

Responding to Planning Applications affecting Historic Designed Landscapes: Drafting a Planning Letter: Completed Example – Cowdray Park

The letter below is a hypothetical response to an actual historical planning application, to show how you might use the GT's template to write a planning letter on behalf of your County Gardens Trust.

Summary:

Date

Head of Development Management

Address

[mark for the attention of the case officer if you have the name]

Dear Sir,

14/xxx (application details)

EB/10/01083/FUL(W) Proposed development of a new model farm on existing agricultural land

We are grateful for the opportunity to comment on this application, which has a material impact on the significance of *[give name of the park or garden]* **Cowdray Park and its setting, West Sussex**, a historic designed landscape which is Registered by Historic England at Grade *[give grade – I, II*, II]* **Grade II***. **Cowdray House is listed at Grade I and its ruins are a Scheduled Monument**. The inclusion of this site on the national register is a material consideration.

We write to **object to/support/other stance** this application, which will *[summarise impact in one sentence]* **have a greatly detrimental impact on the character of this open, 18th century, Brownian parkland and on the setting of the Scheduled Monument of Cowdray House.**

Thank you for consulting The Gardens Trust (GT) in its role as Statutory Consultee with regard to proposed development affecting a site listed by Historic England (HE) on their Register of Parks and Gardens as per the above application. The xxxx Gardens Trust (xGT) is a member organisation of the GT and works in partnership with it in respect of the protection and conservation of registered sites, and is authorised by the GT to respond on GT's behalf in respect of such consultations.

For further information, we refer you to the Gardens Trust publication *The Planning System in England and the Protection of Historic Parks and Gardens* (2019), which is available online at www.thegardenstrust.org



thegardenstrust.org

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Significance:

*We have made a site visit [if you have] and undertaken further research [say what, if relevant]. The **significance** of [site name] Cowdray Park lies chiefly in the way in which a blend of openness, views and tree planting have been employed to create an archetypal 18th century landscape. A major feature is the use of the ruins of the fortified medieval Cowdray House (about which there is more to be understood) as a dramatic eye-catcher in views across the designed landscape [include a brief description of the site's significance. Your CGT's researchers may already have this, or it may be on the Register entry, or HER entry. If not, you should try to write one, using the HLP guidance on Significance on the Resource Hub at www.thegardenstrust.org. You can also include the relevant entry the Register if it helps.]*

Impact:

*[Use the following paragraphs to state the proposal's **impact** on the site's significance – this will form the bulk of your letter. If you are struggling to determine this, it might be because the applicant has inadequately addressed the requirement to provide an analysis of the site's significance and the impact of the proposal on this significance, e.g. in an environmental, heritage, or design and access statement? If this is the case, you can say so and request that the applicant provides this information before the application is considered.]*

The proposed development site lies within the boundary of the historic parkland of Cowdray House. Much of this parkland, which originated in the 1530s, is still recognisable from Grimm's 18th century views of the estate, and although much of it is now managed as arable fields, rather than grassland, it still retains the open character typical of 18th century parkland in the style of Lancelot "Capability" Brown. Indeed, Brown was employed at Cowdray in the 1760s and 70s, though there is no reference to this key historic fact in the application. The open character of the parkland would, however, be greatly compromised by the proposed development of a model farm and associated structures.

The primary issue is the planned change in land management, from open arable farmland to a series of small, rotational fields for arable and grazing. The subdivision of the land into small fields and paddocks is out of keeping with open parkland and would severely damage its character.

The proposed access tracks, unusually wide footpaths (3.2m), boundaries and fencing, car park, and increased vehicular traffic would be overly intrusive in the historic designed landscape and are also inappropriate in the setting of the Cowdray House ruins – which is listed Grade I and designated a Scheduled Monument. The car park is particularly poorly sited in this regard, lying directly within a key view from Cowdray House ruins.

The task of analysing this development proposal has been made more difficult by the lack of key documents supplied with the application. In particular, we are surprised that no heritage statement, landscape visual assessment or conservation management plan have been supplied. This proposal contradicts heritage conservation advice which would have been included in such reports. We would question whether the local authority should be considering this application, or if it merits consideration at a national level.

Policy:

There is national and local **policy** of relevance to this application. At a national level, we refer you to National Planning Policy Framework Paragraph [insert paragraph number here, choosing one from Chapter 16. Relevant extracts from the NPPF are given in a

handout on the Resource Hub at www.thegardenstrust.org] [Explain how the proposal does or does not comply with the NPPF paragraph.] National Planning Policy Framework: **Para 195** 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 total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

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

Para 189 Applicant must describe significance of assets and setting affected

Para 194 Harm to significance...should require clear and convincing justification

Para 196 Weight of less than substantial harm vs public benefit + use

Para 172 weight given to conserving landscape and natural beauty in in AONB

Locally, Local Plan policy/ies [say what the policy is, and from which version of which document it comes] is relevant to this proposal. [Explain how the proposal does or does not comply with the Local Plan policy.]

The proposals are also contrary to the following paragraphs in the Chichester Local Plan:

RE28 Any proposals which have a significant detrimental impact on the character or setting of an historic park or garden, as listed in the English Heritage Register of parks and gardens of special interest in England, will be refused.

RE3...Any development permitted will be required to be in sympathy with the landscape and designed and sited so as to enhance visual quality...

BE4 ...high priority on protecting the character and appearance of all buildings of architectural or historic interest.

... special regard to the desirability of preserving listed buildings and their settings.

...presumption in favour of the preservation of... their settings and any features of architectural or historic interest, unless a convincing case can be made for...alteration; development affecting a listed building which would result in the loss of character of an area will similarly be resisted.

T4 Tourist development which has an adverse impact on the specific character of...Sussex Downs areas of outstanding natural beauty will be refused. In particular development will not be permitted which would:

- (1) adversely affect the undeveloped rural character of the surrounding landscape;
- (2) give rise to works required for access or infrastructure which would be obtrusive;
- (3) result in development, the design, bulk and height of which would be inappropriate to its setting;
- (4) have a damaging effect upon long distance views into or within the areas of outstanding natural beauty;
- (5) be detrimental to features of archaeological or ecological importance.

T5 Proposals for the provision of small-scale picnic sites and parking facilities for visitors will be permitted in appropriate locations...provided that they do not result in any undesirable intrusion into the landscape, damage to the ecological characteristics of the area or to the character of the surrounding natural or built environment.

63 Historic Parks and Gardens are an important part of the heritage and environment of Chichester District. They comprise of a variety of features: the open space itself; views in and out; the planting; water features; built features; and archaeological remains. There is a need therefore to protect such sites and their settings from new development which would destroy or harm the historic interest.

Position:

*[Having previously stated the impact of the proposal, you now need to state your **position**. Clearly state whether you are objecting or supporting, or taking another stance, and summarise why, without repeating the impact paragraphs.]*

Although not averse to the principle of the proposal, in terms of its educational and community merit, xxx Gardens Trust objects to this application due to its detrimental effects on open, 18th century parkland which also forms an important part of the setting of Cowdray House Ruins – a Grade I listed building and Scheduled Monument. The application has underplayed the negative effects on this designed historic landscape, which is an important local heritage asset. It would not be possible to mitigate the damage of such development, using planting etc, if it goes ahead in the planned location. xxx Gardens Trust would be delighted to come and talk to the Cowdray Estate about more acceptable alternatives.

We would be grateful to be advised of your decision, or if further information is submitted. Please note that we would like to speak at planning committee *[delete if you would not be willing]*.

Yours faithfully

[Avoid signing the letter in a personal capacity. If at all possible, try to get it nominally signed by your CGT's Secretary or Chair to emphasise that it is an official response that has been through a sign-off process]

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Historic Landscape Project
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