

P/13/0891/FP

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FAREHAM SOUTH

AGENT: CHIVERS
ARCHITECTURE & PLANNING
LTD

DEVELOPMENT TO LAND TO THE REAR OF BLACKBROOK GROVE WITH FOUR DETACHED FOUR AND FIVE BEDROOM HOUSES AND ACCESS DRIVE AND ANCILLARY PARKING AND AMENITY SPACE

23 THE AVENUE - LAND TO REAR OF - FAREHAM HAMPSHIRE PO14 1NT

Report By

Graham Pretty (Ext. 2526)

Site Description

Blackbrook Grove (Formerly Bishopswood) is situated on the south side of the Avenue on the corner of Redlands Lane and is a grade II* listed building, a designation which places it in the top 5.5% of listed buildings nationally and makes it a particularly important building of more than special interest. The house is an example of a thatched early C19 picturesque ornate cottage that sits within extensive grounds. Historically these comprised a number of elements which are described in a chronological history of the site compiled by Hampshire Gardens Trust in 2009. They were a formal garden (that included inner and outer circuit walks and a woodland path leading south to the site of a raised viewing mound), a kitchen garden subdivided by paths into four beds, and an orchard.

Description of Proposal

The proposals involve the construction of two five bedroomed and two four bedroomed, detached dwellings with access to the east onto Redlands Lane. The two five bedroomed dwellings are proposed in a neo-georgian style, with the two four bedroomed being more neo-edwardian. A detached garage/carport is proposed in front of each dwelling.

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS2 - Housing Provision

CS5 - Transport Strategy and Infrastructure

CS6 - The Development Strategy

CS7 - Development in Fareham

CS15 - Sustainable Development and Climate Change

CS16 - Natural Resources and Renewable Energy

CS17 - High Quality Design

CS20 - Infrastructure and Development Contributions

Fareham Borough Local Plan Review

DG4 - Site Characteristics

C18 - Protected Species

Relevant Planning History

The following planning history is relevant:

P/91/0099/LB - Part demolition of greenhouse and erection of new greenhouse - Consent June 1991

P/95/1170/OA - Erection of five detached houses and garages and provision of access road - Refused - Dismissed on appeal January 1997

Representations

Seven letters of support have been received with the following comments:

- Improve Security
- Sympathetic to existing building
- Would not be harmful to the historic 19C garden
- Detailing and proportion of the proposed dwellings is good
- Unobtrusive access
- Better a sympathetic development now than over development later

Two letters of objection have been received raising the following issues:

- Access onto busy road
- Impact on wildlife
- The houses are not affordable
- Not in keeping with Grade II* listed building

The Fareham Society has objected to the proposal, raising comments relating to:

- Estate style housing
- Adverse impact on the setting of the Grade II* listed building
- Previous dismissed appeal for five dwellings

Consultations

Director of Planning and Environment (Conservation) - Blackbrook Grove (Formerly Bishopswood) is a Grade II* listed building, a designation which places it in the top 5.5% of listed buildings nationally and makes it a particularly important building of more than special interest. The house is an example of a thatched early C19 picturesque ornate cottage that sits within extensive grounds. Historically these comprised a number of elements which are described in a chronological history of the site compiled by Hampshire Gardens Trust in 2009. They were a formal garden (that included inner and outer circuit walks and a woodland path leading south to the site of a raised viewing mound), a kitchen garden subdivided by paths into four beds, and an orchard. These elements of the grounds have remained largely intact although the avenue walk and former viewing mound are now in separate ownership. The house and grounds are included on the Hampshire List of Historic Parks and Gardens and are a local designation in the Fareham Borough Local Plan Review (2000), the local plan boundary includes the house, its formal picturesque garden, the site of the former kitchen garden and the orchard. The picturesque house surviving as a piece with its picturesque garden is an uncommon survival and this adds to its significance.

The National Planning Policy Framework advises that irreplaceable resource heritage assets, including listed buildings, should be conserved in a manner appropriate to their

significance and that great weight should be given to their conservation; the more important the asset the greater that weight should be. It also advises that the significance of a heritage asset can be harmed by development within its setting and that if any such harm is to be considered acceptable it must require clear and convincing justification in the form of public benefit. Policy CS17 of Fareham Borough Council Core Strategy (2011) expects development to respond positively to and be respectful of heritage assets. Saved policy HE10 of the Fareham Borough Local Plan Review is also relevant and resists development that would harm a local historic park and garden or its setting.

The English Heritage Historic Environment Planning Practice Guide (March 2010) and the Guidance document -The Setting of Heritage Assets (2011)- both define setting as 'the surroundings in which an asset is experienced'. They advise that when assessing the impact of development on the setting of a heritage asset views, spatial associations and the historic relationship between places should all be considered. In my view, in considering this proposal it is important to recognise that the established character of the grounds of Blackbrook Grove as a whole provide the surroundings and setting in which it is experienced. As a substantial part of the grounds, and one of a number of distinct areas that comprised its gardens, the established character of the orchard is therefore significant to the integrity and history of the site and the wider setting of the listed house. There is no significant development within the grounds that competes with the main house and the undeveloped open character of the Orchard contributes to this, it is appreciable both from the house and from elsewhere in the gardens, including from the formal picturesque garden and walks.

This application proposal is for four substantial four and five bedroomed detached houses of formal neo Georgian/ Edwardian design, each with a detached garage block. Access is proposed via an existing informal driveway from Redlands Lane. The proposal would result in the encroachment of significant development into the historic grounds of the house the scale of which would be apparent both in views from the house and from the formal gardens. The layout, size and design of the buildings pays no regard to the informal picturesque character of the house and garden and the proposed development would in my view result in significant harm both to the setting of Blackbrook Grove and the character of the historic park and garden. In creating a separate housing development the proposal would effectively divorce the former Orchard from the grounds of the house. The proposed changes to the existing access onto Redlands Lane would result in a formal access arrangement with kerbs, radii and realigned fencing for sightlines, a more informal approach would be appropriate. The proposed gates in my view are rather too ornate for a rear access to the grounds of the house. Retaining the informal low key character of the entrance and driveway, which cuts across the line of the southern path to the viewing mound, is important.

The planning history of the site includes an appeal in 1997 against refusal of a proposed residential development of 5 houses in the orchard. The appeal was dismissed partly on the grounds that the proposal would be seriously harmful to the setting of the grade II* listed building.

I can see no public benefit that would justify the harm resulting from this proposal and in my opinion the application should be refused.

Director of Planning and Environment (Urban Design) - The proposed development would be harmful to the character of the site and its relationship to the Grade II* listed building in that the design is an amalgam of architectural styles off of a standard suburban highway

design resulting in a suburban development of 'executive' houses set against the informality and picturesque layout of the southern part of this historic park and garden. Further, a significant portion of the original curtilage of the grade II* listed building would be divorced. The opportunity to re-establish and strengthen the pre-eminence of the landscape and the primacy of the grade II* listed building will be lost. The scale and mass of the proposed dwellings will be prominent in views from the circular walks within the remaining historic park and garden which would erode the experiential quality of the landscape and its relationship to the grade II* listed building. Notwithstanding, the use of the existing drive is welcomed.

English Heritage - Blackbrook Grove is a substantial house, built within extensive grounds. Both the house and gardens were designed in a romantic style in the early 19th century and being designed together the setting of the grade II* listed house makes a positive contribution to its significance. The proposal is to build four houses within the grounds of the listed house. As a result of the extent, scale, design, and location of the housing this development would have an adverse impact on the setting of the listed building. Such harm must be weighed against public benefits to satisfy the requirements of the National Planning Policy Framework. I am not aware of any public benefits resulting from the development and therefore I recommend that this application should be refused.

Hampshire Gardens Trust - Object -

1. The development would still be a significant intrusion into one of the main spaces within the important grounds which compliment the setting of the listed building.
2. The old orchard still forms part of the setting of the house and its southerly aspect, particularly the northern part. Historically this is one of the main series of spaces within the grounds.
3. It was previously accepted that in principle some development could take place on the orchard but the character suggests that no more than a couple of detached houses at the southern end extending in an arcadian fashion from the driveway might be acceptable. The proposal is an over formalised approach with a stilted cu-de-sac which is alien to the setting. Plot 3 has a restricted garden for the size of the dwelling.

Director of Planning and Environment (Ecology) - Further clarification of ecological impacts is required, principally:

A habitat map is not included in the ecological report and therefore the areas and extents of habitats discussed are not completely clear.

Historic aerial photography suggests the site was previously a mosaic of rough grassland, scrub and trees. It seems to have been at least historically highly suitable for reptiles, and therefore the potential for low numbers of reptiles to be present, especially at margins, should be considered in the context of historic, current, and future management.

I understand there to be remaining orchard trees. Consideration should be given as to whether the site or any part of the site meets the criteria of priority habitat - traditional orchards. It is not clear to what extent tree removal will be necessary.

It is not clear whether works to the existing access track are proposed. Impacts to the woodland should be considered, including in the context of dormice. It should be confirmed that the inspection for badger evidence extended throughout and beyond the site boundaries including the wooded area.

I understand that it is intended to retain the boundary hedgerow, however any application should discuss boundary treatments during construction and operation, and thus the construction and operational impacts on these features, including in the context of potential for dormice. Ecological enhancements should be demonstrated in any application and the recommendations set out within the report are welcomed. Any application should make clear what measures will form part of the proposals.

The report highlights that a proposal for four dwellings is not considered to pose a significant threat to the designated sites of Portsmouth Harbour. However, the site is within the area where additional residential units are considered to contribute, at least in combination, to likely significant effects on the Solent European Marine sites. As this proposal will result in net residential increase within the area within which it is considered that new development, at least in combination with other schemes, will result in a likely significant effect on the Solent European designated sites, I would recommend that Natural England are consulted on this scheme for advice, should they not already have been. The schemes may need to secure measures coming forward through the Solent Disturbance Mitigation Project.

Natural England - The application site is within 1.2km of Internationally designated habitats. Information secured from the Solent Mitigation and Disturbance Project indicates that any increase in residential development would be likely to have a significant impact on the Nature Conservation interests of the designated sites. Under these circumstances either an appropriate assessment to ascertain that there will not be an adverse effect on the integrity of the designated sites or mitigation measures should be sought.

Director of Regulatory Services (Pollution) - No objection

Director of Planning and Environment (Transport) - No objection subject to conditions

Director of Regulatory Services (Contamination) - No objection

Planning Considerations - Key Issues

The key issues in this case are:

- The principle of development
- The impact on the setting of the grade II* listed building
- Access
- Nature Conservation

1. The Principle of the Development -

The site is located within the urban area where residential infilling, redevelopment and development on neglected and underused land may be permitted, provided it does not adversely affect the character of the surrounding area or amenity of existing residents.

The site consists of garden land which is no longer identified as previously developed land. Whilst this in itself is not reason to resist development, proposals on residential garden sites must be considered against Policy CS17 of the Fareham Borough Core Strategy. This policy requires that all development responds positively to and is respectful of the key characteristics of the area including scale, form and spaciousness.

2. The impact on the setting of the grade II* listed building -

The National Planning Policy Framework (NPPF) in relation to "Conserving and enhancing the historic environment" states that:

"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 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 relevant statutory bodies have been consulted on the application. Notwithstanding the applicant's strong assertions that the setting of the Grade II* listed building will not be harmed by the proposed development due to its distance from the property, the segregation of the orchard and its condition, the Conservation Officer, English Heritage and the Hampshire Gardens Trust all agree that the orchard area forms one of the important spaces associated with the building. English Heritage point out that "The gardens would have been laid out at the time the house was built. They were romantic and picturesque in style (as is the house) with woodland walks and a key vista down to a viewing platform which afforded views of the sea beyond. The key axial walkway still survives within the Blackbrook grounds..... There was and is a strong association in historical design terms between the house and its gardens, they were constructed for use and enjoyment together (as the axial walkway illustrates) and therefore it can be concluded that the setting of the listed building contributes to its significance. In this case the gardens are not the incidental surroundings to the house; they were conceived as a whole"

English Heritage further point out that "The area which would be taken up by this new development is a significant portion of the garden area. The development of houses in the former orchard would mean that this section of the garden could no longer be considered to be part of the setting of the listed building. In this regard the setting would be much reduced".

Notwithstanding this there is a planning history on the site which involves a proposal (P/95/1170/OA) for five dwellings which was refused and dismissed on appeal. In determining the appeal the Inspector left it open for consideration to be given to some form of development on the orchard site but concluded that "the number of dwellings which the appeal site could reasonably accommodate needs to be fundamentally reassessed."

In the officer's view, the proposed development which encompasses the whole of the orchard part of the application site, does not represent a fundamental reassessment of the number of dwellings.

The number of dwellings proposed is another matter arising in respect of the impact on the setting. English Heritage point out that the development would involve the loss of the whole of the orchard area and this a significant portion of the historic garden; it therefore follows that the extent of the development in terms of its site coverage is also harmful.

In terms of the design of the buildings the Conservation officer has pointed out that the formal designs do not pay sufficient regard to the informal, picturesque character of the listed building and garden so that in this respect also, the development would be harmful to the setting of the listed building.

In support of the application the applicant refers to the the following matters:

- Security - the orchard is set a significant distance from the dwelling and is adjacent to land owned by Fareham College. There have been trespasses arising and it would be easy for damage to be caused to the listed building, not least, fire, given its thatched roof.

- Setting - The setting of the listed building is already compromised more significantly by the visual incursion of Romyns Court (which was constructed on land previously part of the grounds of the listed building), flats off Redlands Lane to the southeast and not least the College.

- The axial way - this continues beyond the site to the south and is in a poor state where it is within the grounds of the College. The impact of the proposed development on this is therefore overstated.

- Maintenance - the scale of the grounds is disproportionate to the dwelling and are a burden that make the upkeep of this important building difficult. Development of the orchard would assist in securing the future of the listed building.

- Design - the design and detail of the proposed dwellings has been carefully considered and the scale is considered appropriate to the scale of the site. The scale and bulk of the buildings is no greater than that already permitted in Romyns Court.

- Condition of Orchard - many of the orchard trees have been lost and the site is no longer suitable for this use leaving a stark and underused area.

Officers have considered these matters but consider that they are insufficient to outweigh the strong conservation objections to the proposed development.

3. Access -

It is considered that the principle of accessing the site in the manner proposed via an existing access on to Redlands Lane is acceptable.

4. Nature Conservation -

The proposal is for four new dwellings. Natural England have concluded that all new residential development this distance from the internationally designated protected sites will have a significant impact upon the nature conservation interests of those sites. Consequently, in the absence of an appropriate assessment to ascertain that there will not be an adverse effect on the integrity of the designated sites or mitigation measures then the proposed development would not be acceptable.

It is also considered that the level of ecological information provided with the application is insufficient to ascertain whether or not there would be harm arising to protected species on the site itself.

Conclusion -

The development is considered unacceptable taking into account the policies and proposals of the Development Plan as set out above. The NPPF requires that developments harming the setting of important heritage assets, including Grade II* listed buildings, should be

granted only in wholly exceptional circumstances. In the light of the perceived harm to the setting of the listed building officers do not consider that there are any exceptional circumstances in this case which should override this important consideration.

Recommendation

REFUSE:

The proposed development would be contrary to the guidance set out in the National Planning Policy Framework, to Policies CS6 and CS17 of the Fareham Borough Core Strategy and Policies DG4, C18 and HE10 of the Fareham Borough Local Plan Review and is unacceptable in that:

(i) by reason of the number, form of layout, bulk and design of the proposed dwellings, the development would result in the loss of an unacceptably large portion of the historic garden to new development not associated with this grade II* listed building and would be harmful to its important setting;

(ii) the development would result in additional dwellings and therefore additional recreational pressure upon the nationally and internationally designated nature conservation sites including the Portsmouth Harbour Site of Special Scientific Interest (SSSI), the Portsmouth Harbour Special Protection Area (SPA) and RAMSAR site. In the absence of an appropriate assessment to ascertain that there will not be an adverse effect on the integrity of these designated sites or mitigation measures it is considered that the proposed development would result in significant harm to the nature conservation interests of these important sites.

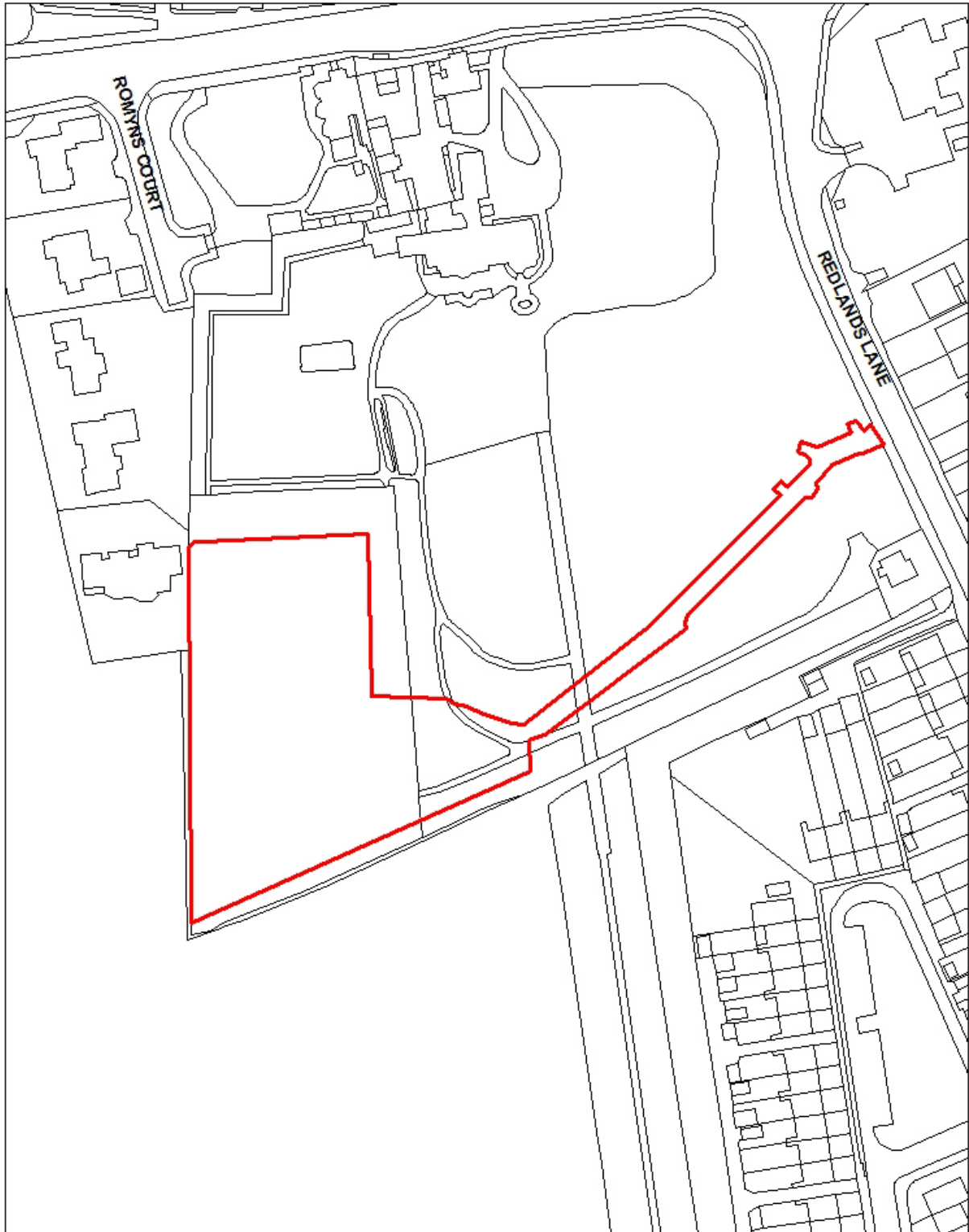
(iii) insufficient information has been provided to demonstrate that any protected species that may be present on the site will not be harmed or that adequate mitigation will be provided if necessary.

Background Papers

P/95/1170/OA; P/13/0891/FP

FAREHAM

BOROUGH COUNCIL



23 The Avenue - Land to Rear of
Scale 1:1,1250



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