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This Planning and Conservation Advice Note (PCAN) is one of a series published by The Gardens Trust's predecessor, the Garden History Society in 2005.

The PCANs predate the National Planning Policy Framework. Any references to the planning system and planning policy (and particularly Section 8 'Planning Context' and Appendix 3) in the PCANs has been superseded and the conservation advice must be read in the context of the current National Planning Policy Framework published by the Government.

Government department names have changed since the PCAN series was published.

More information on The Gardens Trust's role in the planning system, casework, and our conservation publications and resource hub is available at:

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Advice on evaluation of change of use of buildings and structures in this conservation advice note is specific to the position such structures occupy in the historic designed landscape, and to the significance of their character, appearance and function within such design.

Separate specialist advice should be sought for architectural evaluation.

1.0 Introduction

- 1.1 Historic designed landscapes invariably include buildings and structures. They can be the reason that the landscape was created e.g. as the designed setting for a country house, hospital or university, or may predate it e.g. a mediaeval church later surrounded by a landscape park. Structures such as follies, eyecatchers and gazebos are integral features of designed landscape, and those with specific functions, such as chapels, lodges, farms, dovecotes, stables etc. may also be ornamented and incorporated within a landscape design. Many historic designed landscapes, from public parks and cemeteries to country house estates, contain buildings and structures which follow particular architectural styles or show patterns of ornamentation.
- 1.2 The intended visibility of structures or parts of structures varies between designed landscapes. A chapel in an ornamental cemetery or a pavilion in a public park may have been designed for all-round visibility, while intended views of stables, farm complexes, lodges etc. may have been focussed by planting and topography onto one or more ornamental facades. Even views of key buildings may have been selective within landscape design (e.g. the views of country house mansions devised to exclude servants quarters and service areas). Structures may also be an focal point of a designed landscape composition (e.g. temple with backdrop woodland viewed across a lake; rustic cottage in a picturesque dell etc.)
- 1.3 Many such buildings and structures will be '*listed*' as of architectural importance in their own right. Others may not be regarded as of national importance (i.e. not listed) but will nonetheless make a significant contribution to the overall character, quality and appreciation of a historic designed landscape, particularly where such structures are integral to specific landscape 'compositions'. Even where structures are not overtly ornamental, their presence may increase understanding of the historical context e.g. utilitarian estate cottages, kennels or facilities such as pump houses.
- 1.4 The degree of ornamentation and quality of materials of a building or structure usually reflects its intended status within a designed landscape. This, together with the scale of the structure, may determine its position in the hierarchy of buildings which is evident in many such landscapes.
- 1.5 Different areas of the landscape too may exhibit different levels of ornamentation and design status. As well as areas of high ornamentation (e.g. pleasure grounds, formal gardens and landscape parkland), areas with specific functions such as kitchen gardens, airing courts (in asylums) and even agricultural land could be ornamented to varying degrees or incorporated in an ornamental circuit walk or ride. In addition, elements such as backdrop woodland and perimeter tree belts provided necessary cohesion and integrity to a landscape design and to individual compositions.
- 1.6 At present there is no comprehensive statutory protection of historic landscape in England. While the majority of areas and features of such landscape will be protected through additional designation (e.g. setting of a listed building, conservation area status, scheduled ancient monument etc.), planting and its maintenance and replacement may not be covered.

2.0 Information needed to evaluate proposals for Change of Use

- 2.1 With the help of the English Heritage *Register* description of the site (or of local inventory entries*), and of any available listed building or conservation area descriptions, establish the significance within the context of the design of the historic landscape, of affected areas and features of the landscape, and of subject buildings and structures and their surroundings.

The ability of a building or structure to absorb change without adversely affecting the character and quality of the historic landscape is directly related to its status and design function within that landscape (see 1.1 & 1.4).

*Where a site is unregistered but designated of local or regional historic significance, local inventories (as produced by local authorities, county gardens trusts or other interested organisations) may provide a similar level of information to the English Heritage *Register of Parks and Gardens of Special Historic Interest*.

N.B. While the *Register* is a reliable guide, it should not be viewed as a comprehensive description, and the potential for additional structures and areas of importance to be identified should be recognised. A historic landscape assessment should be used as a supplement if *Register* or Inventory entries and listed buildings or conservation area descriptions do not fully explain structures and areas in the context of the designed landscape, and insufficient information is presented with an application. See also 3.1. below

2.2 If the proposed change of use is specific only to areas of landscape, the status and design function of such areas within the overall design of the landscape should be similarly established (see 1.5).

3.0 Additional Information required (Change of Use)

3.1 Where a historic landscape has been unmanaged or inappropriately managed for some time, the significance of particular structures or areas may not be immediately apparent. Evaluators need to ensure that any alterations consequent on change of use will not compromise future repair of important historic landscape features and areas e.g. the reopening of a vista focussed on an ornamental building; the reinstatement of a circuit walk with associated features.).

Any evaluation of change on historic landscape should therefore include assessment of:

1. Existing damage (e.g areas of tarmac for vehicle parking; modern buildings, structures, access ways etc. which were not designed to preserve or enhance the character or appearance of a historic landscape) and its potential reversibility

2. Decay (e.g lost features, lost or overgrown planting) and potential for its repair

A full historic landscape assessment can be an invaluable aid to understanding the provenance and significance of structures, features and areas of a historic landscape. A Conservation Management Plan, based on a Historic Landscape Assessment will confirm such potential for repair in cases of doubt.

See *GHS PCAN 13: Briefs for Historic Landscape Assessments*

GHS PCAN 14: Management Plans

3.2 Full information on the implications of change of use should also be available to inform decisions. Such implications may be divided into the following broad areas:

3.2.1 **Potential for future expansion of new use**

Proposals for change of use for a new venture (hotel, leisure centre, school etc.) may be presented initially with fairly modest requirements. However, such requirements often increase once the use is established and the potential for the landscape to accept additional facilities without damage should be assessed at the outset.

Information on likely future requirements may be provided by a long term strategy document or business plan. Constraints and opportunities for future development in the landscape context may be established through a Historic Landscape Conservation Management Plan (based on a historic landscape assessment). See also: Appendix 1 for lists of most common subsidiary and further development associated with particular uses

3.2.2 **Potential for structural extension, new build & additional facilities**

Some new uses may appear acceptable in principle and proposals may be presented therefore as an outline application (e.g. residential conversion of a disused banqueting house or temple). However, it is strongly recommended that detailed evaluation of the potential of the primary structure *and its surroundings* to accommodate such change is undertaken, since extension or additional structures and facilities (e.g. new drive, garaging etc.) could have a seriously adverse impact on the historic landscape.

Information on the design intention and significance of the structure and its surroundings (see Sections 1 & 2), the extent of its visibility (in all seasons of the year) and the potential of the wider landscape to accommodate any required access will be important aspects of evaluation.

N.B. Authorities may be placed in a difficult position if outline consent for change of use is granted, and subsequent detailed application identifies requirements which cannot be met without damage (refusal may be deemed unreasonable since the original consent will have generated, but not met, development requirements). Since an authority would also wish to ensure design excellence in such a situation, it is suggested that any application for change of use, which would require extension or additional structures, should be accompanied by a full planning and, if necessary, listed building consent, application.

3.2.3 **Potential for generation of subsidiary development (including additional facilities)**

Any use of historic buildings or landscape is likely to generate some subsidiary development, if only to service and maintain the heritage assets. However, some uses are likely to generate particularly high levels of subsidiary or additional development (see Appendix 1 for outline list).

In addition, special needs of particular users may generate additional requirements. e.g. proposed change of use of mansion and historic garden/landscape from residential to infant/junior education. Apart from possible

intensified use of areas of high ornamentation by children at play and need for additional facilities, the safety of children may require special measures. High and impenetrable perimeter fencing and added equipment such as CCTV may be required for site security, and exclusion of potential hazards such as ponds, lakes, rockwork, and garden buildings which may have been designed more for visual effect than constructional stability, may result in internal barriers and unprecedented site division.

A visit to a site in the same use as that proposed (and if possible under the same management) can be very informative regarding required extent of facilities and subsidiary development.

3.2.4 **Potential for neglect of buildings or areas of landscape**

Change of use which focuses on particular buildings or areas of landscape may result in decline of use and management of others, e.g. change of use of a mansion to a residential home may result in high levels of maintenance of key buildings and formal gardens, but neglect, subletting or sale of structures and areas which are not essential to the new use. Secondary lodges and ornamental landscape buildings may fall into disrepair, woodland become unmanaged, areas of parkland be subdivided for horse paddocks etc.

Applications for change of use should therefore be accompanied by information on proposed future use and management of all areas of a historic landscape and all structures within it.

3.2.5 **Potential for landscape subdivision and division of land management**

Certain types of new use are particularly liable to result in landscape subdivision and divisions of land management. For example, conversion of a mansion and secondary buildings, such as stables and farm complexes, into multiple residential units often includes subdivision of the immediate setting of the buildings to provide each resident with an area of privacy and seclusion. Varied management of individual boundaries and diverse internal planting and features in such areas may reduce the cohesion and integrity of the historic landscape.

Where change of use of landscape or of buildings would be likely to generate land subdivisions (including future sale or subletting of individual structures and areas) or fragmentation of landscape use and management, a comprehensive Historic Landscape Conservation Management Plan, based on a full historic landscape assessment is essential for future maintenance of cohesion and integrity of heritage assets.

Essentially a blueprint for the long-term future conservation management of a site, such a plan should include identification of any necessary structural and landscape repair works and the time scale within which these would be undertaken. This may be tied by S106 Agreement to any consent which an authority may be minded to grant.

See also *GHS PCAN 14: Management Plans*

4.0 **Potential for Mitigation**

The effect of change of use upon historic landscape will depend both upon the individual landscape and the type of use proposed. Since both show wide variation, it is advised that the potential for mitigation (of individual proposals) should be assessed in a site specific context. Planning authorities may also wish to consider the following:

- 4.1 Where a change of use application for buildings and landscape is anticipated (e.g. where a University gives advance notice of a campus move), an authority may devise a site specific **Development Brief** in advance of any application.

The detailed examination of constraints and opportunities for development, which such a brief incorporates, and the thorough understanding of the conservation needs of the heritage assets, which such work promotes, can be highly effective in mitigating against proposals for change of use which would be incompatible with conservation aims.

In addition, specific advice on conservation aims may save time and resources at preliminary design stage (e.g. in applications for change of use to multiple residential occupancy, applicants may be advised at an early stage that subsequent landscape subdivision should be avoided and priority placed on communal recreational and leisure areas).

- 4.2 **Supplementary Planning Guidance** too, on both historic buildings and historic landscapes, will include advice on good conservation practice and standards of design excellence which an authority may expect, and it will highlight the importance of thorough understanding of a heritage asset before change is proposed. Such guidance, produced by a local authority and distributed to potential planning applicants, may also mitigate against proposals for change of use which would be incompatible with conservation aims.

Where historic buildings and historic landscape comprise a conservation area, **Conservation Area Appraisals** may give similar guidance.

- 4.3 Where change of use of landscape or of buildings would be likely to result in multiple individual property curtilages (see 3.3. above) consideration may be given to **removal of domestic Permitted Development Rights** across the site.

Removal of domestic PDR may also be used to maintain character and appearance of structures whose original function was not residential (e.g. farm buildings), and of areas of ornamentation integral to overall landscape design (e.g. a lodge garden in an ornamental cemetery).

Removal of PDR may also be considered in applications for change of use of landscape areas (e.g. parkland or woodland to domestic garden)

- 4.4 Change of use applications may present an opportunity to secure appropriate conservation management of planting, either through condition or, on applications potentially affecting the whole of a historic landscape, through a comprehensive Historic Landscape Conservation Management Plan (see 3.2.5).

5.0 Watchpoints

- 5.1 Change of use which requires alteration in pedestrian and vehicular access points to a building may result in visual distortion and physical disruption of adjacent designed landscape areas (e.g. formal gardens with symmetrical layout of paths, steps etc.).
- 5.2 Change of use which would require significantly increased levels of fenestration of a building (e.g. farm building or stables to residential use) may fundamentally alter the character of such building and thus its design status within the historic landscape.
- 5.3 Change of use which would result in extension of a structure, or in the erection of additional structures in close proximity, may disrupt the scale of the structure and thus its position in the hierarchy of designed landscape buildings (see 1.4); affecting the character as well as appearance.
Major extension may result in conflict of visual prominence and deflect attention from the significance of other important landscape features, structures and views.
- 5.4 Change of use which would require significant alteration to facades of a structure identified as a designed landscape feature (e.g. as a focal point, an element of a set landscape composition etc.) may result in damage to character and appearance over a wide area (see also 5.1 & 5.2).
- 5.5 Change of use which would require internal alteration of structures, particularly of smaller garden and landscape buildings and glasshouses, may result in loss of historical evidence and diminution of appreciation and understanding of the structure and its proper context. Where this is unavoidable, full recording is advised.
- 5.6 Unless covered by additional designation (e.g. TPO, Conservation Area status etc.) new planting or removal of vegetation on historic landscape does not usually require either planning permission or that the local authority be informed. Applications for change of use which carry implications for existing or proposed planting on historic landscape should be supported by a conservation management plan which justifies all such works within the historical context (i.e. meets conservation aims).
- 5.7 To avoid future piecemeal proposals, potential for future expansion of new use should be considered at the outset (see 3.2.1 above). Piecemeal proposals are particularly damaging on historic landscape since they preclude assessment of cumulative effects of development.
- 5.8 Outline applications for change of use are usually inappropriate on historic landscape (see 3.2.2 above)

6.0 Unavoidable Development

- 6.1 If change of use would result in significant adverse impact but development is difficult to resist (e.g. replacement footprint on a Major Developed Site), every attempt should be made to mitigate against such impact, and corresponding gain for the affected historic landscape should be secured as part of the application. This may include funding for a comprehensive conservation management plan or, if such a plan is already in place, funding for specific repair projects, planting etc.

7.0 Application of Advice

- 7.1 If an application for change of use has clear implications for landscape or structures and is unaccompanied by proper evaluation of such implications in the context of conservation of the heritage assets, the Society would anticipate that the authority would refuse consent to such application, or would defer consideration until such context had been established.
- 7.2 If an application for change of use would result in significant adverse impact on a historic landscape or its setting, and potential for mitigation of such impact had not been identified or could not be secured as part

of any consent which the authority may be minded to grant, the Society would anticipate that the authority would refuse consent to the application.

- 7.3 If an application for change of use is supported by a comprehensive conservation management plan for the landscape, respects the constraints and opportunities for development which such plan identifies, proposes appropriate mitigation of any potential adverse impact, and gives clear commitment to any necessary repair and to future conservation management, the Society would be unlikely to have any objection in principle to such an application and would not anticipate consultation.

N.B. It is anticipated that any consent which an authority may be minded to give to such an application would include a legal agreement to secure conservation gain.

- 7.4 Should there be doubt over whether an appropriate context has been provided for an application for change of use, or whether proposals would result in adverse impact, we advise that a request be made via our London office* for the Society's regional conservation officer to discuss the case with the local authority.

*Such request should be made by telephone to the Society's Conservation Casework Manager, on 020 7608 2409.

8.0 Planning Context

This section highlights some parts of government Planning Policy Guidance notes (general guidance on specific topics), which may be particularly relevant to applications for change on historic landscape. Further information may be accessed via the planning website (see 8.6 below)

PPG15: Planning & the Historic Environment

- 8.1 **Para 2.24** instructs that 'planning authorities should protect registered parks and gardens in preparing development plans and in determining planning applications'.

Para 2.24 also confirms that the effect on a registered park or garden or its setting is a material consideration in assessing an application.

N.B. It is important to recognise the difference between setting of a listed building, which may comprise historic landscape, and the setting of the landscape itself, the evaluation of which involves a range of different issues

(See *GHS PCAN 11: Development in the Setting of Historic Designed Landscape*).

- 8.2 **Para 2.16** notes that when authorities consider applications for planning permission or listed building consent for works which potentially affect a listed structure they should pay special regard to certain matters including the desirability of preservation of the setting of a listed building.

Para 2.16 also notes that, 'The setting is often an essential part of the building's character, especially if a garden or grounds have been laid out to complement its design or function and para 2.17 continues, 'In some cases **setting** can only be defined by a historical assessment of a building's surroundings'.

- 8.3 **Para 4.6** notes that **conservation area** '... designation may well... be suitable for historic parks or gardens and other areas of the historic landscape containing structures that contribute to their special interest'.

PPG16: Archaeology and Planning

A significant number of historic parks and gardens (registered and unregistered) are included on county sites & monuments records (SMRs) either in their own right or as part of the setting of other monuments.

- 8.4 **Section B: Advice on the Handling of Archaeological Matters in the Planning Process**

B. 16: Development Plans. '...Authorities should bear in mind that not all nationally important remains meriting preservation will necessarily be scheduled; such remains and, in appropriate circumstances, other unscheduled archaeological remains of more local importance. may also be identified in development plans as particularly worthy of preservation.

B18: Planning applications 'The desirability of preserving an ancient monument and its setting is a material consideration in determining planning applications whether the monument is scheduled or unscheduled'

'... Where local planning authorities are aware of a real and specific threat to a known archaeological site as a result of the potential exercise of permitted development rights (as set out in Schedule 2 of the Town and Country Planning Act General Development Order 1988) they may wish to consider the use of their powers under **Article 4** of that order (see also 8.7 below) to withdraw those rights and to require specific planning permission to be obtained before development can proceed'.

PPG17: Planning for Open Space, Sport & Recreation

- 8.5 **Para 14: Maintaining an Adequate Supply of Open Space And Sports And Recreational Facilities** — 'Parks, recreation grounds, playing fields and allotments must not be regarded as 'previously developed land'

as defined in Annex C of PPG3. Even where land does fall within the definition of 'previously developed', its existing and potential value for recreation and other purposes should be properly assessed before development is considered'.

Planning Website

8.6 The **website** of the Office of the Deputy Prime Minister *www.odpm.gov.uk* may be accessed for full information on the above PPGs and other relevant planning guidance e.g.

PPG13: Transport: Planning and Access for Disabled People: A Good Practice Guide

Permitted Development Rights

8.7 Local planning authorities may consider the serving of an Article 4 Direction to withdraw permitted development rights and to require specific planning permission to be obtained before development can proceed in a number of other situations (see 8.4 above).

See also Appendix 3 for further parts of

PPG15: Planning and the Historic Environment

PPG16: Archaeology and Planning

PPG17: Planning for Open Space, Sport & Recreation

AND Planning in Wales

9.0 Evaluation of Impact

The effect of change of use upon historic landscape will depend both upon the individual landscape and the type of use proposed*. Both show wide variation and it is advised that evaluation of impact be undertaken in a site specific context.

The list of questions below is intended to identify whether sufficient information is available to properly inform decisions on proposals for change of use.

*Appendix 1 highlights development which is commonly associated with particular uses of historic landscape and/or of the buildings and structures which it contains.

9.1.0 Supporting Documentation (see also 4.1 – 4.4 above)

9.1.1 Is there a Development Brief for the site?

If so:

Does it distinguish and explain the significance of all landscape areas and features?

Does it identify constraints and opportunities for development and advise on any necessary repair and required future conservation management of the landscape?

Do proposals accord with the development brief?

9.1.2 Is there Supplementary Planning Guidance for the historic landscape?

Do proposals accord with this?

9.1.3 Is there a Historic Landscape Conservation Management Plan?

If so:

Does it cover the whole of the historic landscape?

Does it identify constraints and opportunities for development?

Do proposals accord with identified constraints and opportunities for development?

Does it identify necessary repair (landscape and integral structures)?

Does it give a phased programme for such repair?

Does it indicate dates for review?

9.1.4 Has the significance of all affected areas of the landscape been adequately explained?

Has the significance of structures been adequately explained in the context of historic landscape?

9.2.0 Implications of Change of Use

9.2.1 **External alterations to structures** (see also 5.1, 5.2 & 5.4 above)

Will change of use result in major* alterations to building facades?

Will change of use result in an increase in fenestration?

Will change of use require new entrances to structures?

(new entrances demand new access ways and the closure of previous entrances can result in disruption of designed walks, garden layouts etc.)

Will compliance with the Disability Discrimination Act require alterations (such as ramps, removal of steps, widening or moving doors, provision of disabled vehicle parking spaces)?

Has the status/function of the structure in the context of the design of the landscape been fully evaluated (e.g. farm buildings, ornamental structures etc.)?

*Major in this context may be defined as any alterations which alter the essential character of a structure or which significantly alter decorative facades

9.2.2 **Internal alteration to structures** (see also 5.5 above)

Has the significance of the structure been explained in the context of designed landscape?

Does such significance extend to the interior (e.g. orangery, tea house)?

Would proposals result in loss of historic fabric?

Would proposals affect appreciation of historic fabric (include reduced access)?

9.2.3 **Extensions to structures/New Build** (see also 3.2.2 & 5.3 above)

Is change of use likely to require extensions to structures or new build?

Has the potential significance of the area proposed for extension/new build been evaluated?

Would extension/new build result in loss of/disruption to an identified landscape layout (e.g. ornamental lodge garden; formal terraces etc.)?

Can extension/new build be accommodated without disruption of designed landscape views of the primary structure?

9.2.4 **Subsidiary development** (see also 3.2.3 above)

Appendix 1 may be used as a checklist for development commonly associated with particular uses.

In addition, the following Planning Conservation Advice Notes may be of assistance in evaluation of specific types of subsidiary development

PCAN 2: Hotel & Leisure Development

PCAN 3: Extension of Educational/Institutional Establishments

PCAN 4: Executive Housing

PCAN 5: Golf

PCAN 6: Vehicle Parking & Access

PCAN 7: Treatment of Boundaries & Entrances (e.g. visibility splays, signage, furniture)

PCAN 9: Development of Domestic Amenities (tennis courts, swimming pools, garaging, equine facilities)

PCAN 10: CCTV & lighting

PCAN 12: Evaluation of New Landscape Features

N.B. Any evaluation of impact of subsidiary development upon historic landscape should take into account the potential cumulative effect of such development upon its character and appearance.

9.2.5 **Landscape ownership and management** (see also 3.2.4 & 3.2.5 above)

Are new internal landscape boundaries proposed (e.g. for horse paddocks, games courts)?

Is division of land management proposed (e.g. multiple garden units)?

Will proposals result in altered use of significant areas of landscape (e.g. vehicle parking proposed in a walled garden)?

Will proposals encourage comprehensive and cohesive management of the historic landscape or will some areas be marginalised?

Do associated future management proposals identify proper conservation management (repair, phased replacement etc.), or do they merely cover day-to-day maintenance?

If ownership of a site has already been divided, has any potential impact of change of use on areas of historic landscape not in the ownership of the proposer been evaluated?

Can a comprehensive conservation management plan for the landscape be secured?

9.2.6 **Future Expansion** (see also 3.2.1 above)

Is there likely to be future expansion of the proposed use?

Is a Business Plan available?

Is a Strategy Document available?

Is a conservation management plan available which identifies constraints and opportunities for further development?

Could landscape and structures accommodate future expansion of use without damage?

9.3.0 **Mitigation**

Has any potential adverse impact upon the historic landscape been identified as a result of change of use?

Is there potential for appropriate mitigation of such impact?

Can such mitigation be secured in perpetuity in the context of present proposals?

See also 9.2.4 above for list of other Planning Conservation Advice Notes which may be of assistance (all include sections on potential for mitigation)