

Heritage Proof of Evidence

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Appeal by Croudace Homes Ltd:

Land South of Barrow Green Road, Oxted

On behalf of Tandridge District Council

September 2025

LPA Reference: TA/20250245

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1.0 INTRODUCTION

Qualifications and experience

- 1.1 I am Ignus Froneman, Director at Cogent Heritage, an independent heritage consultancy that I established in August 2019. In the 9 years before establishing Cogent Heritage, I was a Director at Heritage Collective UK Limited (now HCUK), and its subsidiaries. Before that, I was an Associate Director at CgMs Consulting (now part of RPS). During this time I have worked on a wide range of projects affecting the historic environment, throughout the United Kingdom.
- 1.2 I hold a degree in architecture; I am an Associate member of the Chartered Institute for Archaeologists (ACIfA) and a member of the Institute of Historic Building Conservation (IHBC).
- 1.3 I have nearly 25 years of experience in specialising in the historic environment, both in terms of understanding and analysing physical fabric, and in terms of policy application, specifically by assessing the impacts of development proposals and providing advice on heritage matters. My experience includes having dealt with a diverse range of cases, involving the assessment of physical changes to all manner of heritage assets, and/or development affecting their settings, and developments within all manner of conservation areas. I have undertaken numerous impact assessments where I have considered the impacts of new development on the historic environment (dealing with physical impacts, setting and townscape).
- 1.4 I have provided expert evidence at appeals, including public inquiries, on behalf of both appellants and local planning authorities, including many cases where I have specifically dealt with housing developments in the setting of listed buildings in rural contexts. I have acted on behalf of Local Planning Authorities at public inquiries on 12 occasions previously.
- 1.5 I understand my duties to the Inquiry; to give independent and objective evidence on matters within my expertise, based on my own independent opinion and uninfluenced by the instructing party. I confirm that the opinions set out in this Proof of Evidence represent my true opinion. I have stated the facts and matters on which I rely, and have sought to identify all material matters irrespective of whether they support the conclusion I have reached.
- 1.6 I believe that the facts stated within this Proof of Evidence are true and that the opinions expressed are correct. I have drawn attention to any matters where I consider I lack sufficient information to reach anything other than a provisional

conclusion. I will continue to comply with my duties to the Inquiry. I have adhered to the standards and duties of the professional bodies of which I am a member, and will continue to adhere to those standards and duties.

My involvement

- 1.7 My involvement in the Appeal started in October 2025, when I was asked to provide a quote for acting as Tandridge District Council's **heritage witness at the** Inquiry. I structured my quote in two stages. The first stage was to review the case, undertake a site visit, and provide my initial feedback in relation to heritage matters. The second stage, subject to the findings of the first, was to act as Tandridge District Council's heritage witness.
- 1.8 As part of the first stage I conducted a site visit, and provided initial feedback to Tandridge District Council, namely that I considered the appeal scheme would cause harm to the significance of the grade I listed Church of St Mary the Virgin, and the nearby grade II listed Court Farm House to the south of the church. It was on this basis that I agreed to appear as Tandridge District Council's heritage witness at the Inquiry.
- 1.9 I have used research in my Proof, which was largely sourced and collated by Elizabeth Doyle, an independent research consultant with whom I work collaboratively on projects where documentary research is required (I undertook some desk-based research). The research is intended to be informative, but it is not exhaustive and it is therefore likely that other information relating to the listed buildings exist.
- 1.10 As an independent expert witness, I have reached my own opinions and have come to my own conclusions about the impact of the appeal scheme on the significance of the listed buildings. As with previous appeals where I have acted on behalf of local authorities, I have not discussed the appeal scheme **with the Council's Conservation Officers**, or sought their views in preparing my evidence. I have not analysed or referred to the Historic Buildings Officer at Surrey County Council's **response** to the application in my Proof.
- 1.11 I am aware that Historic England was not consulted on the submitted application (I **can see from the Appellant's submission that** Historic England provided comments at pre-application stage, which appears to have been made on the basis of limited information that was presented to them at that time). Given that the appeal scheme affects a grade I listed building, Historic England should have been consulted, and I understand they were not consulted due to an oversight. I have drawn this to the attention of Officers at Tandridge District Council, and I have discussed it with the

Officer at Historic England who wrote Historic England's pre-application response. I was told that, in these circumstances, Historic England would not normally provide comments at the appeal stage, unless they were directly approached for comment by PINS. I have asked for this to be communicated to the Inspector, and I have left the matter there.

The key heritage issues

- 1.12 According to the **Council's** sixth reason for refusal, in the Decision Note of 15 August 2025 (CD XXX):

"The proposed development would cause less than substantial harm to the setting of St Mary's Church, a Grade I listed building, and Court Farm House a Grade II listed building [...]"

- 1.13 The heritage issues in relation to this proposal are therefore the impact of the scheme on the significance of these two listed buildings, through development within their settings.

Structure of my Proof of Evidence

- 1.14 The remainder of my Proof of Evidence is structured as follows:

Section 2: In this section, I consider the significance of the two listed buildings (the Church of St Mary the Virgin and Court Farm House) and the contribution of the appeal site to their significance.

Section 3: This section contains my assessment the impact of the appeal scheme on the significance of the two listed buildings.

Section 4: In this section I summarise my conclusions.

- 1.15 I have set out an overview of the relevant legislation and policy framework separately at Appendix 1 of my Proof of Evidence.

2.0 ASSESSMENT OF SIGNIFICANCE AND CONTRIBUTION

- 2.1 In this section I consider the significance of the two listed buildings, and the contribution of the appeal site to their significance, inter alia. However, I start this section with a general historic background overview to place both buildings in their historic context. The research was sourced and collated by Elizabeth Doyle, although I have added some desk-based research. The Surrey History Centre holds many historic photos (dated and undated) of the church, and although I have included most of them, as a comprehensive representative selection, I have not included every one.

HISTORIC BACKGROUND OVERVIEW

- 2.2 The *Victoria County History*¹ in c. 1912 describes the history of the Manor of Oxted in some detail, which I do not repeat here. The *Victoria County History* notes that the manor of Oxted was sold to John Reade in 1578, who in 1587 conveyed it to Charles Hoskins, citizen and merchant tailor of London. For the next two centuries it remained in the Hoskins family, descending in direct male line. In 1768 Charles Hoskins died, leaving an only daughter Susannah, who died childless, with her aunt Katherine, wife of Legh Master, being her heir. She died in 1807, and her son, the reverend Legh Hoskins Master, succeeded. His descendant, Charles Hoskins Master, became lord of the Manor. The *Victoria County History* states that Oxted Court, the old manor house, was at that time (i.e. in c. 1912) occupied as a farm, and called Oxted Court Farm. Barrow Green House had by then come to be considered the manor house. The *Victoria County History* also highlights that two mills at Oxted are mentioned in the Domesday Survey.
- 2.3 The first sourced map to depict the listed buildings and/or appeal site is the c. 1690 Map of 'Oxstead Court' (Fig XXX). The map is not very detailed, and accordingly only general observations can be made. The church must be the structure in the circular enclosure, with Court Farm House to the south. An unknown building is shown to the NE of the church, possibly a farm building. It shows Oxstead Court **as Williams Head's Farm**, with part of the appeal **site labelled as 'Little Stoney Fields'** and another part **'Spittle Fields'** (which took in more than just the appeal site). At this time, the setting of the church and of Court Farm House would have been very rural, with a strong connection between the buildings and the surrounding land.

¹ 'Parishes: Oxted', in *A History of the County of Surrey: Volume 4*, ed. H E Malden (London, 1912), *British History Online* <https://www.british-history.ac.uk/vch/surrey/vol4/pp312-321> [accessed 2 December 2025].



Fig XXX: An extract of the c. 1690 Map of 'Oxstead Court'. © Surrey History Centre

- 2.4 The next sourced map is the 1729 Senex map (Fig XXX). The map is not very detailed, and accordingly only general observations can be made. Oxted is shown to be represented by a single building, which is likely to be the church. This can be **contrasted with other settlements, e.g. Limpsfield, where 'village' or 'settlement' development is shown in a representative way (i.e. as individual or clustered black hatched rectangular shapes)**. Oxted must have been too small, or dispersed, a settlement to have been depicted in that way. That means the settlement at this time, and the setting of the church and of Court Farm House, would have been very rural, with a connection between the buildings and the surrounding land. Barrow Green Road to the north of the church is recognisable on the map.

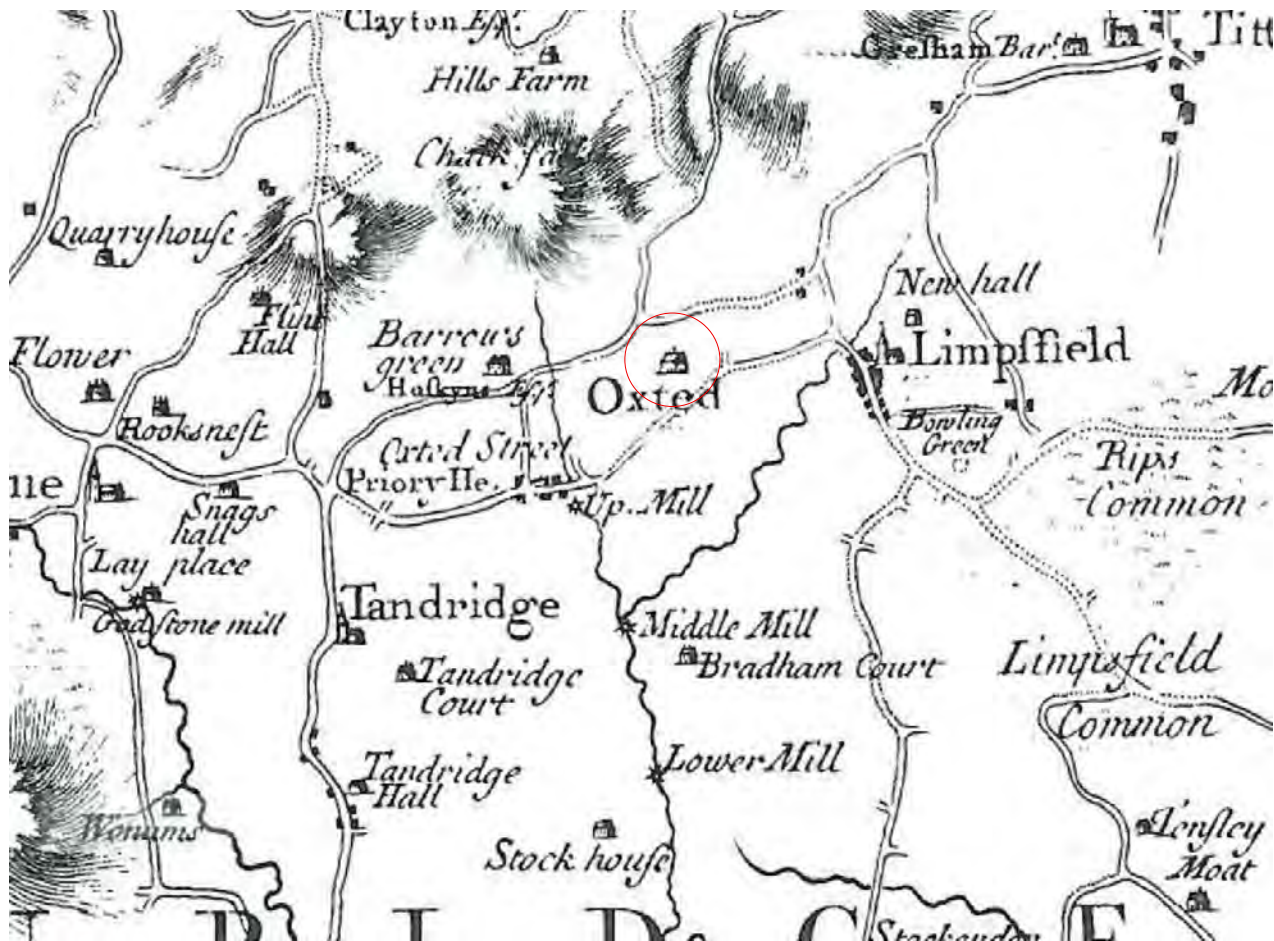


Fig XXX: An extract of the 1729 Senex map. © Surrey History Centre

2.5 The next map in the sourced sequence is the 1762 Rocque map (Fig XXX), which provides a little more detail. The map shows the church and buildings to the south, assumed to be Court Farm. A road to the NE of the church connected with Barrow Green Road, and to the south with what is now Church Hill Lane. The appeal site is shown as fields. It can again be observed that the setting of the two listed buildings must have been very rural at this time.



Fig XXX: An extract of the 1762 Rocque map.

- 2.6 The next map is the **1809 Ordnance Surveyor's drawing**, of which only a poor quality copy could be sourced (Fig XXX). This labels the church and Court Farm, which are again depicted in an open, rural setting.



Fig XXX: An extract of the 1809 Ordnance Surveyor's drawing.

- 2.7 The 1809 Plan of Oxted Court Farm (Figs XXX & XXX) shows the church within an enclosure, probably the raised/mounded site, and with (Oxted) Court Farm to the south. The buildings appear to wrap around the areas to the south and SE of the church, with an otherwise open, rural setting. It is possible to tell from the schedule on the map that the appeal site was part of the landholding of Court Farm at this time. The appeal site was parcel 33 (Stoney Field) and parcel 34 (Dauny Mead).



Fig XXX: The 1809 Plan of Oxted Court Farm. © Surrey History Centre



Fig XXX: A detailed extract of the 1809 Plan of Oxted Court Farm. © Surrey History Centre

2.8 A watercolour of c. 1822 (Fig XXX) shows the north elevation of Court Farm House, when it known as Manor Court House. It shows the building prior to the brick re-fronting, with a tiled roof and a rendered exterior (over what would have been a timber framed structure).



Fig XXX: A watercolour of c. 1822 of the north elevation of Court Farm House (or Manor Court House, as it was known at that time). © Surrey History Centre

2.9 The 1839 tithe map (Fig XXX) shows a similar distribution of buildings as the 1809 Plan of Court Farm, although in more detail. It is now possible to tell that the only buildings at Oxted were the church, and the buildings of Court Farm. The drawing convention means that habitable buildings are shown in red, and so it can be seen that the farmhouse was the only habitable building; the rest of the buildings at Court Farm must have been farm outbuildings. It can again be noted that this would have been a very rural arrangement of buildings, surrounded by countryside.



Fig XXX: An extract of the 1839 tithe map.

- 2.10 The land parcel numbered 556 was given in the **apportionment as 'Oxted Court Farm'**. It was owned by Charles Legh Hoskins Master (probably the son of the reverend Legh Hoskins Master, mentioned in the *Victoria County History*) and occupied by Richard Dartnell. The land parcel to the west of the church (557) was an orchard. All of the land now making up the appeal site was owned and occupied by the same people. The church was owned by William Bourn and the occupier was George Burgess. The roads were owned by the parish.
- 2.11 The first edition 1869 Ordnance Survey map (Fig XXX) is the first reliably accurate and detailed map to show the listed buildings, with a broadly similar arrangement as depicted on the tithe map. The orchard can be seen to the west of the church. The footpath that extends from Barrow Green Road to the church can now be seen on the

map; it probably existed from much earlier as a path to the ancient parish church, but the first edition Ordnance Survey map is the first of the maps to record it. A notable change is the linear land parcel of the railway line along the NE, although this was not completed until the 1880s (the London, Brighton and South Coast railway line from Croydon to East Grinstead, opened in 1884).

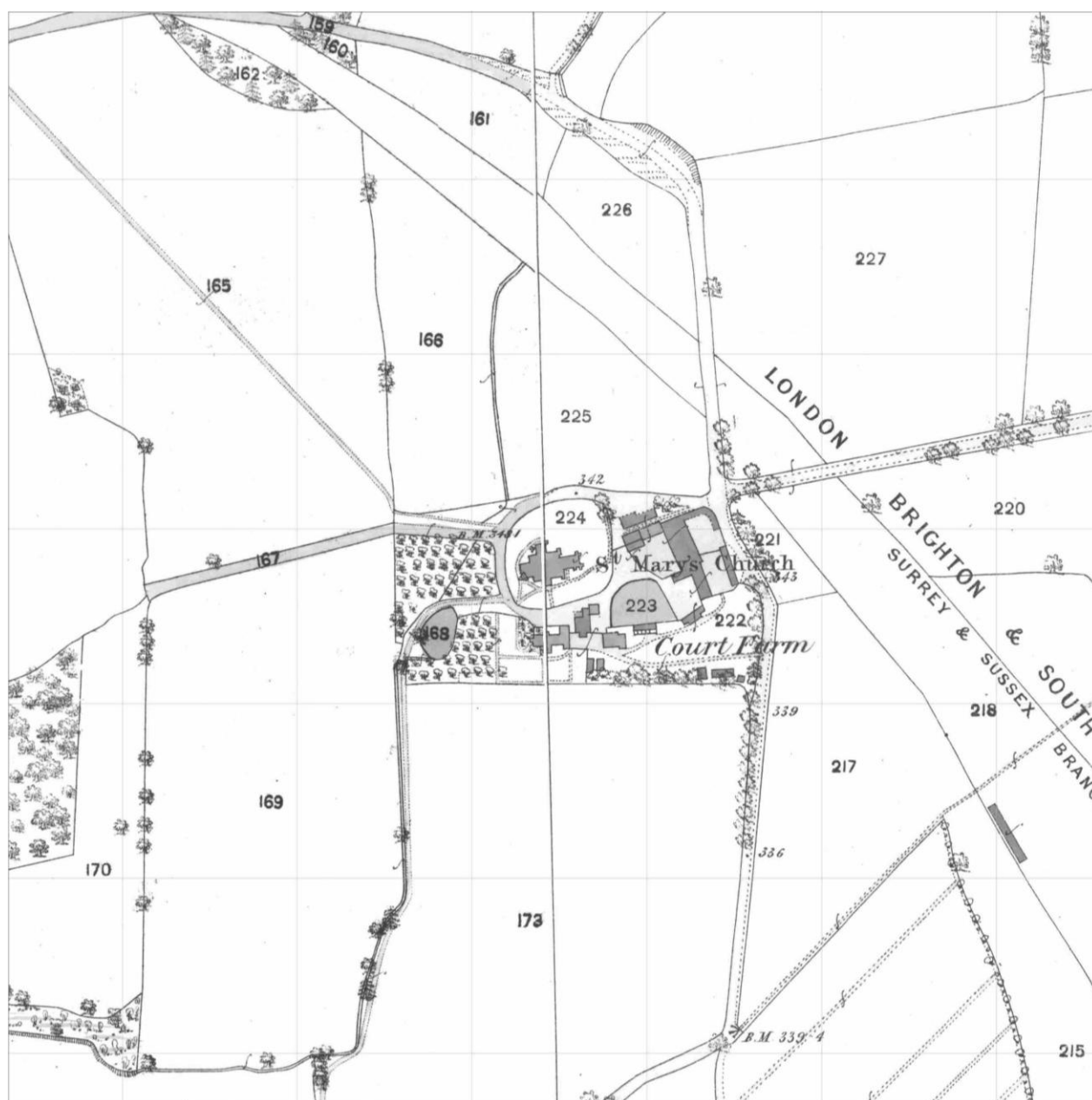


Fig XXX: An extract of the 1869 Ordnance Survey map.

2.12 By the 1896 Ordnance Survey map (Fig XXX), the churchyard had expanded to take in land to the NE, which has resulted in the kidney-shaped area that can still be seen today. Minor changes can be seen to the buildings of Court Farm. The railway line was in place by now, and the station can be seen to the SE. The beginnings of the development of the settlement, around the station and to the east of the church, can now also be seen.

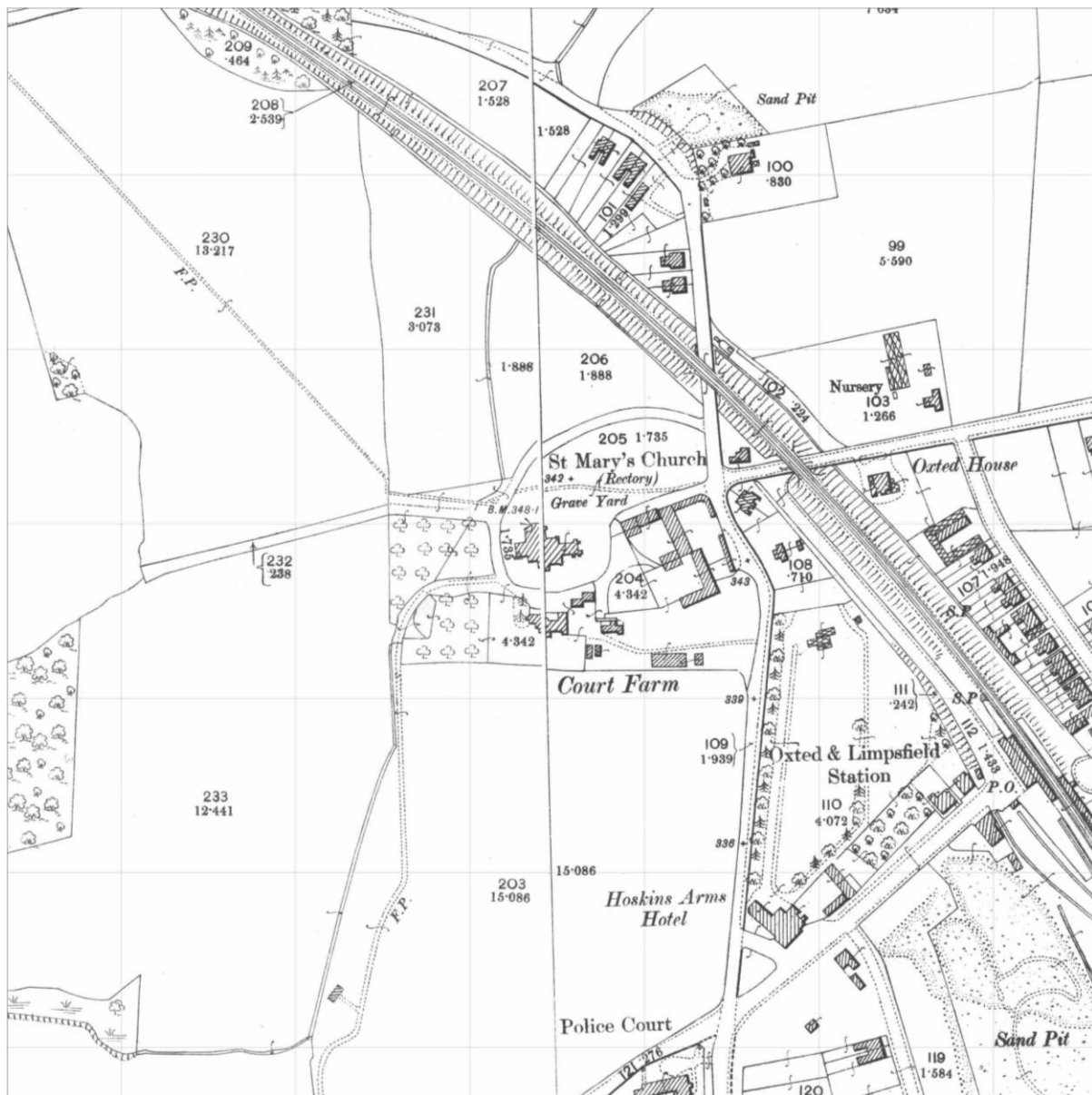


Fig XXX: An extract of the 1896 Ordnance Survey map.

- 2.13 By the time of the 1910 Lloyd George Domesday Survey, the appeal site was still owned by one of the Master descendants, and it was listed as part of Court Farm.
- 2.14 The Surrey History Centre holds a series of undated, late C19 or early C20 photos of the church, which I have replicated below at Figs XXX-XXX. I do not discuss them individually, but I note the bareness of the churchyard historically, with views over the surrounding area in ways that are not possible today (e.g. Fig XXX). It is interesting to see the now long-demolished farm buildings of Court Farm in some of these (Fig XXX), **and the rural quality of the church's setting is evident in (Fig XXX).** It is interesting to see the footpath between the church at and the appeal site as an open, grass verged path (Fig XXX).



Fig XXX: An undated, late C19 or early C20 photo of St Mary's Church, seen from the NW. © Surrey History Centre



Fig XXX: An undated, late C19 or early C20 photo of St Mary's Church, seen from the SW. © Surrey History Centre



Fig XXX: An undated, late C19 or early C20 photo of St Mary's Church, seen from the east. © Surrey History Centre



Fig XXX: An undated, late C19 or early C20 photo of St Mary's Church, seen from the NW. © Surrey History Centre



Fig XXX: An undated, late C19 or early C20 photo of St Mary's Church, seen from the NW. © Surrey History Centre



Fig XXX: An undated, late C19 or early C20 photo of St Mary's Church, seen from the NW. © Surrey History Centre



Fig XXX: An undated, late C19 or early C20 photo of St Mary's Church, seen from the NE [Note I have digitally enhanced this image, which was very feint, as sourced]. © Surrey History Centre



Fig XXX: An undated, late C19 or early C20 photo of St Mary's Church, seen from the north. © Surrey History Centre

- 2.15 The Surrey History Centre holds a photo dated c. 1904, showing **St Mary's Church** from the NE. Court Farm House can be seen behind the church on the left, and on the right the faint horizon line of the distant higher ground of the Oxted Downs appears to be visible.



Fig XXX: A photo of St Mary's Church, c. 1904, seen from the NE. © Surrey History Centre

- 2.16 The Francis Frith Collection holds a collection of photos of **St Mary's Church**, taken in the early to mid C20 (one of these is the same photo as the one above and has not been replicated). The first of these are from 1906, and they show the church at different angles (Figs XXX-XXX).



Fig XXX: A photo of St Mary's Church, c. 1906, seen from the SW. © The Francis Frith Collection



Fig XXX: A photo of St Mary's Church, c. 1906, seen from the SE. © The Francis Frith Collection

- 2.17 The 1912 Ordnance Survey map (Fig XXX) shows some additional development to the NE of the railway line and around the station. The buildings of the veterinary service to the NE of the church can also be seen.



Fig XXX: An extract of the 1912 Ordnance Survey map.

- 2.18 The publication *Oxted in Old Picture Postcards*² has a series of early C20 photos that I replicate below at Figs XXX-XXX. These are of particular interest in showing, again, the bareness of the area around the church historically, but also the buildings and farmstead of Court Farm, which gives a sense of the rural quality of the setting of the church at that time.

² *Oxted in Old Picture Postcards*, Packham, R (European Library, 1987)



Fig XXX: A c. 1909 postcard from *Oxford in Old Picture Postcards*. **St Mary's Church** is seen in a long view from the SE, across what is now Master Park. The appeal site appears to be visible to the left of the church and Court Farm House.



Fig XXX: A c. 1911 postcard from *Oxford in Old Picture Postcards*. **St Mary's Church** is seen on approach from the east, with the farm buildings of Court Farm on the left. Note the openness of the view on the right of the church (over the appeal site).

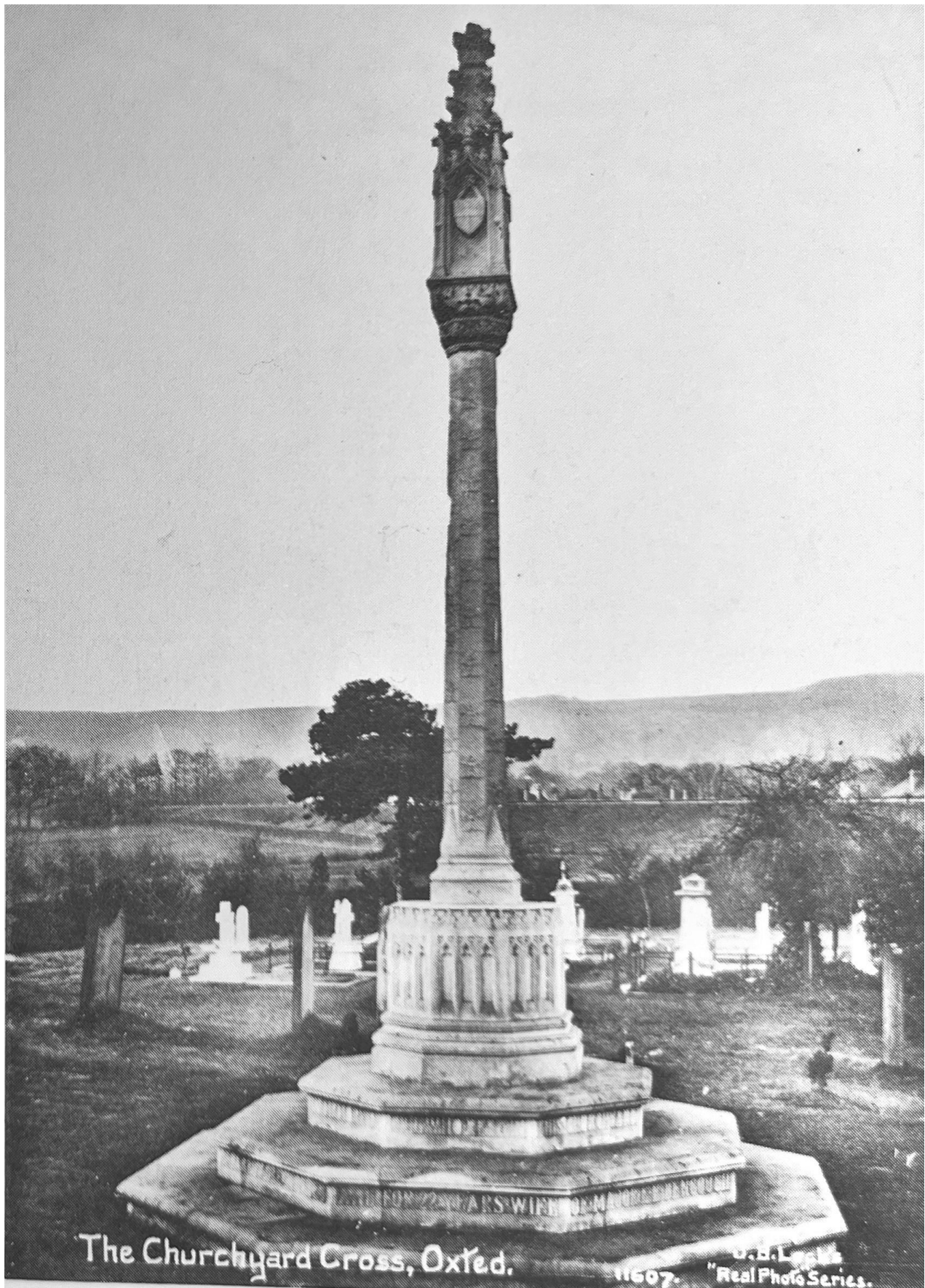


Fig XXX: A c. 1912 postcard of the Churchyard Cross from *Oxted in Old Picture Postcards*. The Oxted Downs can be seen in the distance. Note the openness of the view on the left of the (over the appeal site).



Fig XXX: A c. 1912 postcard from *Oxted in Old Picture Postcards*. St Mary's Church is seen across the farmyard from the SE, with Court Farm House on the left.



Fig XXX: A c. 1912 postcard from *Oxted in Old Picture Postcards*. St Mary's Church is seen on the right, with Court Farm House in the centre.



Fig XXX: A c. 1912 postcard from *Oxted in Old Picture Postcards*. St Mary's Church is seen across the farmyard from the SE. The Oxted Downs can be seen beyond the church.



Fig XXX: A c. 1914 postcard from *Oxted in Old Picture Postcards*. The view is from the NE, with Court Farm House partially visible in the background.



Fig XXX: A c. 1926 postcard from *Oxted in Old Picture Postcards*. St Mary's Church is seen from the NW, with the footpath in the foreground.

2.19 Oxted is recorded on an aerial photo of 1920 (Fig XXX). It is interesting to see how this shows the development of the settlement around the station and to the NE of the railway line, but without any development to the west of Church Lane. Although by now the previous isolation of the church and the farm in the landscape had come to an end, the detachment of the listed buildings from the rest of the settlement is still clear. At this time there would still have been a good sense of the church and the farm being set in a rural context, albeit with the settlement now close by to the east and SE. The footpath across the appeal site can clearly be seen, and it must have been well-used. It is notable how there appears to have been little by way of vegetation between the church and the appeal site at this time.



Fig XXX: An oblique aerial photo of 1920. St Mary's Church is highlighted with a red arrow. © Historic England

2.20 There are two photos from the **Francis Frith Collection of St Mary's Church**, taken at around the same time as the aerial photo, in 1923 (Figs XXX & XXX). The photo below (Fig XXX) must have been taken from a location close to the appeal site. It shows the western part of the churchyard without trees, and on the right one of the trees in the orchard to the west of the church can be seen.



Fig XXX: A photo of St Mary's Church, c. 1923, seen from the NW. © The Francis Frith Collection



Fig XXX: A photo of St Mary's Church, c. 1923, seen from the NE. © The Francis Frith Collection

- 2.21 The 1933 Ordnance Survey map (Fig XXX) shows consolidation of the settlement, away from the church and the farm. Some of the farm buildings to the east of the church had been removed, and the 'veterinary **infirmary**' to the NE of the church had been expanded.



Fig XXX: An extract of the 1933 Ordnance Survey map.

- 2.22 A c. 1945 aerial photo from Google Earth (Fig XXX) shows a similar arrangement. It is notable that the orchard to the west of the church by now appears to have been absent of trees. A graveyard extension to the north of the church can be seen, going up to the railway line.

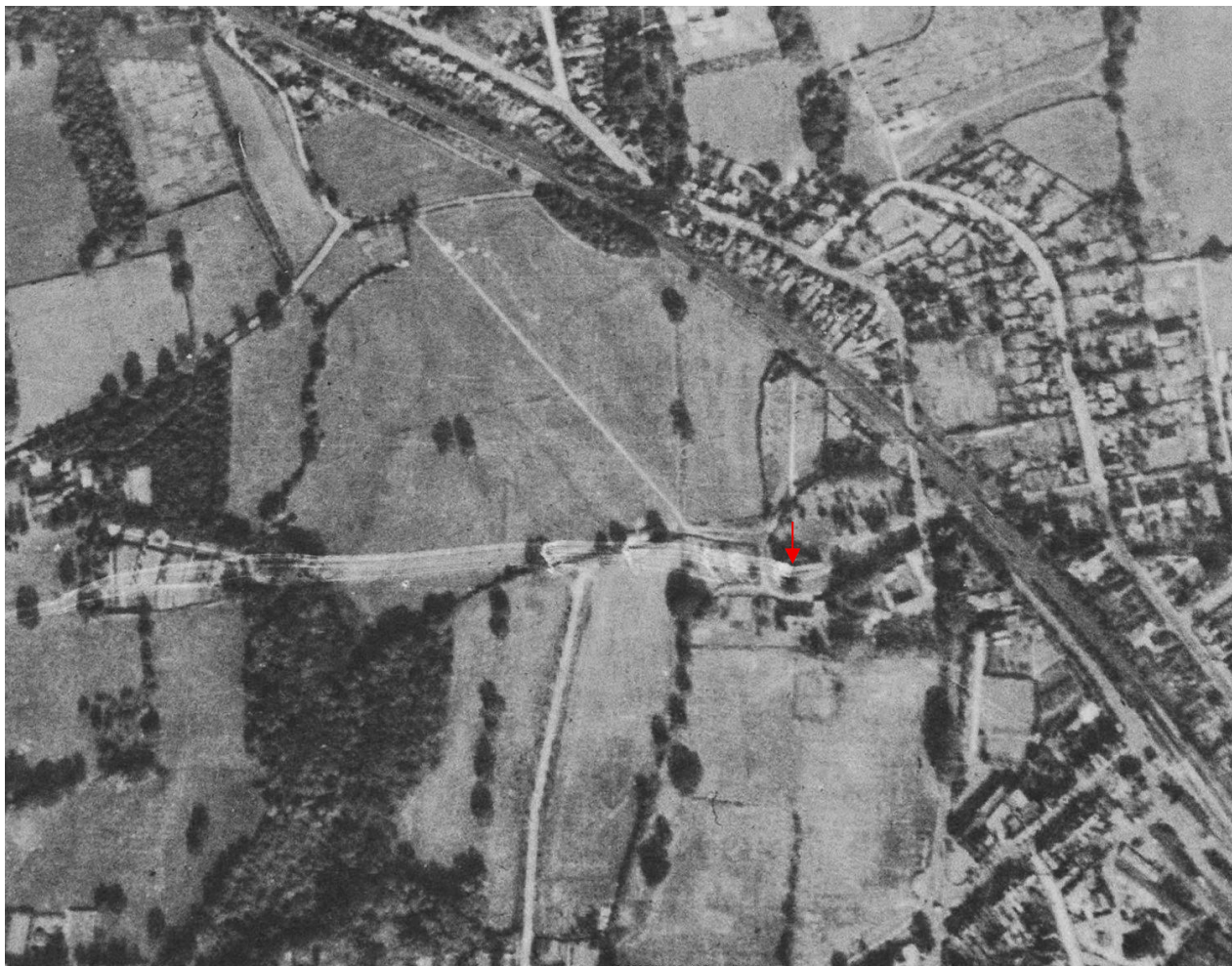


Fig XXX: An aerial photo of c. 1945, with St Mary's Church highlighted with a red arrow. © Google Earth

2.23 **St Mary's Church** can be seen from the NW in an undated, c. early C20 photo (Fig XXX). **The Francis Frith Collection has two more photos of St Mary's Church, taken in** around the same time, in c. 1955, both also from the NW (Figs XXX & XXX). The photos below (Figs XXX & XXX) must have been taken from the appeal site, or close to it. The photos show the western part of the churchyard without trees, and on the right a small tree in the former orchard to the west of the church can be seen. It is not hard to appreciate, when looking at the 1945 aerial photo and the 1950s photos, that there would have been a tangible and strongly felt connection between the church and the adjoining rural setting to the west. Court Farm House would have had a similar relationship with the countryside to the west and NW.



Fig XXX: An undated photo of St Mary's Church, c. early C20, seen from the NW.



Fig XXX: A photo of St Mary's Church, c. 1955, seen from the NW. © The Francis Frith Collection



Fig XXX: A photo of St Mary's Church, c. 1955, seen from the NW. © The Francis Frith Collection

- 2.24 Two aerial photos, of 1961 and 1963 (Figs XXX & XXX) show a number of changes. The development of Wheeler Avenue is perhaps the most notable. This cut off Master Park from the countryside to the west, and the land at Master Park had become used for recreation (earlier Ordnance Survey maps show a cricket pitch in the southern part of what is now Master Park). It appears as though there had been some changes to the buildings at Court Farm, but the present-day residential development at St Mary's Close was still absent. The former orchard to the west of the church was still largely absent of trees, but with a hedge now visible around it. The aerial photo shows how, by now, all that remained of the once isolated, rural setting of the church and the farm was the appeal site (aside from the later graveyard extension), with Master Park effectively now urbanised as playing fields/recreation grounds, surrounded by development on all sides, and no longer the fields seen on Fig XXX above.



Fig XXX: An aerial photo of 1961. St Mary's Church is highlighted with a red arrow. © Historic England



Fig XXX: An aerial photo of 1963. St Mary's Church is highlighted with a red arrow. © Historic England

- 2.25 The Surrey History Centre has an oblique aerial photo of 1963 (Fig XXX). By this time the graveyard had not yet been extended to the west, and the openness of the area to the NW of the church, including the footpath, can still be seen. The farm buildings of Court Farm can also be seen.
- 2.26 Another aerial photo of 1985 (Fig XXX) shows the western graveyard extension, with trees planted in it. Whilst this, too, had taken up part of the field to the NW of the church, conversely the graveyard is understood to 'belong' to the church and it visually and experientially forms something of a link between the church and the adjoining field. The former orchard to the west of the church, and the footpath running alongside it, were still bare and absent of trees, aside from those planted within the graveyard extension. **The St Mary's Close development had, by now, replaced the former farm buildings of Court Farm** (the Surrey History Centre has a development brief for the development of the farm, dated 1980). The 2005 satellite photo (Fig XXX) shows little change. More trees can be seen on the former orchard to the west of the church.



Fig XXX: An oblique aerial photo of 1963 from the SE. © Surrey History Centre



Fig XXX: An aerial photo of 1985. St Mary's Church is highlighted with a red arrow. © Historic England



Fig XXX: A satellite photo of 2005, with St Mary's Church highlighted with a red arrow. © Google Earth

THE CHURCH OF ST MARY THE VIRGIN

Summary of significance

2.27 The *Victoria County History* has a detailed discussion of the church, and a plan showing the main phases, which is replicated below at Fig XXX. Part of the description is quoted below:

"The church of ST. MARY consists of a chancel, nave, north aisle with a modern north transept, a south aisle, a west tower and a south porch. It is built of rubble with chalk dressings.

The church appears to have been built about the middle of the 12th century, but the only parts of the original building now remaining are portions of the nave walls and the ground-stage of the tower. Late in the century the aisles and tower were added, and about the year 1250 the chancel was rebuilt. In the early part of the 14th century further alterations were made, the aisles being widened and new windows inserted

throughout the chancel, while a little before the middle of the next century new arcades were built into the nave, the walls being at the same time heightened and the south porch erected. From the date 1637 placed in the east gable of the chancel the church apparently underwent a restoration in the 17th century, but no structural alterations were made to the building from the time of the insertion of the 15th-century arcade until 1877, when it was completely renovated and re-roofed and enlarged by the addition of the north transept.

The chancel walls have been plastered externally, but on the north and south walls much of this has worn off. The east wall was apparently cemented over in the 17th century. At the east end of the chancel the north and south walls have been projected to form two-stage buttresses, and the east wall has been treated in a similar manner. The buttress at the east end of the north wall is considerably restored, while an entirely modern one in two stages has been built between the windows in the south wall. The east window is modern and of four cinquefoiled lights, with an elaborate traceried head. It was probably copied from the previous one, and may contain some old stones.

In the north wall of the chancel are two 14th-century windows, each of two trefoiled lights with a quatrefoil under a pointed head, with a ribbed rear arch and internal moulded labels. In the east end of this wall is a 13th-century Easter sepulchre with moulded jambs and drop arch. In the west end of the wall is a 13th or 14th-century pointed archway, opening to a passage into the north aisle. The south wall is lighted by two two-light windows similar to and of the same date as those in the wall opposite. They are much decayed, and the mullion of the westernmost one has been completely restored. Under the sill of the first window is a 13th-century pointed piscina with a shelf. The basin and hood moulding have been cut off flush with the wall. To the west of the second window, behind the backs of the quire stalls, is a pointed priest's doorway with segmental rear arch, now opening into the modern organ chamber. West of this is a pointed recess with a ribbed rear arch. In the back of it are two four-centred trefoiled lights under a square head. The chancel arch spans the full width of the chancel, and is of the 14th century. Built into the north wall towards the east end of the chancel is an iron ring, from which possibly hung the Lenten veil."

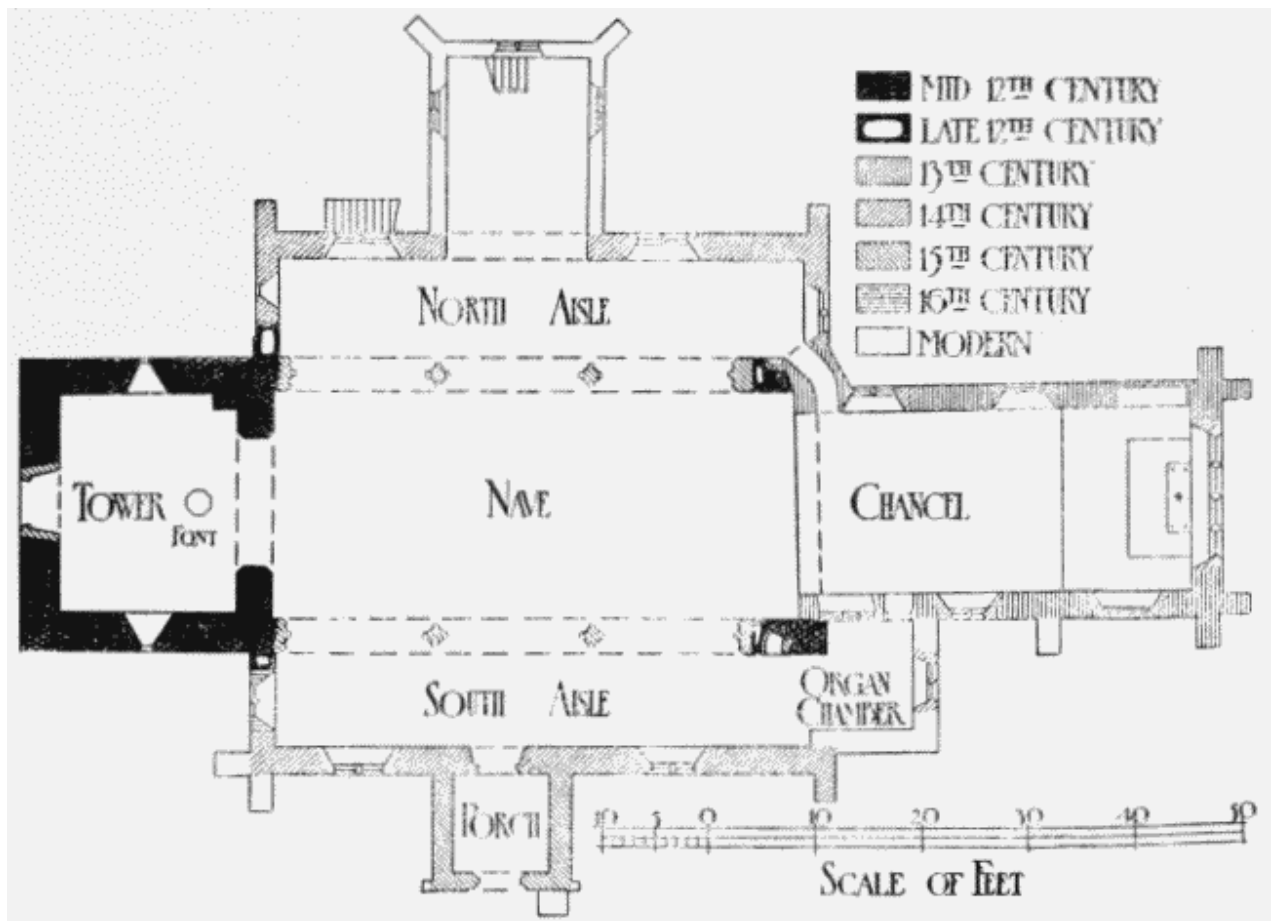


Fig XXX: A plan showing the main phases of the church, from the *Victoria County History*.

2.28 According to its list entry on Historic England's National Heritage List, the Church of St Mary the Virgin was listed grade I on 11 June 1958. It does not appear that the list entry has been amended since that time. The main descriptive text from the list description is quoted below:

"Church. C12 tower. C13 Chancel, C14 aisles and C15 porch with C19 restoratibn. Rubblestone with brick dressings, Bargate stone to tower, rendered chancel. Plain tiled roofs; tower roof obscured by stone coped, battlemented, parapet. Nave and aisle with tower to west end, vestry to north and chancel chapel and porch to south. Square, unbuttressed tower with renewed Decorated detail on bell stage. North aisle east window original, C14, remainder renewed except for east window with planed down tracery, reduced in 1637. Porch with hood moulding to arch and Cobham arms in spandrels. C14 door with ogee tracing and carved human heads to panels.

Interior: tiled floor, 3 bay nave arcades of compound piers with round shafts of quatrefoil section. C14 chancel arch raised in C19 restoration dying into imposts.

Fittings: C13 priest's door in chancel. Arched piscina on south chancel wall. Octagonal stone font with quatrefoil panel decoration on octagonal buttressed stem.

Stained glass: C14 Evangelists in tracery lights of East window. Burne Jones aisle windows to north and south by Morris and Co. 1908. Richly coloured with greens and reds

Monuments: South chancel wall: To William Finch died 1728. Baroque. White and grey marble aedicular type with raised inscription, flanking scrolls, double cherubs below and triangular pediment above, surmounted by Coat of Arms. Brass to John Hoskins. 1613. Standing figure 9 inches high. Brass to Thomas Hoskins 1611 with female standing figures

North chancel wall: To John Aldersley. Died 1616. Plaster and stone. Central arched niche with kneeling figures in profile. Ribbon and fruit decoration to arch, flanking Pilasters with shield above in strapwork surround.

PEVSNER: Buildings of England: Surrey (1971) pp. 401-2."

- 2.29 The Pevsner guide³ describes the building again in some detail, which I do not repeat here, but it is perhaps notable that the entry in *Pevsner* starts by noting the church is "Surprisingly far from the old village, half a mile distant, on a raised mounded site."
- 2.30 As noted above, the *Victoria County History* notes Oxted is referred to in the 1086 Domesday Survey, and was noted to contain a church and two mills. It seems likely **St Mary's Church**, with its C12 tower, was in the same location as the church mentioned in the Domesday Survey. The location of the church on raised ground, and set apart from the main settlement, gives it a distinct presence and indicates it to be an ancient building.
- 2.31 As a starting point, I note that grade I listed buildings are of "exceptional interest"⁴. This is the highest grade of listing; only around 2.5% of listed buildings are listed grade I. Paragraph 213(b) of the NPPF describes buildings of this grade as heritage assets "of the highest significance".
- 2.32 As a church of medieval origins, and with a good deal of retained medieval fabric, it is clear to me that **St Mary's Church** can lay claim to considerable architectural interest, as a good example of English medieval ecclesiastical architecture that has evolved over the centuries. This is evident from Photos XXX-XXX. The building has retained significant internal features/monuments and its architectural interest extends to include the internal features and plan form, as well as the exterior.

³ *The Buildings of England: Surrey* (2022) O'Brien C, Nain I, & Cherry, B

⁴ <https://historicengland.org.uk/listing/what-is-designation/listed-buildings/#grades>



Photo XXX: A slightly elevated view of the church, from the SW.



Photo XXX: A slightly elevated view of the church, from the NW.

2.33 As is commonly the case with medieval churches, **St Mary's Church** has undergone alterations over the centuries; the structure can be summarised as made up of C12 residual fabric in the tower, and alterations/extensions/repairs representing every subsequent century. The history of alteration and restoration is in itself of interest, and adds to the interest and time depth of the building. I note and agree with the Historic Buildings Officer at Surrey County Council's **summary of the church**:

"St Mary's Church is significant as a multi-phase medieval parish church built on an ancient manorial site in Oxted."

2.34 The early origins and relative intactness of the medieval fabric of the building indicates clear historic interest, which is reinforced by the description of the history of the church from the *Victoria County History*. **St Mary's Church is a building of considerable historic interest**. Historic England's *Conservation Principles*⁵ describes how historical value derives from the ways in which past events, people, and aspects of life can be connected to the present through a building or place (paragraph 39). Illustrative value illustrates aspects of history. This is explained as the perception of a building/place acting as a 'link' between the past and present. Such a link between the past and the present has the power to aid interpretation, and understanding, of the past. The shared experience of the building (i.e. shared between the past and the present) enables a tangible connection to be made with past communities and their activities (paragraph 41). It also allows insights into the past.

2.35 This explanation essentially summarises the historic value of **St Mary's Church**.

2.36 Although not everyone will be able to instantly recognise the church as a building of medieval origins, I would expect most people would easily recognise the church as a historically significant structure, which is highly evocative of the past, and which is capable of making a strong connection between the medieval origins of Oxted and the present-day. Although the squat church tower is not visually dominant, there can be little doubt about the status of the church as the oldest building in the settlement. At close quarters, it has an imposing presence, accentuated by the mounded site it was constructed on (Photo XXX). In this respect it is a significant and defining element of Oxted, although it stands somewhat separate from the rest of the settlement.

⁵ *Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment* English Heritage/Historic England (April 2008)



Photo XXX: A view of the church, from the NW. At close quarters it has an imposing presence, accentuated by the mounded site it was constructed on.

- 2.37 The medieval carving, stained glass, decorative architectural features and monuments can be regarded as having some artistic interest and the church plainly has some aesthetic value. However, I do not consider that the significance of the building substantially derives from artistic interest.
- 2.38 The fabric of the building will hold evidential value of the changes that have occurred over the centuries and will almost certainly contain valuable archaeological information **about the building's use and adaptation over the centuries.**

Setting and contribution of the appeal site to significance

- 2.39 As the historic background section has shown, the setting of the church has changed over the years; today it does not stand in an area that is substantially untouched by the influences of modern development.
- 2.40 **Historic England's** *Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets* (GPA 3) (CD XXX) notes at paragraph 9 on page 4, under the heading 'Change over time':

"Settings of heritage assets which closely resemble the setting at the time the asset was constructed or formed are likely to contribute particularly strongly to significance but settings which have changed may also themselves enhance significance, for instance where townscape character has been shaped by cycles of change over the long term."

- 2.41 There are two strands to this that is relevant to my assessment. Firstly, the field that constitutes the appeal site is now the only part of the setting of the church that resembles its original setting. Whilst I would not suggest that the large field that **constitutes the appeal site 'closely resembles' the setting in which the medieval church** was constructed (probably akin to the field parcels on the c. 1690 map at Fig XXX), it still very much resembles a pastoral landscape. It is the present-day equivalent of the medieval and post-medieval fields, as recorded on the historic maps. It is, **therefore, now the component of the church's setting that bears the closest** resemblance to its original, rural setting. The fact that the rest of the once rural setting has been lost elsewhere makes this, the last surviving part, even more valuable. This is well-illustrated on Photo XXX.



Photo XXX: An aerial view of the church in context, from the NW seen above the appeal site.

- 2.42 I have no difficulty in judging the appeal site to be a positively contributing component of the setting of the church. As the only surviving remnant of the original pastoral or rural setting that once extended in 360 degrees around the church and Court Farm (and the farmstead was inherently rural as a type of development), this field evokes the historic context of the church and forms a remnant experiential link between its past setting and the present-day. It is all the more important, because the remainder of the historic rural setting is now lost.
- 2.43 The field that constitutes the appeal site is the only exception (the adjoining development at Wheeler Avenue is visible from it, but the field still very much reads as countryside beyond the settlement). There are two strands to the way in which this field contributes to the appreciation of the church as a residual medieval structure with a supporting pastoral context: firstly its visibility, and secondly the experiential dimension of the relationship between the church and this field. I deal with these below under separate headings.
- 2.44 Visibility/visual relationship (from the appeal site): On my site visit there were places on the footpath across the appeal site, typically further away from the church, from where the church and its tower were completely obscured, e.g. Photos XXX & XXX.



Photo XXX: A wide angle, long view from the footpath across the appeal site. The church is not readily visible.



Photo XXX: A 50mm focal length view from the same location.

2.45 In closer views, the tower and parts of the church can be seen through the tree canopies, when leafless, albeit filtered (e.g. Photos XXX-XXX). When in leaf, the church would be obscured. I accept that the tower is not a strong feature in such views and there will be times or conditions when it will be difficult, or impossible, to discern the tower from these parts of the appeal site. I therefore do not base my assessment of the contribution of this field to the significance of the church purely on the presence of the tower. However, I would point out that there will also be times when this added layer of history will be evident or revealed (in leafless conditions). Even in the best of circumstances, the church may only be a subtle part of the experience of the field, but it does not follow that it can be ignored or discounted.



Photo XXX: A wide angle view from the footpath across the appeal site. The church tower (highlighted with a red arrow) is seen filtered through the leafless tree canopies.



Photo XXX: A 50mm focal length view from the same location.



Photo XXX: A wide angle view from the footpath across the appeal site, relatively close to the church. The church and tower can be seen filtered through the leafless tree canopies.



Photo XXX: A 50mm focal length view from the same location.

- 2.46 There are also views from the eastern edge of the appeal site, looking across the graveyard extension, in which the church can clearly be seen (e.g. Photo XXX). The views from here are when standing in the field and experiencing it as the rural

hinterland (e.g. Photo XXX). This is not a footpath, but I saw several people walking the periphery of the appeal site.



Photo XXX: A wide angle view from the eastern edge of the appeal site, looking towards the church across the graveyard extension.



Photo XXX: A view north, across the eastern edge of the appeal site, from the same location.

- 2.47 I would describe the views of the church of St Mary from across the appeal site as views that reveal the historic rural setting of the church, from within what is now the last remaining part of its otherwise lost pastoral setting. Whilst the adjoining development on Wheeler Avenue is visible from the appeal site, the fact that the church can be seen across a very much rural, open field remains the defining characteristic of how such views are experienced, and it reveals the remaining rural hinterland beyond the church.
- 2.48 Before concluding on the subject of views and visibility, it is necessary to consider the fact that the field today is relatively well enclosed by trees on the east side (i.e. the trees that partially obscure the church in the above views). Some trees are also in the graveyard. These present-day trees do not contribute to the ability to understand the historic relationship between this field and the church. As a boundary it hinders, rather than helps, with the ability to appreciate the historic relationship between the church and the field to the west, which would have been more open (e.g. see the aerial photos of 1920, 1945 and 1961 at Figs XXX; XXX & XXX above).
- 2.49 Paragraph 40 of GPA 3 (CD XXX) explains that features such as woodland or hedgerows may be removed or changed during the duration of a development. I would add that this may be through deliberate action, but it could also be the consequences of unforeseen events, such as climate change and/or associated diseases, or insect attacks, which cannot be accurately predicted⁶. I therefore consider it relevant to take into account at least the possibility that the setting of the church may change as a result of the removal of these trees, or some of them. In such a scenario, a visually more noticeable relationship between the church and the appeal site could be re-established. In other words, removal of the trees, whether deliberately or through unforeseen events, would re-establish a visually more noticeable relationship between the church and the appeal site, which has the potential to positively reinforce and better reveal the relationship between church and the appeal site (such an effect would go in both directions, i.e. the views towards the appeal site from the church, covered below, would become more open in such circumstances).
- 2.50 Experiential relationship: Before turning to views from the church and its surroundings in the direction of the appeal site, it is worth briefly considering the experiential relationship between the church and the appeal site. By this I mean the

⁶ For example, Dutch Elm disease has changed the English landscape in a way that would have been almost impossible to imagine, let alone predict, beforehand.

way in which the two can be related to one another, experientially, without necessarily being intervisible.

2.51 Paragraph 013 of the NPPG (Reference ID: 18a-013-20190723) states:

"The extent and importance of setting is often expressed by reference to the visual relationship between the asset and the proposed development and associated visual/physical considerations. Although views of or from an asset will play an important part in the assessment of impacts on setting, the way in which we experience an asset in its setting is also influenced by other environmental factors such [...] other land uses in the vicinity, and by our understanding of the historic relationship between places. For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each".

2.52 Aside from views, the second way in which the appeal site contributes to the appreciation of the church, as a medieval structure with a still remaining historic pastoral context to the west, is the experiential relationship between them. Notwithstanding the presence of the present-day trees between the church and the appeal site, the two plainly remain perceptually and associatively connected (rather than being divorced or experienced as distinct from each other, or unrelated). In other words the church can still be experienced as related to the appeal site (and *vice versa*), despite the intervening trees that limit intervisibility.

2.53 In essence this can be summarised as the relative proximity between the church and its pastoral setting to the west, the nature of the area that separates them, and the relative ease and rapidity with which it is possible to move between the appeal site and the immediate surroundings of the church (and *vice versa*). This proximity helps to allow each to be experienced as associated and interconnected with the other. It is also reinforced by the very much rural nature of the intervening little stretch of footpath that connects the two (Photo XXX).



Photo XXX: An aerial view of the area between the and the appeal site (approximate boundary shown with a dotted red line) and the church, with the footpath shown in black.

2.54 The distance between the church and the appeal site is approximately 80m (I have measured this using Google maps), but the point at which the footpath is encountered is only approximately 50m from the appeal site. At this point, it is possible to see, in one direction, a rural footpath extending westwards (Photo XXX) and, in the other direction, the church (Photo XXX). The two are not experientially removed from each other. One is very aware of the church upon entering the short footpath that exists at the appeal site, and *vice versa*. Photo XXX below shows the view towards the church from the footpath, as it nears the appeal site, with Photo XXX showing the view of the appeal site at this point.



Photo XXX: A view of the footpath (marked with a red arrow, seen here from the church), which links the church and the appeal site. The bridge sign can be seen on the left.



Photo XXX: A view of the church, from the footpath. The bridge sign can be seen on the right.



Photo XXX: A view from the footpath that links the church and the appeal site, towards the church (which is seen heavily filtered).



Photo XXX: A view of the appeal site from the same location.

- 2.55 Although the trees between the church and the appeal site, when in leaf, will intervene in making direct views or visual connections between the two, there is very little else that prevents the ability to *experience* one from (or in the context) the other, or to gain an understanding of the (historic) relationships between them. When walking along the footpath out of the settlement, the experience of the rural hinterland, as represented by the appeal site, is not only visual. It is very much felt as a direct kinetic or sequential experience in which the connection between the church and the field is strongly felt (and *vice versa* when the church is approached from the footpath).
- 2.56 I have no difficulty in placing the church and the appeal site, experientially, in the context of one another, regardless of the degree of invisibility that there may be seasonally.
- 2.57 In terms of the wider experience of the field itself, it is relevant to point out that the traffic on the M25 motorway can be heard clearly from this area, and it undoubtedly forms part of the sensory experience of the surroundings of the church from this field. I have also noted the presence of the development on Wheeler Avenue in views from here. That said, these can be described as peripheral distractions, which do not shatter the sense of a rural setting, or obliterate the relationship between the church and its rural hinterland, or prevent the associative connections between the church and the countryside to be made.
- 2.58 In other words, these do not prevent the field to be experienced as part of the rural setting of the church. At the time of my site visit I did not hear the sound of the church bell from the field, although when heard it would manifestly strengthen the sense of association, and add an evocative additional dimension to the experience.
- 2.59 Paragraph 9 of GPA 3 (CD XXX), **under the heading 'Access and setting' notes that** the contribution of setting to significance does not depend on public rights or ability to access it, and the significance of a heritage asset is not dependent on the number of people visiting it. My assessment in this case does not rely on public access, or large numbers of people accessing the appeal site. That said, I consider it relevant that there is a public footpath across the appeal site, in which this part of the setting of the church is accessible, and can be experienced and enjoyed by the general public.
- 2.60 On my site visit I encountered several people, and the footpath appeared to me to be well-used; it is a place from where the setting of the church can be, and is, enjoyed by many people. The text box on page 11 of GPA 3 (**under the heading 'Experience of the asset'**) highlights accessibility, permeability and patterns of movement as an attribute of the experience of heritage assets that may be relevant. In terms of historic

value and continuity I consider it relevant that a pathway on this alignment to reach the parish church has existed for more than a century and half, at least, as can be seen from the 1869 Ordnance Survey map (but it has probably existed for much longer); this makes the existing footpath as an approach to the church by foot all the more redolent of the past.

- 2.61 Views from the church: There are views from the raised churchyard in which the appeal site can clearly be seen as part of the (last remaining) rural context of the church (e.g. Photos XXX & XXX). From here there is a tangible connection between the medieval church (this is the location of the C12 tower, which is the earliest part of the church) and the countryside. These views allow a clear understanding of the historic rural context of the church. The appeal site forms a direct experiential link between last remnant of its historic rural setting setting and the present-day.



Photo XXX: A wide angle view from the churchyard, showing the views over part of the appeal site beyond the graveyard.



Photo XXX: A 50mm focal length view from the same location.

- 2.62 There is a staircase to the north aisle extension, in which there are elevated views that show more of the appeal site (Photos XXX & XXX). I accept that this is not a 'vantage point' and it is not a place that would tend to be frequented by the general public.



Photo XXX: A wide angle view from the churchyard, showing the views over part of the appeal site beyond the graveyard.



Photo XXX: A 50mm focal length view from the same location.

2.63 Change over time: It is also necessary to consider whether the changed part of the setting of the church enhances its significance. I deal first with the earliest change, i.e. the C16 Court Farm House. There is an historic association between the church and the Manor, and Court Farm House represents the historic manor of Oxted (as noted above, the *Victoria County History* states that Oxted Court, the old manor-house, was occupied as a farm called Oxted Court Farm). There is, therefore, an associative link between the church and Court Farm House, which is reinforced by the proximity of Court Farm House (e.g. Photos XXX & XXX). I would describe as a positive change⁷, although the fact that the later brick encasement of the C17 building has resulted in a loss of character that now somewhat obscures its age and makes the associative connection with the church, and the age of the building itself, harder to read.



Photo XXX: A view from the east, showing the proximity of Court Farm House (on the left) and the church (on the right).

⁷ I would describe that as an example of the “*settings which have changed may also themselves enhance significance, for instance where townscape character has been shaped by cycles of change over the long term*” as described on page 4 under paragraph of GPA 3.



Photo XXX: An aerial view showing the proximity of Court Farm House (the building towards the bottom) and the church.

2.64 Historically, the church and the manorial complex (later Court Farm) stood isolated, in a rural setting. This has changed considerably in the C20, with a present-day context of largely modern development. This can be seen on the aerial photos below (Photos XXX-XXX). The modern developments include the 1980s development at **St Mary's Close to the east of** Court Farm House (to the SE of the church, and also the development beyond), the recent Oxted Community Hall to the NE, on the kidney-shaped churchyard, and to the north of this, the veterinary practice.



Photo XXX: An aerial view of the church in context, from the NW.



Photo XXX: An aerial view of the church in context, from the south.

2.65 The two graveyard extensions (Photo XXX) are also relatively recent additions, although, **as I have noted earlier, the graveyards are understood to 'belong' to the church.** The western of the two, in particular, visually and experientially forms something of a link between the church and the adjoining field, i.e. the appeal site (e.g. see Photos XXX & XXX and the reciprocal views of the church at Photos XXX & XXX). There is also, of course, the nature of the graveyards as places of quiet contemplation, separate from the settlement and visually and experientially congruent with the church. I would describe these as neutral, or slightly positive in their contribution (not least because they have prevented residential development from encroaching).



Photo XXX: An aerial view from the NE, showing the two graveyard extensions in the context of the church (left) with the appeal site beyond (top right, approximate boundary shown with a dotted red line).



Photo XXX: A wide angle view from the entrance to the western graveyard, in which there is an absence of development over the appeal site.



Photo XXX: A reciprocal view of the church, from the same location as the photo above.



Photo XXX: A wide angle view from the western graveyard, in which there is an absence of development over the appeal site.



Photo XXX: A reciprocal view of the church, from the same location as the photo above.

2.66 The modern development of Oxted has not completely enveloped the church. On my site visit I noticed a general sense of quietness in the area around the church, combined with a sense that this is where the settlement ends. The generally verdant open space of the C20 graveyards reinforces this, and there are glimpses through or across the graveyards over the appeal site. In these views (e.g. Photos XXX-XXX) it is not necessarily possible to see the appeal site itself (i.e. the ground, or the crops on the field when it is under cultivation). Rather, it is the clear sense of an absence of development that signifies the end of the settlement.



Photo XXX: A wide angle view from Court Farm Road near the veterinary practice to the NE of the church (the tower is just visible, and highlighted with a red arrow), showing the glimpsed views over part of the appeal site beyond the graveyards, in which there is an absence of development (the red bracket).



Photo XXX: A 50mm focal length view from the same location on Court Farm Road, showing the glimpsed views over part of the appeal site beyond the graveyards, in which there is an absence of development.



Photo XXX: A wide angle view from Court Farm Road near the veterinary practice to the NE of the church, showing the glimpsed views over part of the appeal site beyond the graveyards, in which there is an absence of development (the red bracket).



Photo XXX: A 50mm focal length view from the same location on Court Farm Road, showing the glimpsed views over part of the appeal site beyond the graveyards, in which there is an absence of development.



Photo XXX: A wide angle view from Court Farm Road to the north of the church, showing the glimpsed views over part of the appeal site beyond the graveyards, in which there is an absence of development.

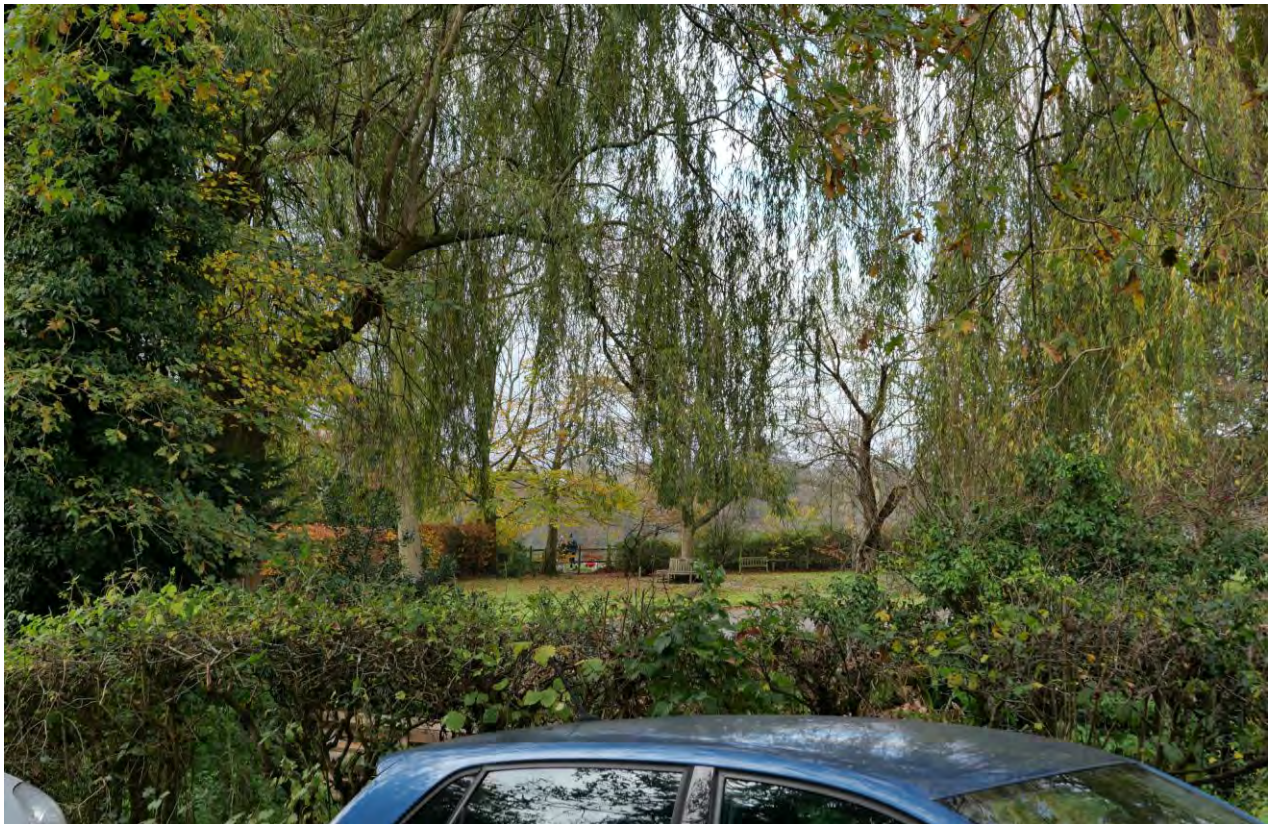


Photo XXX: A 50mm focal length view from the same location on Court Farm Road, showing the glimpsed views over part of the appeal site beyond the graveyards, in which there is an absence of development.

2.67 Paragraph 9 of GPA 3 (CD XXX) **deals, amongst other things, with 'cumulative change'** scenarios where the significance of a heritage asset has already been compromised by unsympathetic development affecting its setting, as is the case in this instance. According to GPA 3, consideration still needs to be given to whether additional change will further detract from the significance of the asset. A very relevant example of negative change provided in GPA 3 is that of *"severing the last link between an asset and its original setting"*. This is relevant because the once rural setting of the church of St Mary has been urbanised and encroached on, and the appeal site is now the only tangible and readily accessible remnant of its almost entirely lost rural setting. As the last remnant, it is of greater importance than would otherwise have been the case, and it is the only part of the setting of the church that can still reveal this aspect of its significance, as a once rural church.

COURT FARM HOUSE

Summary of significance

2.68 **According to its list entry on Historic England's National Heritage List, Court Farm House (Photo XXX) was listed grade II on 19 November 1984.** It does not appear that the list entry has been amended since that time. The main descriptive text from the list description is quoted below:

"Farmhouse, now divided. C16 with late C19 extension to right. Timber framed clad in red brick with tile hung gables; plain tiled roof, end ridge stack to right and large, star shaped, ridge stack to left of centre. 2 storeys with attics under 2 gabled, bargeboard dormers to rear; 1 flat roof dormer on front left, and 3 gable lit attics across front. 3 sash windows across the first floor, casement windows in square ground floor extensions projecting to front left under hipped roof. C19 4 panel door to right of centre under gauged brick head in gabled and bargeboarded brick porch. Further door in right side of left hand extension under open weather-boarded gable porch hood on wooden supports. Tile hung wing to rear left.

Interior: some framing to left half of house mainly on ceiling with stop chamfered joists. Double bread oven, large deep brick fireplace with wooden lintel."



Photo XXX: A frontal view of Court Farm House, seen slightly elevated from the churchyard.

2.69 Court Farm House is an adapted, high status C17 house. A Heritage Statement⁸ that was submitted as part of an application for alterations to Court Farm House (the address being 2 Court Farm Lane, Oxted, Surrey) contains detailed information about the building, which I summarise below:

- i. The position of the building, adjacent to the C12 century parish church and on the best agricultural land in the parish, suggests that this is the site of the original manor house, or grange, of Oxted. In 1299, the grange comprised a hall, solar, garden and dovecote.
- ii. In 1587, the manor passed to the Hoskins family. During the 1590s, a more **'modern' manor house, Barrow Green Court, was constructed just over half a mile to the NE of the site, which has been dated by dendrochronology to 1594.**
- iii. The old manor house, probably in the same location as Court Farm House was subsequently demolished and replaced with a new building in the early C17

⁸ Archaeology Desk-Based Assessment & Heritage Statement, 2 Court Farm Lane, Oxted, Surrey AB Heritage (Project No: 61363, 30/11/2020)

century. It is thought that the existing Court Farm House was built for the **manor's steward**.

iv. Court Farm House comprises three main phases of development:

- Phase I: The building is believed to have originally comprised a two-storey central chimney house with an attic. This is the three and a half bays at the east end of the present building. Timbers from this part of the building have been dated by dendrochronology to 1613. The ground floor would have comprised two large rooms either side of the central chimneystack. The ground floor plan is unusual in that the western room is unusually large. The Historic Buildings Officer at Surrey County Council noted that the building has very high ceilings for a C17 house, which suggests it would have been of a high status.
- Phase II: Around 1660, a full height bay was added to the west and three gables to the north elevation.
- Phase III: In 1861 the building was faced in red brick, indicated by a date stone on the south elevation. This phase included re-fenestration and is likely to be the date when the building was split into two dwellings

2.70 As noted above, the *Victoria County History* states that Oxted Court, the old manor house, was occupied as a farm called Oxted Court Farm (later Court Farm). This suggests that Court Farm House was the manor house, although the information in the Heritage Statement, as above, indicates that it was built in the C17 on the site of the old manor house, which then relocated to Barrow Green Court in the C16. In any event, it is possible to say with certainty that Court Farm House was a high status C17 house, likely associated with the manor, and built on the likely site of the medieval manor, next to the church.

2.71 The building would have been a large and impressive house for the C17. It is of significance as a high-status C17 century house (evident in its form, scale and location adjacent **to St Mary's Church**), probably associated with a farm from the outset, but certainly with a long history as a farmhouse. It would have been somewhat unusual in being the only development near the church, as a small enclave of development in an isolated rural setting. Architecturally the brick re-fronting has resulted in a loss of its former vernacular character; **the Victorian 'outer skin'** somewhat obscures its age and its timber framed structure. However, the eastern chimneystack, together with the form of the building and other clues, still indicate its earlier origins.

Setting and contribution of the appeal site to significance

- 2.72 As noted above, there is an associative relationship between Court Farm House and the church, which dates back to its construction in the C17 and probably reflects the location of the medieval manor house. The two buildings, although very different, still **form a tight 'group' due to their proximity, and being the only structures of considerable age in this location.**
- 2.73 Unlike the church, however, the appeal site is not visible from Court Farm House (Photos XXX & XXX).



Photo XXX: A view in the broad direction of the appeal site from the area in front of Court Farm House.



Photo XXX: An aerial view over Court Farm House, with the appeal site in the distance.

2.74 Nevertheless, as can be seen from Photo XXX above, and as will be apparent on site, Court Farm House is in close proximity to the appeal site, and as I have noted above (see [paragraph XXX](#)), paragraph 013 of the NPPG recognises that the way in which a heritage asset in its setting is experienced is influenced by factors, such as other land uses in the vicinity, and by our understanding of the historic relationships between places. The example given is of buildings that are in close proximity, but which are not visible from each other.

2.75 In relation to Court Farm House, I have no doubt that the experience an understanding of the building is influenced by the rural land of the appeal site. When approached from the footpath across the appeal site, my experience was very much that of a historic building that can be understood to lie on the edge of the settlement, with a rural hinterland that represents the last vestige of its original setting. Relating that back to its significance, the name of the building clearly suggests it was a farmhouse and it was historically set in a farmstead, isolated from other development (aside from the church). The rural character of the appeal site resonates with that, and reveals something of the largely lost original rural setting of the building.

- 2.76 There are several documentary sources that indicate longstanding and enduring functional relationships and associations between Court Farm House and the appeal site, for a period of at least 220 years, but probably much longer. These start with the c. 1690 map, and take in the 1809 Plan of Oxted Court Farm, the 1939 tithe map, and the 1910 Lloyd George Domesday Survey, throughout which the appeal site was part of Court Farm (these probably started much earlier, and endured up the c. 1980s when the farmstead was redeveloped).
- 2.77 The fact that there were functional relationships and associations between Court Farm House and the appeal site is unsurprising, given the high status of the building (which implies an extensive landholding), its rural origins, and its relative proximity to this land. Although the documentary evidence of these associations cannot be felt on the ground, these are inferred when the building is properly understood in its context.

3.0 IMPACT ASSESSMENT

3.1 In my impact assessment I refer to the accurate visualisations that have been produced on behalf of the Appellant and submitted by the Appellant as part of the application submission documents. I understand that the appeal scheme is an outline application, and that the visualisations have been prepared using a model of the illustrative masterplan (not the parameters being applied for). Given that the Appellant considered these visualisations relevant, and representative of the likely changes that the appeal scheme would bring about, I have likewise used these to inform my assessment.

3.2 Other permutations to achieve the same quantum and scale of development may be possible, albeit within the parameters that are being applied for. Here I note that there are drawings that describe the following parameters of the appeal scheme:

- i. Land use (as per the Land Use Parameter Plan).
- ii. Access (as per the Access Parameter Plan).
- iii. Building heights (as per the Building Height Parameter Plan).
- iv. Green infrastructure (as per the Green Infrastructure Parameter Plan).

THE CHURCH OF ST MARY THE VIRGIN

3.3 I first refer to the visualisations of the appeal scheme, specifically from Viewpoints 1; 3; 4 and 8, which I reproduce below (existing/proposed, year 15) for ease of reference at Figs XXX-XXX. I should note that the images below are small, and the larger sized images would be useful as more representative of what would, in reality, be visible of the appeal scheme.



Fig XXX: The existing base photo for Viewpoint 1.



Fig XXX: The proposed year 15 photo for Viewpoint 1.



Fig XXX: The existing base photo for Viewpoint 3.



Fig XXX: The proposed year 15 photo for Viewpoint 3.



Fig XXX: The existing base photo for Viewpoint 4.



Fig XXX: The proposed year 15 photo for Viewpoint 4.



Fig XXX: The existing base photo for Viewpoint 8.



Fig XXX: The proposed year 15 photo for Viewpoint 8.

- 3.4 The impact of the appeal scheme in the context of the church could be summarised as a comprehensive and fundamental change of the appeal site, from a rural field to a suburban housing development.
- 3.5 It is clear to me that the appeal site is part of the setting of the church, and that it positively contributes to, or reveals, its significance as a once isolated church with medieval origins. The change brought about by the appeal scheme could plainly not be described as preserving this unique, and important, part of the setting of the church. In spite of the changes to the field (from the smaller parcels, as recorded on the c. 1690 map to a larger open field), and the footpath (which has become more vegetated with trees in the section between the appeal site and the church) and the churchyard (which has also become more vegetated over the past century) the appeal site is still a visually and experientially important part of the setting of the church. It still reveals the important historic relationship between the church and its once rural surroundings. The loss of this part of the setting of the medieval church, which is the last remaining vestige of its pastoral hinterland, would fundamentally and detrimentally change the ability to experience a connection between the church and the countryside.
- 3.6 The Access Parameter Plan (CD XXX) shows the existing footpath as entering the appeal site at the same point as existing, and proceed through the appeal site in much the same alignment as it is at present. Pedestrian paths are shown along the periphery of the appeal site, including the eastern edge with the graveyard.
- 3.7 Instead of approaching (or leaving) Oxted through a field, the historic approach to the settlement along the footpath would be through a modern suburban housing development (e.g. Viewpoint 1). The Illustrative Masterplan and the visualisations for Viewpoints 1; 3 and 4 show the footpath as encountering a hard and soft landscaped suburban housing development. The footpath is shown as a hard surfaced spine, surrounded by detached, two storey and 2½ storey houses.
- 3.8 In the base photo for Viewpoint 4 the church can be seen relatively well in the filtered views from the footpath. The visualisation shows it would be obscured, and it does not look to me as though it would be possible to see the church from within the appeal scheme, aside from perhaps along the eastern periphery. The church would then be experienced as a peripheral background element from within a suburban development, with all it entails, in the foreground or as part of the environments in which the views are experienced.
- 3.9 It is clear to me that the experience of this part of the setting of the church, and the nature of the approach to it, would be radically and permanently transformed. The

appeal site would bear no resemblance to a rural or pastoral hinterland. When looking at the Building Height Parameter Plan, the Illustrative Masterplan, and the visualisations for Viewpoints 1; 3 and 4, it would be very difficult to imagine this land in the same way as it exists today with the appeal scheme in place.

- 3.10 Although the scale of the appeal scheme is much greater, and the design of the new houses would likely be different, the overall suburbanisation impact of the development would be comparable to that of the modern development on **St Mary's Close**, on the former farmstead.
- 3.11 **English Heritage's** *Conservation Principles* [ibid] notes, at paragraph 44, that historical value depends on 'sound identification and direct experience' of fabric or, as is the case in this instance, the landscape that has survived from the past. At present the appeal site has retained a good deal of authenticity, as an instantly recognisable rural setting to the church, and the building can be seen in filtered views in leafless conditions from it and across it (albeit not all parts, and it would be obscured when the trees are in leaf).
- 3.12 The appeal scheme would obliterate the remaining rural setting to the west/NW of the church. It would no longer be possible to see the rural hinterland from the C12 tower, or see the tower across a field of undeveloped countryside, redolent of its once pastoral setting. The experience of the church in conjunction with the last remaining part of its once rural setting to the west/NW would be permanently lost. The character of the approach from the NW, along a historic footpath, would be irreversibly changed, much like the way in which the modern development on **St Mary's Close** to the SE of the church has radically changed that area, or the development on Wheeler Avenue⁹.
- 3.13 Such a loss of significance is summarised in paragraph 163 of Conservation Principles:
- "The historic environment is constantly changing, but each significant part of it represents a finite resource. If it is not sustained, not only are its heritage values eroded or lost, but so is its potential to give distinctiveness, meaning and quality to the places in which people live, and provide people with a sense of continuity and a source of identity. The historic environment is a social and economic asset and a cultural resource for learning and enjoyment."*

⁹ Wheeler Avenue is unobtrusive in views from the church, and is not as directly juxtaposed with it, visually or experientially, as the appeal site. Its impact is not the same as the appeal scheme. But, when looking at the aerial photo of c. 1945 (Fig XXX), a sense of how the development this piece of countryside has affected the setting of the church can be gained.

3.14 In addition to the views and the approach I have described above, there would be views of the new housing development from or across the two graveyard extensions which, **as I have explained in the previous section, are understood to 'belong' to the church.** The western of the two, in particular, visually and experientially forms something of a link between the church and the adjoining field (i.e. the appeal site), as can be seen from the photos in the previous section (e.g. Photos XXX & XXX). The visualisation of the appeal scheme from Viewpoint 7 (reproduced in small scale below at Figs XXX-XXX, but the full scale ones should be referred to) provides an indication of the appearance of the scheme from the graveyard. This viewpoint is at the northern part of the graveyard, not the southern part closest to the church, but the appearance of the appeal scheme can be extrapolated from it (albeit noting that there is less vegetation along the north, and this view shows the 2½ storey component of the appeal scheme).



Fig XXX: The existing base photo for Viewpoint 7.



Fig XXX: The proposed year 15 photo for Viewpoint 7.

3.15 However, the 2½ storey component of the appeal scheme would also be visible from Court Farm Road, near the veterinary practice (e.g. Photos XXX-XXX in the previous section). This visibility will depend on the viewpoint and the season, but in some cases the views would be year-round, regardless of the leaf cover on the deciduous trees.

3.16 In the views described above it is not so much that the appeal scheme would be visually intrusive (the proposed year 15 photo for Viewpoint 7 at Fig XXX above shows the development softened by intervening planting, for example). Instead, as I have

explained in the previous section, in this area there is a clear sense that one has reached the end of the settlement, signified by an absence of development. It is that perception, and the sense that there is a rural hinterland beyond, that would be ended by the appeal scheme. This would transform the experience of the church as currently on the edge of the settlement, with a rural hinterland beyond, to being hemmed-in by an adjoining suburban development and with nothing left of its rural setting.

- 3.17 Added to this perception would be the lighting of the appeal scheme in hours of darkness (I would expect directional general lighting would be incorporated to avoid undue light spill, but the lighting of the buildings etc. would inevitably be noticeable), as well as the activity and noise generated by the new residential quarter.
- 3.18 In summary, the impact of the appeal scheme on the significance of the church of St Mary would be an erosion of its historic interest and legibility as a medieval church, which had stood for centuries as the focus of a small rural enclave (of a church and a farm), surrounded by fields. The appeal scheme would radically transform the relationships (historic, associative, experiential and visual) between the church and the only remaining part of its setting that can still be experienced and understood as a remnant of its pastoral hinterland, and which contains a historic approach from the NW in which the church can still be experienced as set within a remnant of its original pastoral hinterland.
- 3.19 In my opinion the severity of the impact is amplified by the fact that this part of the setting of the church is unique, as the only remnant of its historic rural setting. The appeal scheme would have the effect of permanently removing that.
- 3.20 The harm I have ascribed to the significance of St Mary would be less than substantial within the meaning of the NPPF. There is a great deal of interest in the fabric, form and features of the church, and when measured against all of that significance, the impact of the appeal scheme would be relatively low. That is not because the harm is relatively inconsequential, but because on the whole, the setting is a relatively small component of the significance of church. Even though there would be a material impact on an important aspect of this, the harm has to be calibrated against the significance of the building on the whole. For that reason, I would ascribe a low level of less than substantial harm.
- 3.21 It would nevertheless be harm – and particularly relevant because of the uniqueness of the character and contribution of this part of its setting – and it would affect a heritage asset of the highest significance, by removing the last remnant of what I would consider an important aspect of its setting.

- 3.22 Section 66(1) of the 1990 Act does not distinguish between substantial and less than substantial harm. It places, instead, a strong statutory presumption against granting planning permission for development that would fail to preserve the setting of a listed building, as would be the case if the appeal scheme was allowed. It is a matter that must be given considerable importance and weight in the planning balance. In considering the impact and in making the decision, I would reinforce again that the grade I listed church is a building that is of "*exceptional interest*" [ibid].

COURT FARM HOUSE

- 3.23 In relation to Court Farm House, I do not base my assessment on the visibility of the appeal scheme from or in conjunction with the listed building. Instead, it is the experiential sense that the only remaining parcel of rural hinterland to the former farmhouse would be replaced with a suburban housing development, thereby permanently ending any sense of a connection with the farmland to the NW. The appeal scheme would also sever the ability to appreciate the centuries-old historic functional and associational relationships of the building with this land, by changing the farmland to a suburban housing estate.
- 3.24 The experiential impact of the appeal scheme would be analogous to the development on Wheeler Avenue, to the west, which was also once open farmland. This development, although relatively close by, is not visible from Court Farm House in public views. There is a footpath between Court Farm House and the back gardens of the development on Wheeler Avenue, and when walking this footpath, it is quite clear that the hinterland to the former farmhouse is now a housing development, and that it is not adjoined by farmland. A key difference, however, is that from this footpath it is only the rear gardens of the houses that is encountered, and there is still something of a semi-rural feel.
- 3.25 The visualisation of the appeal scheme from Viewpoint 1 (Figs XXX-XXX) shows that the appeal scheme would be very different. One would be walking straight into the housing development (or through it, if approaching Court Farm House from the NW).



Fig XXX: The existing base photo for Viewpoint 1.



Fig XXX: The proposed year 15 photo for Viewpoint 1.

3.26 The harm I have identified to Court Farm House is a very low level of less than substantial harm within the meaning of the NPPF. As before, that is not because the harm is inconsequential, but because the harm has to be calibrated against the whole significance of the listed building, and the appeal site is a relatively small component of this.

4.0 SUMMARY AND CONCLUSIONS

INTRODUCTION

4.1 I am Ignus Froneman, Director at Cogent Heritage. I hold a degree in architecture; I am an Associate member of the Chartered Institute for Archaeologists (ACIfA) and a member of the Institute of Historic Building Conservation (IHBC). I have nearly 25 years of experience in the historic built environment, which I summarise in the introduction of my Proof of Evidence.

4.2 My involvement in the Appeal started in

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Summary of significance

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Setting and contribution of the appeal site to significance

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4.8

The impact of the appeal scheme

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SUMMARY OF SIGNIFICANCE OF COURT FARM HOUSE

Summary of significance

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Setting and contribution of the appeal site to significance

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The impact of the appeal scheme

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5.0 CHAPTER HEADING

SUB HEADING

5.1 Text

5.2 .

APPENDIX 1: OVERVIEW OF LEGISLATION AND POLICY IN RELATION TO HERITAGE MATTERS

Legislation

1. Legislation relating to listed buildings and conservation areas is contained in the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
2. Section 66(1) of the Act sets out the statutory duty in relation to development affecting the setting of listed buildings:

"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."
3. It is a well-established concept in case law that, for the purposes of the 1990 Act, **'preserving' means doing no harm**. The Court of Appeal's decision in *Barnwell Manor Wind Energy Ltd v East Northamptonshire District Council* [2014] (EWCA Civ 137) established that, having **'special regard'** to the desirability of preserving the setting of a listed building under s.66, involves more than merely giving weight to those matters in the planning balance. There is a strong statutory presumption against granting planning permission for any development which would fail to preserve a listed building or its setting. In cases where a proposed development would harm a listed building or its setting, the Barnwell decision has established that the duty in s.66 of the Act **requires these must be given "considerable importance and weight"**.
4. As I understand, it some of the key legal principles, established in case law, are:
 - i. **'Preserving' for the purposes of the s.66 and s.72 duties means 'to do no harm'**¹⁰.
 - ii. The desirability of preserving the setting of a listed building, or the character or appearance of a conservation area must be given **'considerable importance and weight'**¹¹.
 - iii. The effect of NPPF paragraphs 212-215 is to impose, by policy, a duty regarding the setting of a conservation area that is materially identical to the

¹⁰ *South Lakeland District Council v Secretary of State for the Environment* [1992] 2 AC 141 per Lord Bridge at p.146E-G in particular (obiter but highly persuasive).

¹¹ *Bath Society v Secretary of State* [1991] 1 WLR 1303, at 1319 per Glidewell LJ and *East Northamptonshire DC v SSCLG* [2014 EWCA Civ 137] (Barnwell Manor), at [22-29] per Sullivan LJ.

statutory duty pursuant to s.66(1) regarding the setting of a listed building (and s.72 in relation to the character and appearance of a conservation area)¹².

- iv. **NPPF paragraph 215 appears as part of a 'fasciculus' of paragraphs, which lay down an approach corresponding with the s.66(1) duty (and similarly the s.72 duty)¹³.**
- v. If harm would be caused, then the case must be made for permitting the development in question, and the sequential test in paragraphs 213-215 of the NPPF sets out how that is to be done. If that is done with clarity, then approval following paragraph 215 is justified. No further step or process of justification is necessary¹⁴.
- vi. In cases where there may be both harm and benefits, in heritage terms, great weight has to be given to the conservation and enhancement of a listed building, and its setting, and the preservation and enhancement of a conservation area. It is, however, possible to find that the benefits to the same heritage assets may be far more significant than the harm¹⁵.
- vii. An impact is not to be equated with harm; there can be an impact which is neutral (or indeed positive)¹⁶.

The National Planning Policy Framework:

- 5. Section 16 of the revised (December 2024) National Planning Policy Framework (the NPPF) deals with conserving and enhancing the historic environment, in paragraphs 202 to 221.
- 6. Paragraph 202 of the NPPF states that heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance.
- 7. According to paragraph 207 applicants should describe the significance of any heritage assets affected, including any contribution made by their setting. The level

¹² *Jones v Mordue* [2015] EWCA Civ. 1243 per Sales LJ [at 28].

¹³ *Jones v Mordue* [at 28] per Sales LJ.

¹⁴ *R (Pugh) v Secretary of State for Communities and Local Government* [2015] EWHC 3 (Admin) as per Gilbert J [at 53].

¹⁵ *R (Safe Rottingdean Ltd) v Brighton and Hove CC* [2019] EWHC 2632 (Admin) as per Sir Duncan Ouseley [at 99].

¹⁶ *Pagham Parish Council v Arun District Council* [2019] EWHC 1721 (Admin) (04 July 2019), as per Andrews, J DBE [at 38].

of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

8. According to paragraph 212, which applies specifically to designated heritage assets, **great weight should be given to a heritage asset's conservation (the more important the asset, the greater the weight should be)**. This reflects the provisions of the 1990 Act in that it applies irrespective of whether it involves total loss, substantial harm, or less than substantial harm to significance.
9. Paragraph 213 states that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification. It then deals with substantial harm to, or total loss of significance of, different types of designated heritage assets. Paragraph 214 continues on the subject of substantial harm.
10. Paragraph 215, on the other hand, deals with less than substantial harm. Harm in this category should be weighed against the public benefits of the proposal. The **National Planning Practice Guidance (NPPG)** describes public benefits as "*anything that delivers economic, social or environmental progress*".

Development Plan

11. The Development Plan TBC

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