

# Agenda Item 43.

Application Number	Expiry Date	Parish	Ward
220321	EXT	Remenham	Remenham, Wargrave and Ruscombe;

<b>Applicant</b>	Mr John Bateman
<b>Site Address</b>	Brick Barn White Hill Remenham Hill Wokingham RG9 3HN
<b>Proposal</b>	Full application for the proposed Use of Land as Garden (Retrospective)
<b>Type</b>	Full
<b>Officer</b>	Helen Maynard
<b>Reason for determination by committee</b>	Listed by Councillor Halsall

<b>FOR CONSIDERATION BY</b>	Planning Committee on Wednesday 14 September 2022
<b>REPORT PREPARED BY</b>	Assistant Director – Place

SUMMARY
<p>This is a full planning application for the change of use of approximately 8,588 sqm of parkland to residential garden.</p> <p>This application is submitted retrospectively and operational development (buildings, fencing, hardstanding) has already taken place on the Land subject of the change of use.</p> <p>Two separate planning applications have been submitted alongside this application for the same site. These are also being considered by this Committee.</p> <ul style="list-style-type: none"> <li>• 220359: Full application for the proposed (retrospective) erection of five ancillary residential outbuildings and conversion of the existing Brick Barn and;</li> <li>• 220332: Full application for the proposed access drive to single dwelling, with associated water permeable gravel parking areas, and paths within garden (Retrospective)</li> </ul> <p>The application site consists of an open area of parkland within the Grade II* Listed Registered Park and Garden – Park Place and Templecombe. The site is located within Countryside and within the Metropolitan Green Belt.</p> <p>The proposal is considered to be inappropriate development within the Green Belt that fails to preserve its openness, it has a detrimental impact on the character and appearance of the Countryside and the Landscape character of the area. The proposal also has a harmful impact on the significance of the Grade II* Registered Park and Garden and the setting of Grade II Listed Noble Barn and the non-designated heritage asset Brick Barns. Additionally, the proposal fails to consider protected species.</p> <p>The application has been listed for Committee by Cllr Halsall on the basis that there will no detrimental impact on the Green Belt as a result of the proposed development.</p> <p>The application was deferred at Planning Committee June 2022 to allow the Applicant to submit further information prior to the July meeting, additional time was requested by</p>

the Agent until the August meeting however no further information has been received to date nor has there been any request for additional time.

## **PLANNING STATUS**

- Contaminated Land Consultation Zone
- Local Authorities
- Heathrow Aerodrome Consultation Zone
- Affordable Housing Thresholds
- Bat Roost Habitat Suitability
- Borough Parishes
- Scale and Location of Development Proposals
- GC Newt Consultation Zone
- Green Belt
- Ground Water Zones
- Local Wildlife Site
- National Historic Parks and Gardens
- Nuclear Consultation Zone
- Borough Wards
- Radon Affected Area
- Landscape Character Assessment Area
- SSSI Impact Risk Zones
- Local Wildlife Sites Consultation Zone

## **RECOMMENDATION**

**That the committee authorise the REFUSE TO GRANT OF PLANNING PERMISSION for the following reasons:**

### **A. Inappropriate development in the Green Belt**

The proposed extension to the residential garden of Brick Barns does not fall within any exceptions in the NPPF. The proposal is considered to be inappropriate development within the Green Belt and by definition, would be detrimental to the openness of the Green Belt. The proposal has failed to demonstrate very special circumstances that exist to outweigh the harm to the openness of the Green Belt contrary to policies CP1, CP3, CP12 of the Wokingham Borough Core Strategy, policy TB01 of the Managing Development Delivery (Local Plan) and National Planning Policy Framework 2021.

### **B. Harm to character and appearance of Countryside**

The proposed extension to the residential garden of Brick Barns would result in significant detrimental impact to the character and appearance of the area and overdevelopment/over-intensification of the site and introduce residential paraphernalia into the open Countryside. The proposal would be contrary the NPPF, Core Strategy Policies CP1 and CP3, MDD Local Plan Policy TB06 and the principles contained in Section 4 of the Borough Design Guide.

### **C. Harm to the Landscape Character**

The proposed development is out of keeping with the agricultural and parkland landscape character of the surrounding area. The development will have a detrimental impact on the intrinsic rural character and thus harmful to the visual amenity of the area resulting in an urbanising impact within this undeveloped field that is inappropriate in this location and detrimental to the established pastoral and tranquil and valued landscape character. It has not demonstrated that special justification exists to outweigh the identified harm. As such it is contrary to the National Planning Policy Framework, Policies CP1, CP3 and CP11 of the Core Strategy and policies CCO1, CC03, CP1, CP3, CP11 and TB21 of the Managing Development Delivery Local Plan.

### **D. Harm to the Grade II\* Registered Park and Gardens + Insufficient Heritage Info**

The proposed development and intensification and expansion of residential use, would result in harm to the significance of a Grade II\* Listed Park and Gardens. No public benefits have been presented to outweigh such harm. As such, the proposal would be contrary to the NPPF and Policy TB24 of the Managing Development Delivery Document.

By virtue of lack of details and the absence of specialist input, the proposed development have not satisfactorily demonstrated no negative impact of the proposal to the significance of the setting of Noble Barn or the undesignated Heritage asset of Brick Barn. The proposal would be therefore contrary to Policy CP3 of the Core Strategy and Policy TB24 of the Managing Development Delivery Local Plan and the NPPF (2021)

### **E. Insufficient Information on Biodiversity**

By virtue of the lack of ecological information submitted, it has not been demonstrated that the proposed development has taken into account protected species (Bats and Great Crested Newts) on being on the site and how the impact of the development could be mitigated nor how the development conforms to the Integrated Estate Management Plan for Park Place in terms of biodiversity. The proposal is contrary to the National Planning Policy Framework (2021), Paragraphs 98 and 99 of Circular 06/2005, Policies CP3 and CP7 of the Adopted Core Strategy 2010, and Policy TB23 of the Adopted Managing Development Delivery Local Plan 2014.

#### *Informatives:*

- 1) Refused plans: This decision is in respect of the plans numbered X10; 101 CD-900 A and Site Location Plan received by the Local Planning Authority on 25 March 2022.
- 2) The Council would like to draw the Applicant's attention to the fact that buildings, hardstanding and operational development are shown on plan X10 and do not form part of this application.

## PLANNING HISTORY

The wider Park Place site has a long and complicated planning history. Part of the planning history below covers this wider Park Place Estate in which Brick Barn sits. A number of the below applications do not relate directly to Brick Barn (otherwise known as The Bungalow) but include it within their red line.

In addition to the listed below, also of relevance are planning permission 200972 (and associated Listed Building Consent 200973) for the adjoining property Noble Barn "*Full planning application for change of use from a barn to a dwelling (use class C3), including external alterations to the eastern elevation, insertion of eleven flush mounted skylights, insertion of twelve flues / extracts, changes to the fenestration and formation of new vehicle access and new boundary treatments (Retrospective)*" approved 21 December 2021

<b>Application Number</b>	<b>Proposal</b>	<b>Decision</b>
220359	Full application for the proposed (retrospective) erection of five ancillary residential outbuildings and conversion of the existing Brick Barn.	Pending Consideration
220332	Full application for the proposed access drive to single dwelling, with associated water permeable gravel parking areas, and paths within garden (Retrospective)	Pending Consideration
160204	Householder application for proposed refurbishment and erection of a single storey rear extension, conversion of open cart shed to create habitable accommodation to dwelling, plus the installation of rear roof lights and front wood burner flue.	Withdrawn 10 November 2016
140994	Application for refurbishment of existing converted barn including removal of a previous extension and erection of a new barn-style extension with conversion of a Grade II listed barn to provide ancillary parking, storage and workshop, with change of use of an area of former golf course to provide additional residential curtilage.	12 November 2014 Withdrawn
RM/2010/1243	Reserved Matters application on outline consent O/2008/1353 for the erection of one dwelling (Aspect West- New Dairy Farm) Reserved Matters to be considered for the siting, design (including floorspace, height massing, internal layout & external appearance), access and landscaping.	Approve  04 August 2010

O/2008/1353	Outline application for the demolition of 8 dwellings and erection of 5 new dwellings. Change of use of 3 dwellings to form 2 boathouses and guest accommodation. Conversion of 2 dwellings to form 1 dwelling. Alterations to the barns and the bungalow to form a single residential unit plus alterations and extensions to existing buildings	Approve 09 December 2008
041618	Application for a screening opinion prior to an application for restoration and redevelopment of Park Place.	14 January 2005 EIA Development

**SUMMARY INFORMATION**

Site Area - 8588sqm  
 Previous land use(s) –  
 Agricultural/Parkland

**CONSULTATION RESPONSES**

WBC Drainage	There will be increase in impermeable area and we would have no objection to the principle of the development but as Drainage details have not been provided and the existing drainage details has not been mentioned, we would recommend a condition.
WBC Environmental Health WBC Ecology	No comments to make Recent development (since 2008) within the Park Place registered park and garden has been designed and implemented in accordance with an Integrated Estate Management Plan which aimed to restore historic features and improve biodiversity across the site; not clear how this development works alongside the implementation of the management plan and is not detrimental to the biodiversity objectives.
WBC Highways	No objection; ancillary condition required in interests of highway safety
WBC Heritage & Conservation	Insufficient information contrary to NPPF (2021) paragraph 194. Impact on the appearance and character of the parkland Less than substantial harm to heritage assets
WBC Tree & Landscape	Objection: Landsacpe impact. No supporting landscape statement submitted. Proposal contrary to TB21 & TB24 & NPPF 174(a)

Gardens Trust

Objection: No account is taken within the applicant's Planning Statements of the fact that this site lies centrally within the Grade II\* Registered Park or to refer to the relevant policies in NPPF or the Local Plan. Concerns about the scale and nature of the changes to the grounds of Brick Barn.

## REPRESENTATIONS

**Town/Parish Council:** The Parish summarise the three submitted applications at Brick Barn but do not provide any specific comments on this application.

### Local Members:

Cllr John Halsall

*"I do not feel that:*

- . Change of use to a garden*
- . Creation of a drive and parking*
- . Construction of outbuildings including garden sheds and conversion of the barn*

*Are in contravention of the Green belt rules as defined in the NPPF"*

### Neighbours:

Objection:

1. Noble Barn

- Impact on Grade II\* Park and Garden
- Impact on Green Belt
- Impact on Landscape Character
- Impact on Biodiversity

## APPLICANTS POINTS

- Brick barn has been a dwelling for many years, known previously as "The Bungalow".
- The planning history of the estate, including the occupation of this dwelling and the use of surrounding land previous occupants is complex
- No clear evidence of harm on the openness of the Green Belt and purposes of including land within it
- Unique location and context of site
- Open lawns and an extensive manicured appearance is absolutely consistent with the other large gardens in the vicinity and the general character of this estate.
- The recent Planning Permission and Listed Building consent granted for minor changes to Noble Barn (planning reference 200972 granted 21 December 2021) includes a site layout plan entitled Noble Barn Masterplan 101 CD-105 C which shows very clearly the red line of the curtilage. In this case the planning circumstances are identical

<b>PLANNING POLICY</b>		
National Policy	<b>NPPF</b>	National Planning Policy Framework
Adopted Core Strategy DPD 2010	<b>CP1</b>	Sustainable Development
	<b>CP2</b>	Inclusive Communities
	<b>CP3</b>	General Principles for Development
	<b>CP7</b>	Biodiversity
	<b>CP8</b>	Thames Basin Heaths Special Protection Area
	<b>CP9</b>	Scale and Location of Development Proposals
	<b>CP11</b>	Proposals outside development limits (including countryside)
	<b>CP12</b>	Green Belt
	<b>CP15</b>	Employment Development
Adopted Managing Development Delivery Local Plan 2014	<b>CC01</b>	Presumption in Favour of Sustainable Development
	<b>CC02</b>	Development Limits
	<b>CC03</b>	Green Infrastructure, Trees and Landscaping
	<b>CC04</b>	Sustainable Design and Construction
	<b>CC06</b>	Noise
	<b>CC07</b>	Parking
	<b>CC09</b>	Development and Flood Risk (from all sources)
	<b>CC10</b>	Sustainable Drainage
	<b>TB01</b>	Development within the Green Belt
	<b>TB06</b>	Development of private residential gardens
	<b>TB07</b>	Internal Space standards
	<b>TB23</b>	Biodiversity and Development
	<b>TB24</b>	Designated Heritage Assets
Supplementary Planning Documents (SPD)	<b>BDG</b>	Borough Design Guide
		DCLG – National Internal Space Standards

## PLANNING ISSUES

### Site Description:

1. The application relates to Brick Barn, which was previously known as The Bungalow with the Park Place Estate.
2. The site is located within Park Place and Temple Combe Grade II\* Historic Park and Gardens. Within Historic Park and Garden there are a number of listed building and structures as well as non-designated heritage assets including the former buildings of Park Place Farm which include Brick Barn.

### Background Information:

3. There is no evidence within the planning history that Brick Barn benefits from either planning permission or a Certificate of Lawfulness for the use as a dwellinghouse but part of the building is understood to have been in this use for some considerable time. The Applicant states that the use of the building as a dwellinghouse 'predates planning'. No evidence is submitted to support this statement nor has any Certificate been applied for.
4. Outline application O/2008/1353 relates to significant development the wider site but the works relating to Brick Barns is for "Alterations to the barns and the bungalow to form a single residential unit plus alterations and extensions to existing building". This has clearly not been implemented as Noble Barn and Brick Barn are two separate dwellings.
5. More recent applications at Brick Barns relating to householder development have all been withdrawn, however there is no record of the reason for such withdrawals.





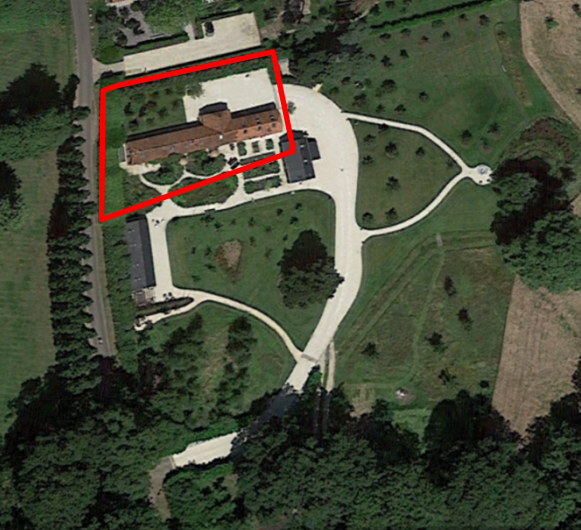
### Proposal:

6. This application proposed the change of use of approximately 8,588sqm of parkland to residential garden.
7. This application is submitted retrospectively and operational development has already taken place on the Land (subject of separate application(s) and enforcement investigation(s)).

### Established residential Curtilage and garden:

8. The submission of this application indicates that the property currently does not have any residential garden and that the change of use of Land is for the entire red line. The Applicant therefore confirms by way of this application that they consider there is currently no garden associated with the building.
9. Notwithstanding the use of the buildings, the curtilage and "garden" of the dwelling is clearly disputed.
10. The lawful curtilage of the building is indicated by the hedgerow in the below images, although it is acknowledged that this hedgerow has since been removed:



<p>Google Earth Pro (2012)</p> 	<p>Google Earth Pro (2014)</p> 
<p>Google Earth Pro (2014)</p> 	<p>Google Earth Pro (2017)</p> 
<p>Residential curtilage of property using WBC 2015 Aerial Photograph.</p>	<p>Google Earth Pro (2022) Residential curtilage of the property</p>
	

11. As can be seen from the above, the existing lawful residential curtilage of Brick Barns does not include any additional garden to the south and east of the property and the main garden is to the north of the property.

12. The residential use of the site is clearly demarcated by the high hedgerow to the west and south, manicured lawn to the west and driveway to the north. The red line submitted with the current application includes a much larger area and no planning history can establish any extension to the residential garden into established countryside land. Consequently, the application also represents a change of use of land for only part of the red line as indicated in pink on the site plan below:



**Principle of Development:**

13. The National Planning Policy Framework has an underlying presumption in favour of sustainable development which is carried through to the local Development Plan. The Managing Development Delivery Local Plan Policy CC01 states that planning applications that accord with the policies in the Development Plan for Wokingham Borough will be approved without delay, unless material considerations indicate otherwise.

14. The site is located outside any defined settlement limits and is located within the Metropolitan Green Belt and Countryside. Paragraph 147 of the NPPF establishes that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 149 states that the construction of new buildings is inappropriate in the Green Belt unless it meets certain exceptions.

15. Policy CP12 of the Core Strategy and Policy TB01 of the MDD Local Plan provide guidelines for development within the Green Belt. Whilst Policy CP12 predates the NPPF, it is consistent with the national planning policy in prohibiting development that

would be inappropriate in the Green Belt. Inappropriate development includes development that would harm the open character of the area.

16. This is reinforced by policy TB01 of the MDD which states that development must maintain the openness of Green Belt. Policy TB01 further clarifies the position regarding development within Green Belt and states that "Within the Green Belt, development for the purposes set out in the National Planning Policy Framework will only be permitted where they maintain the openness of, and do not conflict with the purposes of including land in, the Green Belt. The alteration and/or extension of a dwelling and the construction, alteration or extension of buildings ancillary to a dwelling in Green Belt over and above the size of the original building(s) shall be limited in scale".

*Inappropriate Development:*

17. The proposal is for the retrospective change of use of land to residential garden.

18. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

19. The proposed development does not fall into any exceptions set out in 149 of the NPPF as the proposal does not include any operational development. The application could fall within exception (e) of paragraph 150 providing it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. However, the change of use is for a private residential garden and does not support the purposes of the Green Belt.

20. The Applicant does not refer to planning policy within their submitted Planning Statement nor indicate which exception to the Green Belt policy they consider the development to fall within.

21. The proposed development is not inappropriate development within the Green Belt providing it preserves openness of the Green Belt and does not conflict with the purposes of including land within it.

*Openness:*

22. The majority of the garden is to the side and rear of the existing building on land lawfully agricultural parkland, part of the Park Farm Estate which was undeveloped land prior to this change of use. The proposed change of use is for a vast area of land, disproportionate to the size of the residential dwellinghouse.

23. The introduction of this change of use and the features associated with residential garden such as residential paraphernalia, domestic garden buildings/structures, hardstanding, fencing etc. would have a greater impact on the openness of the Green Belt. Both spatial and visual impacts must be considered. The urbanising effect of a domestic, cultivated and well-maintained garden in this location would have a greater impact than the existing situation.

24. It is clear from the Officer's site visits that the Applicant intends to develop/maintain and manicure this land further as since the initial enforcement investigations, further hardsurfacing, structures and fencing have been erected on the Land.

25. The proposed development will harm the openness of the Green Belt.

*Very special Circumstances:*

26. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

27. No very special circumstances or other material considerations have been put forward by the Applicant to justify the development. Limited weight can be to the desires of the Applicants to create a disproportionately large garden in the context of this modest 2 bedroom bungalow. This is not considered to be an exceptional circumstance to justify departure from policy.

28. It is understood that part of the residential curtilage of the property has been sold separately by the Applicant to Noble Barn. This reduces the existing curtilage of the dwellinghouse. Although this is noted, does not constitute very special circumstance to allow such a significant increase to the existing garden within the Green Belt. Land ownership is a civil matter. The land was within the Applicants gift and they chose to remove this from the curtilage of Brick Barns. This land ownership matter cannot be considered as material planning consideration nor a very special circumstance.

29. Given this is a modest two bedroom property, and the existing garden and parking area of approximately 900sqm (taking into account that part of the curtilage is no longer part of this property); this is considered to be more than adequate. The WBC Design Guide states that the minimum garden length of 11m is a generally accepted guideline for private garden space. The rear garden is approximately 11m (slightly narrower to the east) x 38m and the front garden is approximately 14m x 38m. This is a significant area of garden for a property of this size. Although the garden does not strictly comply with guidance in the WBC design guide in relation to depth. The width of approximately 38m is significant and is more than adequate to compensate for any lack of depth and there are no loss of privacy concerns.

30. Consequently, the very special circumstances necessary to justify the proposal do not exist. The proposal conflicts with the Green Belt aims of both National and Local Policy and there are no other considerations to outweigh this policy conflict.

**Character of the Area:**

31. The National Planning Policy Framework (NPPF) seeks to ensure that planning policies and decisions recognises the intrinsic character and beauty of the countryside.

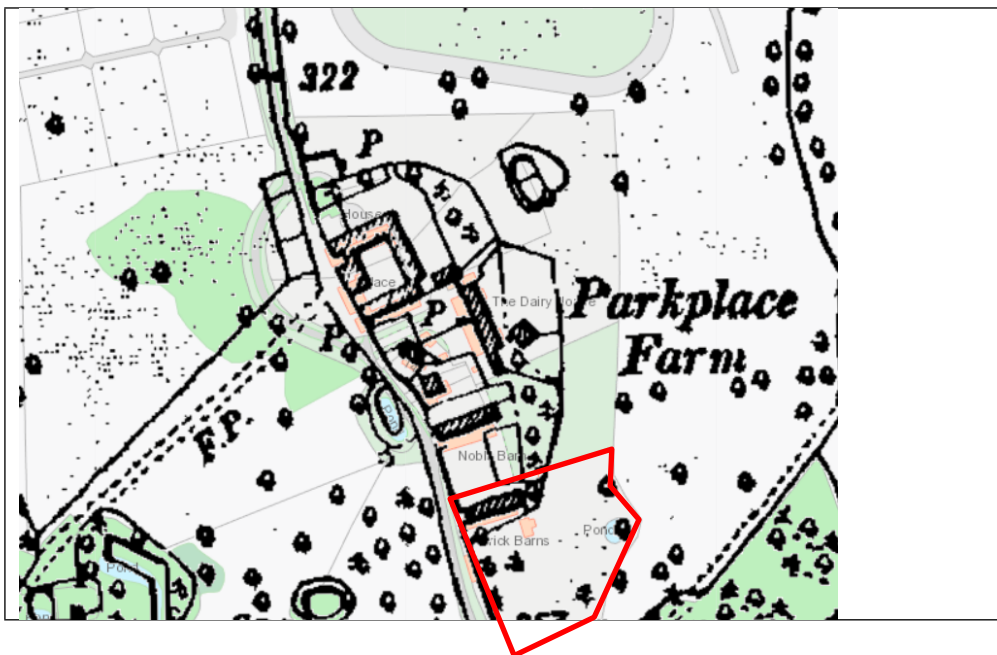
32. Policy CP3 of the adopted Wokingham Borough Core Strategy states that planning permission will be granted for proposals that: are of an appropriate to the character of the area and have no detrimental impact upon on the landscape. Policy CP11 states that in order to protect the separate identity of settlements and maintain the quality of the environment, proposals outside of development limits will not normally be permitted

except where: it does not lead to excessive encroachment or expansion of development away from the original buildings.

33. The proposal seeks to change land designated within the countryside to residential (Use Class C3). The site is an open parcel of agricultural parkland marking the southern end of a cluster of residential plots formerly Park Place Farm.

34. It is well established in caselaw that the encroachment of residential curtilage along with the associated paraphernalia and buildings has a harmful impact on the countryside. It does not 'contribute to and enhance' the local environment. A residential 'land grab' in the Countryside is clearly inappropriate.

35. This pattern and historical form of development can be seen on the historical 1900 map overlaid on the 2022 WBC Map and the Historic England Archive (Listing for the RPG - 4th July 1952). Park Place Farm is outlined in red on the aerial image and Brick Barn approximate location is outlined in blue. The proposal significantly encroaches away from original buildings.





36. Thus, it is considered that the residential use of the land would have the effect of domesticating this area, resulting in a harmful effect on the character and appearance of this part of countryside. Existing mature hedging forming part of the character of the parkland has been removed to accommodate enlargement and this has eroded the established and historical pattern of development on the site giving a clear distinction from the residential properties and the Countryside beyond. The proposed development would therefore be contrary to the NPPF and Policies CP3 and CP11 of the adopted Core Strategy.

### **Trees and Landscape:**

37. The Wokingham Borough Landscape Character Assessment (WBLCA) dated November 2019 identifies the site as being within Landscape Character Area E1: Remenham Arable Chalk Slopes

38. A draft Valued Landscapes Topic Paper dated January 2020 has been produced to support the Local Plan Update. The Valued Landscapes Topic Paper identifies eleven Valued Landscapes throughout the Borough, one of which is the Chiltern Chalk Valued Landscape within which the application site is located. Now that this study has been undertaken to identify the various Valued Landscapes within the Borough, Paragraph 174(a) of the NPPF is relevant to this site and states that; *development should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a*

*manner commensurate with their statutory status or identified quality in the development plan).*

39. Over recent years extensive improvements have been made to the wider parkland landscape of Park Place, and Conway Park to the east, with substantial planting of mature trees, hedgerows and woodlands which have contributed in a very positive way to the character of the landscape in this area.
40. This is a sensitive landscape and the combined effect of the proposed development within the site impacts the wider landscape character and Registered Park and Garden. MDD Local Plan Policy TB21 requires all proposed development within the countryside to address the requirements of the WBLCA with a submission of a Landscape and Visual Impact Assessment. Although this is a retrospective application, no supporting landscape statement has been provided to support the changes within the site or to discuss possible mitigation proposals.
41. The change of use of land to residential garden and the associated residential paraphernalia increasing the intensity of the use which is not in keeping with the landscape character of the area. Key aspects of this area are the open and rural quality of the landscape and the historic parkland.
42. The proposed significant increase in residential garden is contrary to TB21 which requires proposal to retain or enhance the condition, character and features that contribute to the landscape character. The clear domestication of the land including ornamental lawn and planting fails to contribute to this sensitive parkland landscape and its historic character. The proposal is therefore considered contrary to policy TB21 and TB24 and well as not in accordance with NPPF Paragraph 174(a).

#### **Historic Environment:**

43. The Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on Local Planning Authorities to have special regard to the desirability of preserving listed buildings, their setting or any features of special architectural or historic interest which it possesses. This is supported by Section 16 of the NPPF (2021).
44. This application was due to be presented at the Planning Committee in June 2022. On 27 May 2022 the Applicant requested that the item was withdrawn from the Agenda in order for a Heritage Impact Assessment to be prepared for the July Committee. The deadlines were missed for this Committee therefore an additional two months were offered by the LPA to allow for preparation of this information. No further information has been submitted to date. The application has therefore been assessed on the basis of the documents submitted to date.

#### *Grade II\* Registered Park and Garden*

45. 'Registration is a material consideration in planning terms so, following an application for development which would affect a registered park or garden, local planning authorities must take into account the historic interest of the site when determining whether to grant permission. To make sure that local planning authorities have the appropriate professional advice when considering such applications, they are required to consult us where the application affects a Grade I or II\* registered site, and the

Gardens Trust on all applications affecting registered sites, regardless of the grade of the site.'

46. Registered parks and gardens are key components of the historic environment. These irreplaceable, distinctive and much cherished parts of our inheritance are a fragile resource that can be easily damaged beyond repair. Grade II\* parks and gardens are particularly important sites and of more than special interest. The Berkshire Gardens Trust (BGT) have previously confirmed that Park Place is one of the very few Grade II\* Registered Parks and Gardens in Berkshire. The Majority of Registered Park and Gardens hold Grade II listed status (62% of all RPG on the register).
47. The significance of the RPG at Park Place is derived mainly from the 18th and 19th century gardens and pleasure grounds that surround the listed country house, as well as the extensive landscaped park that was laid out during the later 18th century by General Conway and the tree planting by Robert Marnock in the late 19th century. The open parkland and trees, including belts of trees, boundary trees and woodland, as well as its largely tranquil character, are integral to an appreciation and understanding of this designed landscape and the intentions of the designers and those who employed them. These features make an important contribution to the historic interest of this RPG.
48. Over time, there have been numerous changes to this RPG. These include the erection of a number of buildings and the construction of two golf courses. (The golf course in the north eastern part of the park has since been replaced by polo/equine facilities.) Some of these changes, such as the removal of golf course bunkers and other inappropriate works, have assisted in restoring parts of the parkland. However, in all likelihood, most of the buildings that have been constructed in the north eastern part of the RPG since the latter part of the 20th century would have had some adverse effects upon its open parkland character.
49. The Gardens Trust object to the proposal; they state that the large extension of a substantial private garden into open parkland is contrary to guidance in the Integrated Estate Management Plan. They reference a previous appeal decision at Malmesbury Estate APP/X0360/W/19/3224323 and Park Place Stables APP/X0360/W/19/3224329 in which the Inspector states *"The open parkland and trees, including belts of trees, boundary trees and woodland, as well as its largely tranquil character, are integral to an appreciation and understanding of this designed landscape and the intentions of the designers and those who employed them. These features make an important contribution to the historic interest of this RPG."* The area surrounding Brick Barn falls within this same plateau grassland which contributes to the open parkland.
50. The Gardens Trust acknowledge the significant development taking place on the extended garden in the form of built form and hardstanding which, although not part of this application, result in further harm to the appearance of the open parkland.
51. The proposed development has resulted in a fragmentation and suburbanisation of the Registered Park and Garden and erode the physical character of the parkland contrary to Historic England Guidance and the requirements of the NPPF.
52. The Garden Trust compare the development to the garden at Noble Barn to the North but state that this application encroaches on a much larger area of Land from the parkland and is more intensively development through the erection of buildings and



therefore has a materially different impact on the Grade II\* Registered Park and Gardens.

*Impact on Grade II Listed Noble Barn and Non designated Heritage Asses (Brick Barn)*

53. Brick Barns is one of a pair of elongated brick built former farm buildings, which the historic OS maps show were built sometime between 1883 and 1900 editions of the maps. These buildings being situated immediately to the SSE of the main body of buildings marked on the OS maps as Park Place Farm, which they were built to serve.
54. These two farm buildings are positioned roughly parallel (and originally facing each other) being 36 metre away from each other, with their narrower westerly ends pointing towards the nearby park estate road. The northerly of these farm buildings, now known as Noble Barn, is a Grade II listed building that was recently converted into a dwelling. The southernly of the two elongated farm buildings, now called Brick Barn being an earlier residential conversion and is not listed but is considered to be a non-designated heritage asset due to its age, former function and in that architecturally it has elements in common with Noble Barn.
55. Prior to the development, the area of land between the two former barn buildings had an open yard with no dividing boundaries which retained the open agrarian setting and the land directly east merged with the parkland beyond. Whilst it is noted there are other dwellings within the park that have large and formal gardens to them, these properties are often to be purpose-built dwellings and rather than residential conversion of traditional agrarian structures, that prior to being made into dwelling had no curtilage /gardens to them. The buildings ever benefited from having any original domestic garden or domestic curtilage to them. The extension to the garden to the south-east of the dwelling dilutes the relationship between Noble Barn and Brick Barn physically, visually and architecturally.
56. No information has been submitted accompanying these applications and there is no meaningful assessment of any heritage assets affected by the proposed development. the proposal is therefore considered contrary to the NPPF. However, the proposal is considered to amount harm to the character of the Grade II\* Registered Park and Garden due to the suburbanisation of the land by the erection of six buildings and the non-designated heritage asset of Brick Barn due to the domestication of the site and loss of the agrarian nature and the relationship with Noble Barn. This harm is considered to be less than substantial.
57. The NPPF states that where a development proposal will lead to less than substantial harm to the significance of the heritage Asset. This harm should be weighed against the public benefits of the proposal.
58. It has not been demonstrated that the harm is outweighed by any public benefits of exceptional circumstances such as delivery of economic, social or environmental objectives of the NPPF. No clear and convincing justification has been provided; the proposal is for the private benefit of the applicants only and does not seek to secure the future of the designated heritage assets on the site.

59. On this basis, the proposal is considered to be contrary to TB24 and Section 15 of the NPPF.

### **Ecology:**

60. The Park Place registered park and garden has been designed and implemented in accordance with an Integrated Estate Management Plan which aimed to restore historic features and improve biodiversity across the site.

61. The site is adjacent to broadleaved semi-natural woodland which is within the Park Place School local wildlife site. The potential for the conversion to garden so close to a local wildlife site – with no ecological buffer – to adversely affect the local wildlife site has not been adequately covered in the submission bundle.

The site is within conservation character area, Aspect Park, identified within the IEMP. Ecology objectives within this character area include:

- Remove non-native trees and shrubs where they pose a threat to semi natural vegetation
- Replacement planting of native trees and shrubs should be consistent with local woodland character
- Reduce risk of agricultural inputs damaging woodland habitat
- Where appropriate provide additional woodland edge habitat at boundary with improved grassland
- Maintain parkland trees into over maturity to allow cavities and fissures to develop to provide deadwood habitat and nest and roost sites for birds and bats
- Increase wildlife interest of improved grassland across the site
- Avoid operations causing harm to great crested newt
- Ensure that habitat remains suitable for breeding great crested newt
- Provide additional breeding sites for great crested newt

62. The proposal fails to demonstrate how this development integrates with the implementation of the Management Plan and has no detrimental impact on its biodiversity objectives and is therefore considered to be contrary to the IEMP and CP7.

### **Neighbouring Amenity**

63. Due to the nature and location of the development there will be no detrimental impact on neighbour amenity in terms of overlooking, loss of light or any overbearing impact due to the sufficient distance between neighbouring properties.

### **Flooding and Drainage:**

64. No drainage details have been provided with the application. The Drainage Officer considers that drainage details can form a condition of any approval.

### **Highway Access and Parking Provision:**

65. There is sufficient parking at the property without the need to extend the residential garden. No objections have been raised by the Highways Officer.

## **Planning Balance**

66. The proposal is considered inappropriate development in the Green Belt that would not preserve the openness of the Green Belt in relation to both a visual and spatial dimension. Substantial weight is given to any harm to the Green Belt in the NPPF.
67. Significant weight must also be given to the fact that the proposal would have a harmful impact on the Registered Park and Gardens, although this harm is less considered to be less than substantial. There are no public benefits that outweigh this the harm to the designated heritage assets.
68. The proposals benefit would not clearly outweigh the substantial harm caused by the development.

## **CONCLUSION**

69. The change of use of land to residential garden would have a harmful impact on the openness of the Green Belt and no very special circumstances exist to outweigh this harm. The proposal is considered to be contrary to policies TB01, CP12 and Green Belt policies of the NPPF.
70. The proposed development fails to acknowledge designated and non-designated heritage assets at the site. On balance, the failure to demonstrate that the overall proposed works will not harm the significance of the buildings, lack of detail and absence of any specialist input raises considerable concern to enable support to be given to the application. This harm is considered to be serious but likely to be 'less than substantial' in terms of the NPPF. The development, does however, require clear and convincing justification and should be given considerable importance and weight in the planning balance. The proposed works are considered to conflict with MDD policy TB24 and the NPPF.
71. The change of use of a significant area of parkland to residential garden would have a detrimental impact on the Landscape Character of the area; the intensification of the residential use across the site would have a detrimental impact on the Remenham Arable Chalk Slopes (Landscape Character Type E1) and fail to contribute to and enhance the natural and local environment. No mitigation has been proposed to mitigate against the impacts of an intensified use of the site, therefore the proposal fails to contribute to the landscape character area in accordance with TB21, TB24 and the NPPF (174(a)).
72. The change of use of land to garden and associated residential paraphernalia would be considered alien features and therefore harmful to a vulnerable landscape. The proposal would result in a significant detrimental impact to the spacious rural character and appearance of the Countryside and subsequently fails to maintain and enhance the quality of environment, contrary to the NPPF, Core Strategy Policies CP1, CP3 and CP11 and the Borough Design Guide. The proposals clearly lead to excessive encroachment and expansion of development away from original buildings and harm the character of the of the Countryside.
73. No ecological information has been submitted and the application has not demonstrated that the proposed development has taken into account the possibility of bats or great crested news, protected species, being on the site, and how the impact

on them could be mitigated. Additionally, it fails to take into account the wider biodiversity enhancements across the Park Place Estate within the Integrated Estate Management Plan. The proposal is contrary to CP3, CP7 and TB21 and the NPPF.

74. On the basis of the above, the application is recommended for refusal as set out.

**The Public Sector Equality Duty (Equality Act 2010)**

*In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. There is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts upon protected groups as a result of the development.*