to bring the castle back into use. The south-west tower was restored under Lord Henry Howard in 1809-11, possibly by Francis Greenway, but major restoration was delayed until 1849 when Henry Howard commissioned Anthony Salvin to restore the house for his private use. At some point the south-west corner of the outer court was used as a family cemetery. The castle is now (2011) a hotel and restaurant.

Thornbury Castle has been subject to a number of archaeological excavations and evaluations which have complemented the rich documentary record. Excavations in 1982 confirmed the survival of a tiled floor and the remains of a wall on the east side of the inner court. In 1988, during a watching brief on a new gas-pipe trench within the privy garden, a second tiled floor was observed. Both of these surfaces are late-C15 or early-C16 and are likely to relate to the east range of the inner court east range which was demolished in the early C18. Geophysical surveys of the castle grounds and a trial excavation of the privy garden in 1992 provided further evidence of the buried foundations of an east range to the inner court. It also provided evidence for the remains of the C16 Privy garden, as well as the possible remains of a moat within the grounds of the outer court. The outer court has also been the subject of archaeological investigation on a number of occasions, most recently in 1995.

Details

PRINCIPAL FEATURES

The standing and buried remains of a fortified house and associated features, principally of 1510-1511, together with the buried archaeological remains of the earlier medieval manor house and the Tudor privy garden.

DESCRIPTION

The site includes the remains a medieval manor house, surviving as buried deposits within the area occupied by the later C16 Thornbury Castle. The site occupies an area of high ground, sloping steeply to the west and more gently to the north, located immediately to the north of the Church of St Mary the Virgin. It is defined to the west by a shallow depression some 12.5m wide at its base, in an area known as The Pithay. This feature has been variously interpreted as a defensive ditch and part of a canal begun by Buckingham to connect the castle with the River Severn to the west. To the north, the site is defined by a 'ha ha' which is believed to follow the line of an extension to the defences on this side. Elsewhere, the site is defined by the walls of the C16 castle.

The Inner Court (walls listed at Grade I) comprises a set of three ranges flanking a courtyard. It is entered via an inner gateway in the centre of the west range. Excavations have identified

floor tiles, and a resistivity survey revealed the L-shaped east range which corresponds with the 1583 inventory of the castle. The plan has been postulated to include a buttery, porch, old hall, and chapel. Evidence of the demolished rooms can still be read in the existing building fabric in the form of a blocked serving hatch in the south side of the north range and passage doors in the west side of the south range and the garden wall opposite which would have led into the east range. The demolished east range is shown to have continued into the walled garden (Listed at Grade I) with the tiled remains of a room postulated to have been the lodging of the Duke of Bedford.

The walled garden (walls listed at Grade I) currently exists in two halves, with a lawned area, containing formal gravel paths to the west, and a C19 arrangement of yew hedging to the east. Originally a timber gallery would have run around the perimeters of the lawn (formerly the privy garden) which overlooked it on three sides and centrally divided the east and west ends of the walled garden. The evidence of the position of the structure can still be seen in the corbels surviving within the existing garden walls, as well as a first-floor window and doorways, and the south wall of the castle's south range. The results of trial trenching carried out in 1992 revealed that it was likely that the remains the original C16 garden survive largely intact circa 0.8 -1m below the present lawn.

The outer court (or base) (walls listed at Grade I) to the west of the inner court and privy garden, was never completed and comprises ruinous ranges to the north and west. It is approached from the south entranceway with the C19 west entrance lodge (listed at Grade II). The west side of the courtyard is largely used as a vineyard. A resistivity survey of the east side of the courtyard revealed an area of low resistance that could indicate the location of an infilled moat. The 1995 excavation within and around the north and west ranges have demonstrated that there has been considerable disturbance within the ruined north and west ranges, with little evidence of deposits pre-dating the C16. However, evidence of later construction debris was identified around the outer court walls. Beyond the north gateway of the outer court is a levelled, rectangular plateau which appears to be the beginning of a road network; however, there is no clear evidence of the extent of this feature. A survey of the area has revealed the existence of hard surfaces, particularly between the curtain wall and 'ha ha' on the northern edge of the site.

Selected Sources

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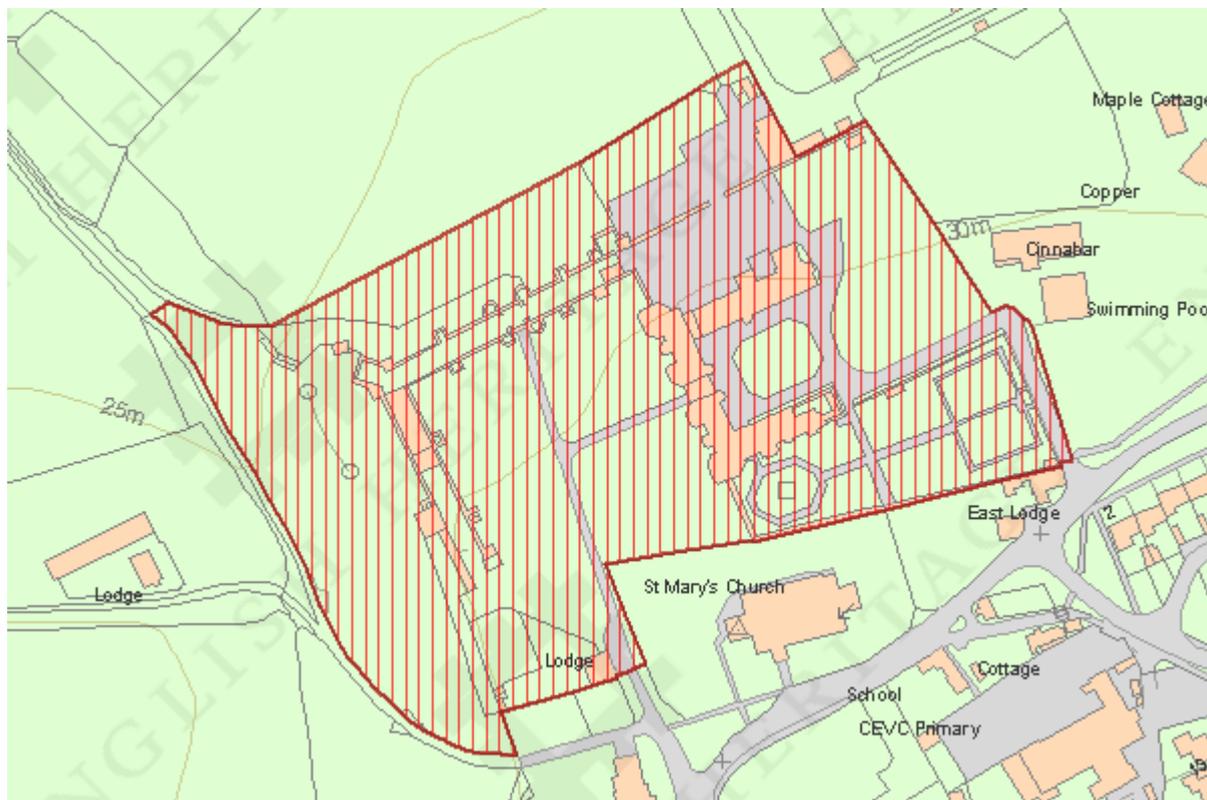
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Map**National Grid Reference:** ST6334190688

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