

# Memorandum: Consultee Response

<b>TO:</b>	Susanna Bedford	Direct Line:	
<b>FROM:</b>	Jonathan Mullis	<b>Ext No.</b>	0118 946 7000
<b>Consultee:</b>	Historic Buildings Consultant	<b>Dated:</b>	15/12/16
<b>Ref:</b>	Pre-app 162144		
<b>Proposal:</b>	Partial demolition of existing buildings, renovation and conservation of Caversham House, Listed Building, and change of use to dwelling house and development of residential units within Caversham Park Registered Historic Park and Garden		
<b>Location:</b>	BBC Caversham Park, Peppard Road		
<b>Consultee Response:</b>	<b>DWG / Doc Ref:</b>		

## Planning (Listed Buildings and Conservation Areas) Act 1990 The Setting of Listed Buildings

Recent legal cases relating to issues of the setting of listed buildings have established that under section 70(3) the general power to grant planning permission under section 70(1) is expressly subject to sections 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Section 66(1), in the determination of applications affecting the setting of a Listed Building, states that:

*'in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority, or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'*

In the recent case (2014) of East Northamptonshire District Council v. Secretary of State for Communities and Local Government (known as the 'Barnwell Manor' case) the Court of Appeal held that section 70(1) was expressly subject to section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and that decision-makers should give '*considerable importance and weight*' to the desirability of preserving setting of a listed building.

In the Barnwell Manor wind-farm case it was established that it did not follow that, if harm to a listed building was found to be less than substantial under the balancing exercise in policies HE9 and HE10 (NB: under PPS5 which was then in force), that a decision-maker could ignore the overarching duty imposed by section 66 (of the Act).

Under the Planning (Listed Buildings and Conservation Areas) Act 1990, fixtures and curtilage buildings, that is any object or structure which is fixed to the building or is within the curtilage and forms part of the land and has done so since before July 1948, are also treated as part of the building for the purposes of listed building control.

## Reading Borough Planning Policies

The Core Strategy 2008 (with further alterations January 2015), Policy CS33: Protection and Enhancement of the Historic Environment states:

*Historic features and areas of historic importance and other elements of the historic environment, including their settings, will be protected and where appropriate enhanced. This will include:*

- *Listed Buildings;*
- *Conservation Areas;*
- *Other features with local or national designation, such as sites and features of archaeological importance, and historic parks and gardens.*

*Planning permission will only be granted where development has no adverse impact on historic assets and their settings. All proposals will be expected to protect and where appropriate enhance the character and appearance of the area in which they are located and for the purpose of ensuring that work is appropriate to the special architectural or historic interest of the listed building.*

Within paragraph 11.8 of the Core Strategy it also specifies that:

The Borough Council is committed to protecting and where appropriate, enhancing the Borough's historic environment. This includes ensuring that buildings and features of Local architectural and historic interest (which are not necessarily recognised components of the historic environment) are taken fully into account and safeguarded...".

### **National Planning Policy Framework (NPPF)**

Paragraph 132 of the NPPF states:

*When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

The NPPF (paragraph 128) requires applicants:

*'to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance'.*

Paragraph 131 of the NPPF states that, local planning authorities should take into account:

*'the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation'.*

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

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

*134. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.*

*135. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.*

### **Planning Practice Guide (PPG)**

The PPG states under 'What is the setting of a heritage asset and how should it be taken into account?' that:

*The contribution that setting makes to the significance of the heritage asset does not depend on there being public rights or an ability to access or experience that setting. This will vary over time and according to circumstance.*

*When assessing any application for development which may affect the setting of a heritage asset, local planning authorities may need to consider the implications of cumulative change. They may also need to consider the fact that developments which materially detract from the asset's significance may also damage its economic viability now, or in the future, thereby threatening its on-going conservation.*

The PPG states under 'How to assess if there is substantial harm?' that:

*What matters in assessing if a proposal causes substantial harm is the impact on the significance of the heritage asset. As the National Planning Policy Framework makes clear, significance derives not only from a heritage asset's physical presence, but also from its setting.*

*Whether a proposal causes substantial harm will be a judgment for the decision taker, having regard to the circumstances of the case and the policy in the National Planning Policy Framework.*

### **Historic England Good Practice Advice in Planning**

Historic England has produced new guidance on the interpretation and implementation of the NPPF and PPG with regard to the historic environment in the form of:

- *Historic England Good Practice Advice in Planning Note 1: Conservation Area Designation, Appraisal and Management (Historic England, 2016);*

- Historic Environment *Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking* (Historic England, 2015a);
- Historic Environment *Good Practice Advice in Planning Note 3: The Setting of Heritage Assets* (Historic England, 2015b); and
- Historic England *Good Practice Advice in Planning Note 4: Tall Buildings* (Historic England, 2015c).

Historic Environment *Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking* (Historic England, 2015a) considers under 'cumulative change' that:

*The cumulative impact of incremental small-scale changes may have as great an effect on the significance of a heritage asset as a larger scale change. Where the significance of a heritage asset has been compromised in the past by unsympathetic development to the asset itself or its setting, consideration still needs to be given to whether additional change will further detract from, or can enhance, the significance of the asset in order to accord with NPPF policies. Negative change could include severing the last link to part of the history of an asset or between the asset and its original setting. Conversely, positive change could include the restoration of a building's plan form or an original designed landscape* (Historic England, 2015a, p.8).

### Listed Building Description

Caversham Park, the former BBC Records site, is a Grade II Listed Building which was rebuilt for William Crawshay, possibly by J T Crews, after the fire of 1850. Crawshay was a Welsh iron master who had bought the estate in 1838. Nothing remains of the early 18<sup>th</sup> century house of the Earl of Cadogan, and very little remains of the works by Mr Acres and Capability Brown in the Park. The house is three storeys with a basement built in ashlar with an iron frame. The ground floor is rusticated with a Doric frieze over and a *piano nobile* above. It consists of seven bays, with outer bays being wider with tripartite windows, divided by engaged Composite columns (end piers). There is a dentil cornice, a balustraded parapet and glazing bar sash windows with raised surrounds and bracket cills, pedimented on *piano nobile* (alternately triangular and segmental).

Flanking wings set back with Ionic colonnades of 1840 by J T Crews of nine bays each with balustrade over, returned to east, orangery to west. Various extensions to east (including chapel) and west (former school rooms etc) and also to north-west which has a classical Doric portico to linked lodge dated 1890.

To rear of main house is an Ionic Porte Cochere (now a reception room). Interior retains considerable decoration of the post-1850 house. Large central hall with two balustraded galleries, Doric on ground floor, Ionic on 1st floor. The best room is behind Crews West colonnade - arcaded with columned screen to west and apse colonnade to east. Elaborate decoration in the principal drawing room with enriched doorpieces and so on. Chapel altered. A landmark for the railway.

The grounds also include the following Grade II Listed Buildings and structures:

- Entrance gates and gate piers to Caversham Park - Entrance gates and gate piers to Caversham Park. Circa 1850 probably. Possibly designed by J T Crews. Tall square ashlar gate piers with ball finials. Good ornamental wrought and cast iron gates. Flanking pedestrian gates with outer cast iron standards. Reverse quadrant railings with end piers capped by ball finials;
- Inner park walls at Caversham Park- Inner Park walls at Caversham Park. Mid-19<sup>th</sup> century, or possibly retained from the 18<sup>th</sup> century by Capability Brown. Oval plan. Ditch to outside. More oval to east than to west. Red brick with buttresses about 4-5 ft high;
- Temple to west of Caversham Park - Temple to west of Caversham Park. Probably later 19<sup>th</sup> century (Pevsner suggests mid-19<sup>th</sup> century). Tetrasle pedimented Doric portico with full entablature and buccrania. Portland stone front, Bath stone behind. Columns and piers rusticated with frosted bands; and
- Walls at former kitchen garden at Caversham Park - Walls at former Kitchen Garden at Caversham Park. Probably mostly mid-19<sup>th</sup> century but incorporating older work. 8-12 ft high, red brick. Communicating arches between separate sections of garden. Mid-19<sup>th</sup> century potting sheds.

The following curtilage listed buildings have been identified within the grounds in the supporting Heritage Statement:

- The building adjacent to the main house;
- The historic gate;
- The pavilion; and
- The lodge houses.

There is also a dry bridge amongst other heritage assets within the grounds.

### Caversham Park Registered Historic Park and Garden

A country house with the remains of an early 18<sup>th</sup> century formal garden by Stephen Switzer flanking mid-19<sup>th</sup> century formal terraces, surrounded by the remains of a landscape park laid out in the 1760s by Lancelot Brown.

As stated in the Heritage Statement:

*.....the architectural interest of the house is interrelated with the special interest of the formal grounds and landscaped*

*gardens of the RPG. The house was designed to incorporate views and vistas, across the formal gardens and parkland towards Reading and the River Thames. Similarly, its prominence as a substantial classical building, visible on rising ground when approaching Reading on the train, is reminiscent of the historic intent of the house to be a statement of the wealth and status of the owners/occupiers, with viewers aware of the scale and quality of the building (albeit, largely restricted to this garden frontage as discussed later in this Section). This strong, tangible connection between the house and the RPG further elevates their significance, as a key element of their respective aesthetic interest, and is interrelated with the setting of the listed building (Turley, 2016).*

*Caversham Park is entered to the west, along a sweeping driveway past an orchard and the front of the house and the stable yard. This approach offers important views to the northern elements of the park, part of which is currently in use as a cricket pitch, which dates from the building's use as a school. The later 20th century development and alteration within this part of the Site, including the car park at the eastern end and the severing of the eastern end of the drive, have diminished the legibility of the original design intention, and these detract from the special interest.*

*The interrelationship of the house and the gardens forms a key element of the significance of the two heritage assets. The value of the RPG is partly invested in its ability to provide an understanding of the historic importance of the house, set within extensive grounds, as a country seat associated with the nearby settlement of Caversham (Turley, 2016).*

The 20th century developments and extension within the grounds have partly eroded the RHPG and urbanisation of Caversham has increased this, however, it is important not to further increase this erosion of the designed landscape and setting of the Listed Building.

Whilst the views southward towards Reading and the wooded valley beyond are a positive element of the RPG's heritage interest, the remaining green spaces to the north of the main house also contribute to the significance of the Listed Building, the significance of the Listed garden features and the RHPG.

## **Proposals**

The proposed development would consist of:

- Demolition of 20<sup>th</sup> century elements of the Listed Building to provide land for development of 45 private residential apartments;
- Renovation of the Grade II Listed Building for use as a dwelling house with 47 new dwellings;
- Renovation and internal works to the curtilage approach road Listed Buildings (former gatekeeper and staff houses) for use as a dwelling house;
- Removal of the orchard and demolition of the sports pavilion, tennis court and satellite installations;
- Development of 220 new dwelling houses of mixed detached, semi-detached houses and apartments;
- Removal of hard-standing of car-park;
- Creation of new internal road network linking new homes to access/egress.

The main residential elements of the scheme are divided under the following headings:

- The Gateway - 7 units
- The Orchard - 18 units
- Caversham Drive - 77 units
- Park Mews - 30 units
- Woodland Park Road - 5 units
- Archive Court - 36 units
- Caversham Park House - 47 units
- Retirement Apartments - 45 units

## **Conclusions**

The local authority has a statutory duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses under Section 66(1) of the Planning (Listed Building and Conservation Area Act) 1990.

In principle there would be no objections to conversion of the Caversham Park listed building to residential use. Single use would obviously be the most appropriate and sympathetic in terms of the impact on the historic structure and ensuring a long-term conservation of the building. However, based on the institutionalisation of the building under the BBC, it is likely that removal of some recent elements of the Listed Building would aid legibility and it is possible multiple apartments could be accommodated within the building, subject to an appropriate design being promoted. Comments on the proposed detail of the conversion proposals cannot currently be undertaken until access to the interior of the main building has been provided. However, in principle the number of units currently indicated within the building causes concern in terms of the likely knock-on effects of compartmentalisation, requirements for additional services, pressure to upgrade the insulation and energy efficiency of the Listed Building and additional car-parking, amongst other issues. The smaller number of units therefore the less the likely potential impact on the fabric of the building and its special architectural and historic interest.

The proposed level of development within the grounds is therefore considered to potentially detract from the setting of the Listed Building and its significance, which is related to the value of the RHPG, through the introduction of a large number

of residential units in a relatively suburban form within the Caversham Park RHPG.

As stated in the Heritage Statement:

*4.8 The parkland character of the RPG is defined, predominantly, by the absence of built form, which as a 'designed setting' allows an overall understanding of its historic function, as part of a countryside. In this regard, it also provides an attractive and reciprocal relationship with the listed buildings as the most important element of their setting. As such, any development within the boundaries of the RPG is likely to diminish this appreciation of its heritage significance. There will also be indirect impacts on the significance of the listed buildings via, change in their setting, arising from a permanent and irreversible change in the character of part of their setting (Turley, 2016).*

As also stated in the Heritage Statement:

*4.9 Conversely, those areas of the Site located outside the boundaries of the RPG, would potentially only result in an indirect impact on the significance of the heritage assets. They would not, however, result in any harm as a matter of principle, although considerations of setting will need to be carefully considered.*

However, the only element residential units proposed outside the RHPG within the pre-application are the 36 units in 'Archive Court'; all the remaining units are within the RHPG and would potentially have an impact on the significance and legibility of the main Listed Building, the RHPG and associated heritage assets.

The proposed layout does not respect or acknowledge the surviving layout of the historic park and cuts across the surviving plan elements most obviously in the introduction of 5 units in 'Woodland Park Road'. These units would essentially bisect the designed element of the surviving sweep of the access road to the north front (originally tree lined) and the feeder stream. The design of any buildings proposed to stand alongside Listed Buildings need to be carefully designed to respect their settings, following fundamental architectural principles of scale, height, massing and alignment, and use appropriate materials. The current layout does not achieve this and would potentially cause substantial harm to the settings of the Listed Buildings and RHPG. As stated in the NPPF (paragraph 132):

*As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional.*

The proposed development would therefore be considered to be contrary to the requirements of Section 66(1) of the Planning (Listed Building and Conservation Area Act) 1990, would result in harm to the significance of the Listed Building and to its setting and would be contrary to Reading Borough Council's Core Strategy Policy CS33 and the requirements of the NPPF.

**Summary**

As described above.

RECOMMENDATION <i>check relevant boxes</i>		CONDITIONS Discharge	PRE-APP submission
<input type="checkbox"/> APPROVE	<input type="checkbox"/> REFUSE	<input type="checkbox"/> COMPLIES with Conditions	<input type="checkbox"/> SUPPORT PRE-APP
<input type="checkbox"/> S106 Legal Agreement		<input type="checkbox"/> NON-COMPLIANCE	<input checked="" type="checkbox"/> OBJECT PRE-APP