

The value and meaning of significance in the planning system for the protections of historic parks and gardens in England

Victoria L Thomson (2014)

<https://radar.brookes.ac.uk/radar/items/fdcaa49b-9aab-44a2-9ffa-98b1a126e29d/1/>

Note if anything has been removed from thesis: fig. 17, p. 152: 3 images; fig. 20, p. 180; fig. 21, p. 185: 1 image; fig. 34, p. 276; fig 37b, p. 279; fig. 38b, p. 281; fig. 40, p. 285; fig. 59, p. 345; fig. 60, p. 346: 1 image; fig. 69, p. 391; fig. 75, p. 404: 3 images; fig. 78, p. 410: 2 images; Appendix 4, pp. 520-539 (published paper)

Copyright © and Moral Rights for this thesis are retained by the author and/or other copyright owners. A copy can be downloaded for personal non-commercial research or study, without prior permission or charge. This thesis cannot be reproduced or quoted extensively from without first obtaining permission in writing from the copyright holder(s). The content must not be changed in any way or sold commercially in any format or medium without the formal permission of the copyright holders.

When referring to this work, the full bibliographic details must be given as follows:

Thomson, V L (2014) *The value and meaning of significance in the planning system for the protections of historic parks and gardens in England* PhD, Oxford Brookes University

**The Value and Meaning of Significance in  
the Planning System for the Protection of  
Historic Parks and Gardens in England**

**Victoria Louise Thomson**

Thesis submitted in partial fulfilment of the requirements  
of Oxford Brookes University for the award of Doctor of  
Philosophy

September 2014

## ABSTRACT

In England, parks and gardens are an acknowledged part of the historic environment, for which the principal protection mechanism is the planning system. Since 2010, that protection has relied primarily on the application of a policy predicated on the identification and conservation of a historic asset's 'significance', or special interest.

This research evaluates the concept of significance as a basis for protecting historic parks and gardens in England, and assesses the effectiveness of the planning system in sustaining that significance. It adopts a case study approach to investigate the handling of a planning application for a development proposal in each of three registered parks and gardens, involving site assessments, documentary review, and semi-structured interviews. This is supplemented by a nationwide questionnaire survey of local planning authorities, interviews with high-level stakeholders, and analysis of relevant policy and legislation.

The research finds that significance-based policy is not well understood, and that its potential is unfulfilled in practice. Parks and gardens themselves are found to be relatively neglected as heritage assets in both conservation and research. The research concludes that the planning system could be effective in sustaining the significance of historic parks and gardens, but currently is not.

The contributions to knowledge made by the research include the review of planning practice in respect of parks and gardens (the first since 1992), the development of a typology of interests to inform the definition of significance, and a model to guide the process of definition. A further contribution – with

the potential for wider application – is a theoretical model of the influences on the construction of significance in the decision-making process on planning applications.

Recommendations arising from the research include a call for improved use of existing protection mechanisms, and for the production of guidance for practitioners to support this.

## PREFACE

The majority of research into historic parks and gardens is, inevitably, undertaken from a landscape history or landscape architecture perspective. As might be surmised from its title, however, this research considers historic parks and gardens from a planning perspective, with a specific focus on their conservation through the planning system.

This focus emerged as a result of the author's own background in planning and historic conservation, and relatively late discovery of the formal designation and protection mechanisms for historic parks and gardens in England. Finding that this experience was far from unique in the planning and even conservation fields suggested that parks and gardens were potentially neglected in practice, and prompted a desire to determine exactly how (and how well) these important historic assets were being addressed in the planning system. Accordingly, the research focuses on the evolution, application, understanding and effectiveness of planning mechanisms, and, although the history and appearance of the case study parks and gardens is addressed, this is done only inasmuch as is necessary to understand their significance. The intended audience for this work is primarily those involved in the conservation of parks and gardens through the planning system, but it is hoped that it also has some relevance for those in the wider field of garden history and conservation, and, further, that the research can make some contribution to bridging the gaps between the various disciplines and professions with an interest in park and garden conservation, thereby facilitating the 'informed conservation' which the findings demonstrate is absolutely essential.

## ACKNOWLEDGEMENTS

I would like to start by acknowledging the Urban Futures studentship provided by Oxford Brookes University, which enabled me to undertake this research, and for which I remain very grateful. I would also like to thank my Co-Directors of Study, Dr. Michelle Thomas and Dr. Alan Reeve, for their support throughout the research, and also my second supervisor, Prof. Tim Marshall, for all his assistance.

I am particularly grateful for the time, enthusiasm and insights offered so generously by all those who participated in the research, whether in responding to the questionnaire survey or taking part in interviews, and to all those who assisted with archival queries. I would also like to express my gratitude to the many people in the world of garden history who were so welcoming and helpful, and in this regard I would particularly like to thank Jenifer White, Dr. Sarah Rutherford, and the late Mavis Batey for their assistance and encouragement.

I would like to thank my friends for their patience over the last few years, as well as for their timely offers of cake and just the right amount of scepticism that this research would ever be completed.

Finally, my heartfelt thanks to my parents, for their unstinting confidence and support in this as in so much else, and to my husband, for enduring and enjoying it along with me, for his patience and wisdom, and for the pleasure of his company on all those garden visits.

# CONTENTS

<b>LIST OF FIGURES</b> .....	<b>xiii</b>
<b>LIST OF TABLES</b> .....	<b>xvi</b>
<b>ABBREVIATIONS</b> .....	<b>xix</b>
<b>CHAPTER 1: INTRODUCTION</b> .....	<b>1</b>
1.1 Introduction.....	1
1.2 Research Context.....	1
1.3 Research Aims and Objectives .....	9
1.4 Scope and Definition of Terms.....	10
1.4.1 Scope .....	10
1.4.2 Definition of Terms .....	12
1.5 Research Approach and Method .....	18
1.5.1 Research Orientation .....	18
1.5.2 Research Design .....	19
1.6 Structure .....	20
1.6.1 Theoretical Phase.....	21
1.6.2 Exploratory Phase.....	23
1.6.3 Review Phase.....	23
<b>CHAPTER 2: PLANNING THEORY AND PRACTICE</b> .....	<b>24</b>
2.1 Introduction .....	24
2.2 Planning and Conservation .....	25
2.2.1 Introduction .....	25
2.2.2 The Emergence of Conservation and Planning Legislation ...	26
2.2.3 Compatibility .....	28
2.3 The Theoretical Underpinnings of Planning .....	31
2.3.1 Introduction .....	31
2.3.2 Pragmatism .....	32
2.3.3 Theory in Practice .....	36
2.4 Decision-Making in Planning .....	48
2.4.1 Decision-Making Theory .....	48
2.4.2 Decision Types .....	52

2.4.3	Values and Framing .....	53
2.5	Conceptualising the Planning System .....	57
2.5.1	Introduction .....	57
2.5.2	The Planning System .....	57
2.5.3	Significance and Decision-Making .....	59
2.5.4	The Decision-Making Process .....	67
2.5.5	Participation .....	71
2.6	Conclusions .....	74
2.6.1	The Relationship Between Planning and Conservation .....	75
2.6.2	The Theoretical Orientation of the Current Planning System .....	75
2.6.3	The Operation of Decision-Making Within the Planning System .....	75
2.6.4	The Conceptualisation of Decision-Making Practice .....	76
<b>CHAPTER 3: THE CONCEPT OF SIGNIFICANCE.....</b>		<b>78</b>
3.1	Introduction .....	78
3.2	Definitions .....	79
3.2.1	Heritage Significance .....	80
3.2.2	Interests and Values .....	81
3.2.3	Environmental Significance .....	84
3.3	The Development of Significance .....	85
3.3.1	Why Conserve? .....	86
3.3.2	What is to be Conserved? .....	100
3.3.3	How is Conservation to be Achieved? .....	104
3.4	Interests Within English Conservation .....	112
3.4.1	Introduction .....	112
3.4.2	Planning Policy .....	113
3.4.3	Other Policy .....	115
3.4.4	The Wider Application of Significance .....	117
3.5	Initial Typology .....	119
3.6	Conclusions .....	126
3.6.1	The Concept of Significance .....	126
3.6.2	Implications for Conservation Practice .....	127
3.6.3	Conceptualisation for English Conservation Practice .....	127



<b>CHAPTER 4: THE SIGNIFICANCE OF HISTORIC PARKS &amp; GARDENS .....</b>	<b>129</b>
4.1 Introduction .....	129
4.2 The Significance of Historic Parks and Gardens .....	130
4.2.1 Context .....	130
4.2.2 The Emergence of Generic Conservation Interests .....	134
4.2.3 The Emergence of Park and Garden Conservation Interests .....	137
4.2.4 Other Perspectives on the Significance of Historic Parks and Gardens .....	145
4.2.5 A Typology of Interest for Parks and Gardens .....	153
4.3 Initial Mechanisms for the Protection of Historic Parks and Gardens .....	157
4.3.1 Introduction .....	157
4.3.2 The 1983 National Heritage Act Provisions .....	157
4.3.3 Subsequent Provisions .....	164
4.3.4 Overview .....	173
4.4 The Effectiveness of Initial Protection Mechanisms .....	174
4.4.1 The Extent of the Problem .....	174
4.4.2 The Nature of the Problem .....	182
4.5 Conclusions .....	186
4.5.1 The Specific Interests Associated with Historic Parks and Gardens .....	186
4.5.2 Effectiveness of Pre-Significance Measures .....	187
 <b>CHAPTER 5: PLANNING AND THE PROTECTION OF HISTORIC PARKS AND GARDENS.....</b>	 <b>189</b>
5.1 Introduction .....	189
5.2 The Relative Status of Parks and Gardens .....	190
5.2.1 Introduction .....	190
5.2.2 The Protection of Historic Parks and Gardens .....	191
5.3 Current Protection Mechanisms .....	198
5.3.1 Introduction .....	198
5.3.2 Permitted Development .....	198
5.3.3 Significance-Based Policy .....	200
5.3.4 Pre-Existing Provisions .....	204
5.4 Effectiveness of Current Protection Mechanisms .....	211
5.4.1 Heritage at Risk .....	211

5.4.2	Questionnaire Survey of Local Planning Authorities .....	219
5.5	The Assessment of Historic Parks and Gardens .....	223
5.6	Conclusions .....	229
5.6.1	Comparison with the Protection of Other Assets .....	229
5.6.2	Effectiveness of Current Provisions .....	230
5.6.3	Definition of Significance for Parks and Gardens .....	231

**CHAPTER 6: RESEARCH METHODOLOGY AND CASE STUDY SELECTION ..... 233**

6.1	Introduction.....	233
6.2	Philosophical Orientation .....	234
6.2.1	Context .....	234
6.2.2	Positioning the Research .....	235
6.3	Research Design .....	237
6.3.1	Overview .....	237
6.3.2	Theoretical Phase .....	240
6.3.3	Exploratory Phase .....	245
6.3.4	Review Phase .....	262
6.4	Reliability and Validity .....	262
6.5	Conclusion .....	263

**CHAPTER 7: PRIOR PARK, BATH..... 265**

7.1	Introduction.....	265
7.2	Prior Park .....	266
7.2.1	Context .....	266
7.2.2	Evolution .....	270
7.3	The Proposal and its Context .....	272
7.3.1	Planning .....	272
7.3.2	School Facilities .....	275
7.3.3	The Proposal .....	277
7.4	Significance .....	282
7.4.1	Determining Significance .....	282
7.4.2	Impact on Significance.....	294
7.5	Analysis .....	298
7.5.1	Consultation and Participation.....	299

7.5.2	Significance.....	305
7.5.3	Decision-Making .....	314
7.5.4	Other Issues.....	324
7.6	Conclusions .....	327
<b>CHAPTER 8: WOBURN ABBEY, BEDFORDSHIRE .....</b>		<b>330</b>
8.1	Introduction .....	330
8.2	Woburn Abbey .....	331
8.2.1	Context .....	331
8.2.2	Evolution .....	335
8.3	The Proposal and its Context .....	335
8.3.1	Planning .....	335
8.3.2	Conservation Policies .....	337
8.3.3	Visitor Facilities .....	339
8.3.4	The Proposal .....	340
8.4	Significance .....	343
8.4.1	Determining Significance .....	343
8.4.2	Impact on Significance .....	356
8.5	Analysis .....	363
8.5.1	Consultation and Participation .....	363
8.5.2	Significance.....	368
8.5.3	Decision-Making.....	373
8.5.4	Other Issues.....	379
8.6	Conclusions .....	384
<b>CHAPTER 9: STANLEY PARK, BLACKPOOL .....</b>		<b>387</b>
9.1	Introduction.....	387
9.2	Stanley Park .....	388
9.2.1	Context .....	388
9.2.2	Evolution .....	391
9.3	The Proposal and its Context .....	394
9.3.1	Blackpool .....	394
9.3.2	Planning .....	395
9.3.3	Open Space .....	395
9.3.4	Cycling .....	396

9.3.5	The Proposal .....	397
9.4	Significance .....	402
9.4.1	Determining Significance .....	402
9.4.2	Impact on Significance .....	411
9.5	Analysis .....	420
9.5.1	The Role of the Council .....	420
9.5.2	Consultation and Participation .....	421
9.5.3	Significance .....	425
9.5.4	Decision-Making .....	433
9.5.5	Other Issues .....	439
9.6	Conclusions .....	447
<b>CHAPTER 10: DISCUSSION OF FINDINGS.....</b>		<b>450</b>
10.1	Introduction.....	450
10.2	Key Research Findings .....	450
10.2.1	The Profile of Historic Parks and Gardens .....	450
10.2.2	Typology of Interests .....	451
10.2.3	Informed Conservation .....	454
10.2.4	Policy Effectiveness: National .....	456
10.2.5	Policy Effectiveness: Local .....	459
10.2.6	Effectiveness of Other Planning Tools .....	460
10.2.7	Capacity .....	461
10.2.8	Community Access to the Decision-Making Process .....	464
10.2.9	Articulation of Interests .....	467
10.2.10	Significance .....	470
10.2.11	The Role of the Planning Officer .....	473
10.2.12	Decision-Making .....	475
10.2.13	Planning and Conservation .....	479
10.3	Conclusions .....	481
<b>CHAPTER 11: CONCLUSIONS AND RECOMMENDATIONS.....</b>		<b>482</b>
11.1	Introduction.....	482
11.2	Research Aims and Objectives.....	482
11.2.1	Objectives.....	483
11.2.2	Aims .....	489

11.3 Summary of Findings.....	490
11.4 Contribution to Knowledge .....	491
11.4.1 Contributions of Academic Relevance.....	491
11.4.2 Contributions of Practical Relevance .....	493
11.4.3 Recommendations .....	494
11.5 Reflections on Research Design and Conduct.....	498
11.6 Areas for Further Work.....	501
11.7 Final Conclusions .....	503
<b>APPENDICES .....</b>	<b>504</b>
APPENDIX I: UK PROTECTION OF HISTORIC PARKS AND GARDENS .....	505
APPENDIX II: PPG17 OPEN SPACE TYPOLOGY .....	507
APPENDIX III: PARLIAMENTARY MATERIAL .....	509
APPENDIX IV: ‘PLANNING AND THE PROTECTION OF HISTORIC PARKS AND GARDENS’ .....	520
APPENDIX V: INTERNATIONAL CONSERVATION CHARTERS .....	539
APPENDIX VI: DEFINITION OF ‘INTERESTS’ AND ‘VALUES’ IN ENGLISH CONSERVATION PRACTICE .....	548
APPENDIX VII: SOURCES FOR THE ‘DEFINITION AND APPLICATION OF SIGNIFICANCE’ MODEL.....	550
APPENDIX VIII: ICOMOS EXAMPLE GUIDES FOR HISTORIC LANDSCAPES .....	552
APPENDIX IX: QUESTIONNAIRE SURVEY .....	554
APPENDIX X: QUESTIONNAIRE SURVEY FINDINGS.....	566
APPENDIX XI: HERITAGE AT RISK DATA, 2012 .....	571
APPENDIX XII: INTERVIEWEE MATERIALS .....	577
APPENDIX XIII: NVIVO CODES FROM CASE STUDY ANALYSIS ...	583
APPENDIX XIV: PRIOR PARK LIST OF SOURCES .....	587
APPENDIX XV: WOBURN ABBEY LIST OF SOURCES .....	591
APPENDIX XVI: STANLEY PARK LIST OF SOURCES .....	594
APPENDIX XVII: COMPARISON OF CASE STUDIES .....	599
APPENDIX XVIII: APPLICATION ANALYSIS.....	604
<b>BIBLIOGRAPHY .....</b>	<b>605</b>

## LIST OF FIGURES

Fig. 1: Subject Coverage in the ‘Garden History’ Journal (2004-2013) .....	5
Fig. 2: Conceptual Framework .....	9
Fig. 3: Variety in the Parks and Gardens on the Register .....	14
Fig. 4: The Structure of the Research .....	21
Fig. 5: Arnstein’s Ladder of Public Participation .....	42
Fig. 6: The Transactive Rationality Model .....	50
Fig. 7: Interaction of Planning Policy and Development Control Systems ....	58
Fig. 8: A ‘Decision Within a Decision’ in the Planning Process .....	60
Fig. 9: The Construction of Significance in the Decision-Making Process..	70-1
Fig. 10: Participants in the Decision-Making Stage, by Issue Raised.....	73
Fig. 11: Reconciliation of ‘Interests’ and ‘Values’ .....	83
Fig. 12: The Difficulties in Achieving Authenticity .....	101
Fig. 13: The Royal Botanic Gardens, Kew: World Heritage Site .....	104
Fig. 14: Model for the Definition and Application of Significance .....	107
Fig. 15: Significance in Both Financial and Planning Mechanisms .....	117
Fig. 16: Provisional Typology of Interests .....	123
Fig. 17: Structure and Decoration: Floral Clock, Stanley Park, Blackpool...	152
Fig. 18: Typology of Interests for Parks and Gardens .....	154
Fig. 19: Quality and Range of Interests in Park and Garden Legislation .....	164
Fig. 20: Harlow Water Gardens, c. 1965 .....	180
Fig. 21: The Interplay of Threats to Parks and Gardens on the Register .....	185
Fig. 22: Timeline of Conservation Protection Mechanisms .....	192
Fig. 23: The Perceived Importance of Assets and their Protection .....	194
Fig. 24: A Scheduled Registered Garden: Godolphin, Cornwall .....	206
Fig. 25: Annotated Heritage at Risk Register Entry.....	213
Fig. 26: Proportions of Parks and Gardens in Each Grade (June 2012) .....	216
Fig. 27: Model for the Assessment of Significance of Parks and Gardens ...	225
Fig. 28a: Illustrations of Some of the Shortlisted Cases .....	251
Fig. 28b: Illustrations of Some of the Shortlisted Cases .....	252
Fig. 29: Map of Bath, Showing Location of Prior Park .....	267
Fig. 30: Prior Park in 1742.....	268
Fig. 31: The View North Towards the Palladian Bridge and Bath .....	269
Fig. 32: Postcard (Posted 1910) Showing Terraces and Mansion .....	270

Fig. 33: Key Listed Buildings at Prior Park .....	274
Fig. 34: Location of Existing Sports Hall .....	276
Fig. 35: Interior of Existing Sports Hall .....	276
Fig. 36: Location of Sports Centre Site .....	278
Fig. 37a: View into Sports Centre Site from North East .....	279
Fig. 37b: Photomontage of Sports Centre Site from North East .....	279
Fig. 38a: View into Sports Centre Site from North East .....	281
Fig. 38b: Proposed Sports Centre from North East .....	281
Fig. 39: Map Regression, Prior Park .....	283
Fig. 40: Postcard of Prior Park: Aerial View, Post-1970s .....	285
Fig. 41: View South into Development Site.....	286
Fig. 42: View from Sports Centre Site to North East.....	287
Fig. 43: View to Sports Centre Site from North East.....	287
Fig. 44: View North over Mansion from Sports Pitches .....	288
Fig. 45: Views into Prior Park from Bath.....	289
Fig. 46: Postcard Showing the View from the Palladian Bridge.....	290
Fig. 47: Various Elements of the Prior Park Registered Area .....	293
Fig. 48: ‘Prior Park the Seat of Ralph Allen Esq. near Bath’ .....	295
Fig. 49: Participants in the Decision-Making Stage, by Influence .....	303
Fig. 50: Participants in the Decision-Making Stage, by Issue Raised.....	305
Fig. 51: Influences on the Decision-Making Process.....	321
Fig. 52: Issues Raised in Residents’ Responses .....	322
Fig. 53: View into the Site from Ralph Allen Drive .....	324
Fig. 54: Map of Woburn, Showing Location of Woburn Abbey .....	332
Fig. 55: Woburn Abbey from South West.....	333
Fig. 56: ‘General Plan of the Pleasure Ground’, Hortus Woburnensis .....	334
Fig. 57: Access Drive Route .....	341
Fig. 58: Alternative Access Drive Routes .....	342
Fig. 59: Plate XXV: ‘Plan for the Pleasure-Grounds’.....	345
Fig. 60: Map Regression, Woburn Abbey .....	346
Fig. 61a: Serial Vision: Visitor Car Park to Sculpture Gallery Car Park.....	349
Fig. 61b: Serial Vision: Sculpture Gallery Car Park to Visitor Car Park .....	350
Fig. 62: Intervisibility Between Chinese Dairy and Cauldron Pond.....	352
Fig. 63: Various Elements of the Woburn Abbey Registered Area .....	355
Fig. 64: Participants in the Decision-Making Stage, by Influence .....	366

Fig. 65: Participants in the Decision-Making Stage, by Issue Raised .....	368
Fig. 66: Influences on the Decision-Making Process.....	378
Fig. 67: Signage in the Axis Between the Abbey and Clunch Temple.....	384
Fig. 68: Map of Blackpool, Showing Location of Stanley Park .....	389
Fig. 69: Proposed Layout for Stanley Park .....	391
Fig. 70: Application Sites, Stanley Park .....	398
Fig. 71: View North East Towards Tip of ‘Trim Trail’ Promontory .....	399
Fig. 72: View East Towards ‘Trim Trail’ Promontory .....	399
Fig. 73: BMX Track, Stanley Park .....	401
Fig. 74: View of the BMX Track from the Starting Ramp .....	402
Fig. 75: Map Regression, Stanley Park.....	404
Fig. 76: View West across the Cricket Oval.....	405
Fig. 77: Various Elements of the Stanley Park Registered Area.....	408
Fig. 78: Multiple Views of Stanley Park in Historic Postcards.....	410
Fig. 79: View Towards BMX Track from South Entrance .....	416
Fig. 80a: ‘Before’: View North from Eastern Boundary of Cricket Pitch.....	417
Fig. 80b: ‘After’: View North from Eastern Boundary of BMX Track.....	417
Fig. 81a: ‘Before’: View West from Eastern Boundary of Cricket Pitch.....	418
Fig. 81b: ‘After’: View West from Eastern Boundary of BMX Track.....	418
Fig. 82: Participants in the Decision-Making Stage, by Influence .....	424
Fig. 83: Participants in the Decision-Making Stage, by Issue Raised .....	425
Fig. 84: Influences on the Decision-Making Process.....	439
Fig. 85: Typology of Interests for Parks and Gardens .....	452
Fig. 86: A County Gardens Trust Research and Recording Project .....	456
Fig. 87: Proposed Model for the Definition, Assessment and Application of Significance of Historic Parks and Gardens .....	471
Fig. 88: The Final Model of Influences on the Construction of Significance in the Decision-Making Process on Planning Applications .....	477

**N.B.**

Unless otherwise stated:

- All images in this thesis are by the author
- All maps are not to scale, and show North at the top



## LIST OF TABLES

Table 1: Research Objectives .....	10
Table 2: The Meaning of the Grades Used Within the Register .....	11
Table 3: Conservation as Part of National Planning Policy .....	30
Table 4: Characteristics of the Pragmatist ‘Attitude’ .....	33
Table 5: Typology of Planning Officer Roles .....	39
Table 6: Local Planning Authority Customer ‘Clusters’ .....	39
Table 7: Selected Local Planning Authority Delegation Rates .....	44
Table 8: Considerations in the Development of a Participation Strategy .....	46
Table 9: Typology of Idea Sources .....	53
Table 10: Typology of Frames Relevant to Physical Change .....	55
Table 11: The Decision-Making Process within Retail Planning Policy .....	62
Table 12: Influences on the Operation of the Planning System .....	68
Table 13: Reconciled Typology of Interests .....	83
Table 14: Key References in Conservation Charters (Pre-Burra) .....	90
Table 15: ICOMOS Matrix for the Assessment of Impact on Significance..	110
Table 16: Elements of International Practice in English Policy .....	114
Table 17: Collation of Typologies .....	121
Table 18: The Evolution of Interests Within Legislation .....	132-3
Table 19: Legislation of Potential Relevance to Parks and Gardens, 1944-83 .....	138
Table 20: References to Interests Associated with Parks and Gardens .....	140
Table 21: Reasons for the Low Status of Historic Interest in Conservation .	141
Table 22: Categories in the UK ICOMOS List, 1979 .....	146
Table 23: Selection Criteria for Registered Parks and Gardens .....	147
Table 24: Definition of Structure and Decoration .....	149
Table 25: Defining the Interests of Parks and Gardens .....	156
Table 26: Register-related Amendments During the Passage of the 1983 Act .....	158
Table 27: Introduction of the Parks and Gardens Provisions in the 1983 Act .....	160
Table 28: The Relevant Provisions at the Commencement of the 1983 Act.	161
Table 29: Notification Requirements in Respect of Parks and Gardens .....	169
Table 30: Development Proposals Affecting Parks and Gardens .....	176
Table 31: Threats to Heritage Assets .....	179

Table 32: The Nature of the Threats to Historic Parks and Gardens .....	183
Table 33: Obstacles to the Implementation of a Parks and Gardens Consent Regime .....	193
Table 34: Overview of the Conservation Mechanisms for Heritage Assets	195
Table 35: Activities Not Usually Requiring Planning Permission .....	199
Table 36: Conservation Mechanisms of Potential Relevance to Park and Garden Features .....	207
Table 37: Protection Afforded to Park and Garden Features by Planning Mechanisms .....	209
Table 38: National Planning Policy of Potential Relevance to the Protection of Parks and Gardens .....	210
Table 39: Heritage at Risk Findings for Parks and Gardens 2009-2013 .....	214
Table 40: Heritage at Risk Findings 2009-2013 .....	215
Table 41: LPA Questionnaire Survey Findings in Respect of Planning Mechanisms .....	220-1
Table 42: LPA Questionnaire Survey Findings in Respect of Procedural Mechanisms .....	222-3
Table 43: The Philosophical Assumptions Associated with Pragmatism .....	237
Table 44: Outline of Research Design .....	238-9
Table 45: Typology of Qualitative Approaches to Enquiry .....	242
Table 46: Case Study Selection Criteria .....	246
Table 47: Information Provided for Planning Applications on which English Heritage was consulted (2006-2011) .....	247
Table 48: Shortlisted Cases .....	249-50
Table 49: Characteristics of the Selected Case Studies .....	254
Table 50: Sections Within the Questionnaire Survey .....	256
Table 51: Data Source Categories .....	259
Table 52: High-Level Stakeholder Interviews .....	262
Table 53: Approaches to Validity .....	263
Table 54: Stakeholder Roles, Organisations and Data Sources .....	266
Table 55: Chronology of Events During Ralph Allen's Ownership .....	271
Table 56: Major Planning Constraints, Prior Park .....	273
Table 57: Relevant Development Plan Policies .....	275
Table 58: Impact of Sports Centre on Significance of Prior Park .....	298
Table 59: Articulation of Significance by Consultees .....	306
Table 60: Interests Raised by Consultees .....	307
Table 61: Issues with Technical Documentation .....	309

Table 62: Consideration of Relevant Development Plan Policies .....	315
Table 63: Issues Used to Structure the Planning Assessment .....	317
Table 64: Stakeholder Roles, Organisations and Data Sources.....	331
Table 65: Overview of the Evolution of the Woburn Abbey Estate .....	336
Table 66: Key Listed Buildings, Woburn Abbey.....	337
Table 67: Relevant Development Plan Policies .....	337
Table 68: Relevant Conservation Policies .....	338
Table 69: Reasons for Refusal of Planning Permission .....	343
Table 70: The Compartments Defined in the Conservation Statement .....	359
Table 71: Applicant’s Assessment of Impact on Compartments .....	360
Table 72: Impact of Access Drive on Significance of Woburn Abbey .....	362
Table 73: Technical Reports Submitted with Planning Application .....	364
Table 74: Articulation of Significance by Consultees .....	369
Table 75: Interests Raised by Consultees .....	369
Table 76: Consideration of Relevant Planning Policies.....	375
Table 77: Compliance with Conservation Policies .....	381
Table 78: Stakeholder Roles, Organisations and Data Sources .....	388
Table 79: Evolution of Stanley Park .....	392
Table 80: Relevant Development Plan Policies .....	395
Table 81: Representative Quotations Relating to Community Interest .....	406
Table 82: Relevant Views Articulated by Mawson .....	413-4
Table 83: Impact of BMX Track on Significance of Stanley Park .....	419
Table 84: Articulation of Significance by Consultees .....	426
Table 85: Interests Raised by Consultees .....	427
Table 86: Applicant’s Stanley Park Site Assessment .....	430
Table 87: Consideration of Relevant Development Plan Policies .....	434
Table 88: Issues Used to Structure the Planning Assessment .....	435
Table 89: Issues Raised Most Frequently in Residents’ Responses.....	438
Table 90: Historic Environment Good Practice Advice Notes .....	458

## ABBREVIATIONS

AGT .....	Association of Gardens Trusts
ALGAO .....	Association of Local Government Archaeological Officers
AONB .....	Area of outstanding natural beauty
Auths. ....	Authorities
BANES .....	Bath & North East Somerset Council
BGT.....	Bucks Gardens Trust
BMX .....	Bicycle motocross
CAQDAS.....	Computer Assisted Qualitative Data Analysis Software
CGT .....	County Gardens Trust
CMP .....	Conservation Management Plan
CPA .....	County Planning Authority
DCLG .....	Department for Communities and Local Government
DCMS .....	Department for Culture, Media & Sport
Dept. ....	Department
Dev't. ....	Development
DoE .....	Department of the Environment
DPA .....	District Planning Authority
DPD.....	Development Plan Document
EH .....	English Heritage
EIA .....	Environmental Impact Assessment
GB .....	Green Belt
GCI .....	Getty Conservation Institute
GHS .....	Garden History Society
Govt. ....	Government
HLF .....	Heritage Lottery Fund
HoC .....	House of Commons
HoL .....	House of Lords
ICOMOS .....	International Council on Monuments and Sites
IHBC .....	Institute of Historic Building Conservation
JCC .....	Joint Conservation Committee
LA .....	Local authority
LBC .....	Listed building consent
LDF.....	Local Development Framework

LGT	Lancashire Gardens Trust
LPA	Local Planning Authority
MEDS	Major existing developed site
NHMF	National Heritage Memorial Fund
NHPP	National Heritage Protection Plan
NIMBY	Not in my back yard
NPA	National Park Authority
NPPF	National Planning Policy Framework
NT	National Trust
O/S	Outstanding
ODPM	Office of the Deputy Prime Minister
OED	Oxford English Dictionary
OUV	Outstanding Universal Value
P&G	Parks and gardens
PCAN	Planning Conservation Advice Note
PMB	Private Member's Bill
PP	Planning permission
PPG2	Planning Policy Guidance 2
PPG17	Planning Policy Guidance 17
PPS1	Planning Policy Statement 1
PPS5	Planning Policy Statement 5
Pre-app.	Pre-application
RTPI	Royal Town Planning Institute
SEA	Strategic environmental assessment
SMC	Scheduled monument consent
SoS	Secretary of State
SPAB	Society for the Protection of Ancient Buildings
TPO	Tree Preservation Order
UK	United Kingdom
UNESCO	United Nations Educational, Scientific and Cultural Organisation
US	United States of America
WHS	World Heritage Site

### CHAPTER 1: INTRODUCTION

England is particularly rich in the designed landscapes of parks and gardens, and the built and natural features they contain: the greatest of these are as important to national, and indeed international, culture as are our greatest buildings.

*Department of the Environment, 1994, p. 25*

#### 1.1 Introduction

The confident statement cited above, made by Government in the mid-1990s, is perhaps a little misleading in respect of the importance actually assigned to historic parks and gardens in England, but does demonstrate their cultural profile and some of the arguments in favour of their protection. This research explores the ways in which the English planning system delivers that protection – with particular reference to the conservation of the special interest, or ‘significance’, of historic parks and gardens – and the degree to which it is effective. The remainder of this introductory chapter summarises the context for the research, including the research questions, aims and objectives, and then sets out the study’s overall scope and methodology before summarising the structure of the thesis.

#### 1.2 Research Context

The quotation above appeared in national planning policy guidance issued in 1994, and reflects the fact that historic parks and gardens had been formally recognised – for planning purposes – as part of the historic environment in England for the first time in 1983. Over thirty years after historic buildings were first protected by legislation, and a century after ancient monuments had received such recognition, the 1983 *National Heritage Act* enabled the

## 1 Introduction

---

Government's newly-created statutory adviser on the historic environment (subsequently known as English Heritage), to compile a 'register of gardens and other land ... appearing to them to be of special historic interest' (Great Britain. *National Heritage Act 1983*, Schedule 4). The resulting '*Register of Parks and Gardens of Special Historic Interest in England*' (hereafter referred to as the *Register*) does not afford the same level of protection to parks and gardens as is given to listed buildings or scheduled monuments, but does promote their identification and consideration as elements of the historic environment worthy of some protection.

That protection is provided primarily by the planning system. Whilst the 1983 *National Heritage Act* was not itself a piece of planning legislation, a key purpose of the *Register* has consistently been to 'record [the] existence [of parks and gardens] so that highway and planning authorities, and developers, know that they should try to safeguard them when planning' (DoE, 1987, p. 5). Accordingly, the inclusion of parks and gardens on the *Register* is a 'material consideration' in the planning process, 'meaning that local planning authorities must consider the impact of proposed developments on the landscape's special character' (English Heritage, 2010c, n. pag.), and guidance in respect of historic parks and gardens has been included in planning policy for the protection of the historic environment since 1987.

Within the planning system, however, parks and gardens may be seen to differ from other elements of the historic environment. Firstly, because there is no consent regime specific to registered parks and gardens (in contrast to

## 1 Introduction

---

the listed building consent regime for works to listed buildings, for example); protection relies instead on the consideration of their registered status within other decision-making processes, such as in the determination of planning applications.

A second, related difference is that parks and gardens are primarily designed, living assets, rather than buildings (although many do contain buildings), with inherent mutability:

*A garden is an assemblage, principally of vegetation, kept in a preferred state of ecological arrest by the craft of gardening; remove the control and it ceases to be a garden.*

Fricker, 1975, p. 409

Planning tools may therefore not be the most effective at conserving their significance, not least as the planning system only comes into operation when consent is required. Without a dedicated consent regime, the most common circumstance in which consent will be required is when a particular proposal constitutes ‘development’, and planning permission is needed. Many potentially damaging activities within historic parks and gardens – such as the rerouting of paths, or the creation or removal of flower beds – do not constitute development, and thus do not require planning consent.

A further planning-related distinction between historic parks and gardens and other elements of the historic environment relates specifically to significance, and this is the main focus of this research. Current planning protection for the historic environment is based on an ‘informed conservation’ approach, that is, understanding the elements of the historic



## 1 Introduction

---

environment which are to be conserved (Clark, 2001). Specifically, what needs to be understood is the significance of these elements, or assets; conservation is defined by Government in the *National Planning Policy Framework* (NPPF) as the ‘process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance’ (DCLG, 2012, p. 51). The brief definition of significance in planning policy is the ‘value of a heritage asset to this and future generations because of its heritage interest’ (*ibid.*, p. 56) – itself comprising a number of defined interests such as historic or architectural – and this introduces the important concepts of interest and value, which are explored further below. Significance itself is not further defined, and there is no standard approach in policy or the literature to determining the appropriate interests, creating an initial obstacle to informed conservation.

These key concepts of significance and informed conservation underpin this research. Both are of direct relevance whenever a proposal which might potentially affect a historic park or garden is being considered, whether that proposal is intended to conserve a garden or to introduce some form of development within it, and whatever formal approval mechanism that proposal might have to undertake. The two primary approval mechanisms are financial (for instance, when a grant is sought to fund the implementation of a proposal) or planning (when consent is required); the planning mechanism is the focus of this research.

The difficulty of delivering informed conservation is exacerbated by the fact that, from a conservation and planning perspective at least, parks and

## 1 Introduction

gardens are an under-researched area. The coverage in the generic conservation literature is limited, as the majority of attention is directed to the built elements of the historic environment (examples include the texts by Hunter (1996), and Ross (1991), both of which make only passing reference to historic parks and gardens within otherwise wide-ranging discussions of heritage, planning and conservation). Lambert and Lovie (2006) note the belated emergence of academic interest in historic parks and gardens, but that interest is now reflected in a literature that focuses primarily on garden history, with a particular emphasis on the work of individual garden designers, particular styles, or catalogues of gardens. This is illustrated by an analysis of coverage in around 130 articles in the *Garden History* journal over a ten-year period (Fig. 1).

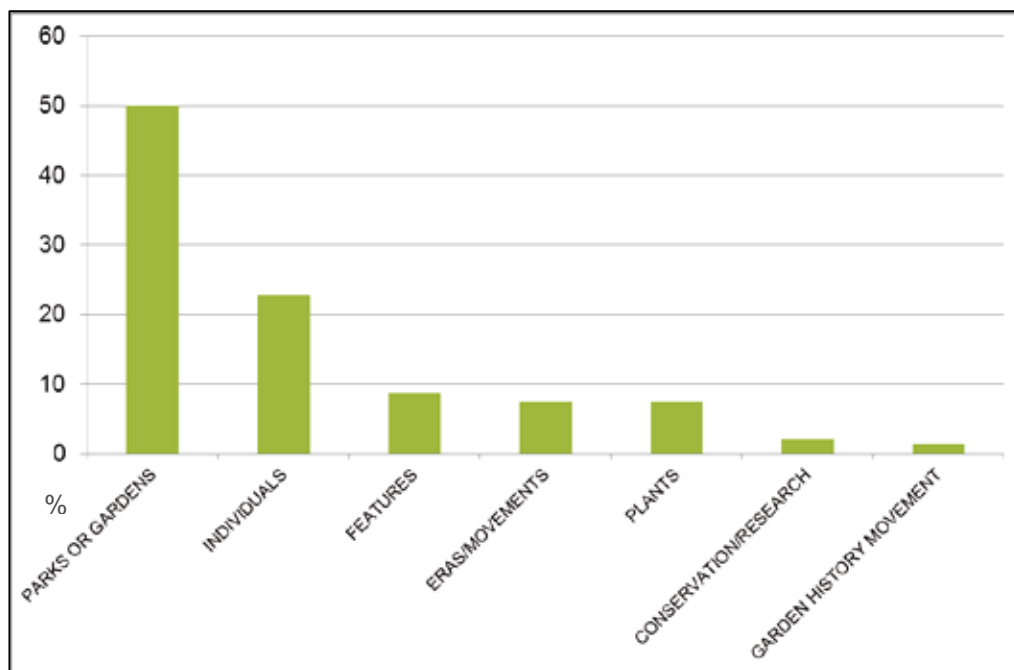


Fig. 1: Subject Coverage in the 'Garden History' Journal (2004-2013)

Source: After Rutherford, 2003

## 1 Introduction

---

This is important contextual material, and offers an essential underpinning to informed conservation; indeed, Wimmer sees garden history and garden conservation as, respectively, ‘theory and practice’ (2004, p. 30), and the garden history literature is supported by valuable works relating to the practice of park and garden conservation. One such is *The Regeneration of Public Parks*, which outlines ‘the historical context of parks, illustrates their rich and diverse design detail, suggests philosophical approaches to their renovation and future care, and offers a practical approach to aspects of conservation’ (Woudstra and Fieldhouse, 2000, p. 1). Another is *The Management and Maintenance of Historic Parks, Gardens and Landscapes*, which provides ‘tools to understand, plan and manage [landscapes] so that historic assets of significance are not lost’ (Watkins and Wright, 2007, p. 11): a brief outline is given of the importance of conservation management plans, and of the production of the assessments of significance which should underpin these.

These are exceptions, however, and there remains little in the literature that directly addresses what is significant about historic parks and gardens, and the various interests associated with them, or that bridges the gap between historical research and its application through conservation.<sup>1</sup> The way in which the planning system then addresses issues of conservation and significance in relation to historic parks and gardens is a particular gap in the literature, and it is this gap that this research seeks to address.

---

<sup>1</sup> The publication of *Gardens and Landscapes in Historic Building Conservation* (Harney, M. (ed.), 2014), which came towards the conclusion of this research, is however a welcome contribution in this vein.

## 1 Introduction

---

Current national planning policy has brought the notion of interests to the forefront, but provides only a limited framework for the articulation of interests and their assessment in decision making, and fails to acknowledge the many points in the planning process in which these interests are both identified and constructed, by whom, and how they might most appropriately be reconciled. As a result, the inherently process-driven and legislatively-defined planning system – and the practitioners who operate that system – are expected to weigh the subjective (the construction of significance) alongside the objective (the ‘rational’ evidence used to inform many areas of planning decision-making), without any further frame of reference.

A greater understanding of the nature and role of interests within conservation is needed if conservation is to achieve its stated aims in practice. The other interests at work in the wider planning system – such as economic, social and environmental – also need to be understood, and a particular focus on the interests associated with historic parks and gardens is needed, to inform the assessment of their significance, and aid in the translation of that concept to practical conservation.

The limited research to date on the particular qualities or ‘special historic interest’ of parks and gardens discussed above can be assumed to be an obstacle to their effective, informed conservation. But even this has not been substantiated recently: Stacey (1992) undertook a survey of planning authorities to assess the mechanisms used for the protection of historic parks and gardens, and Pendlebury (1996) identified a need for a survey of the

## 1 Introduction

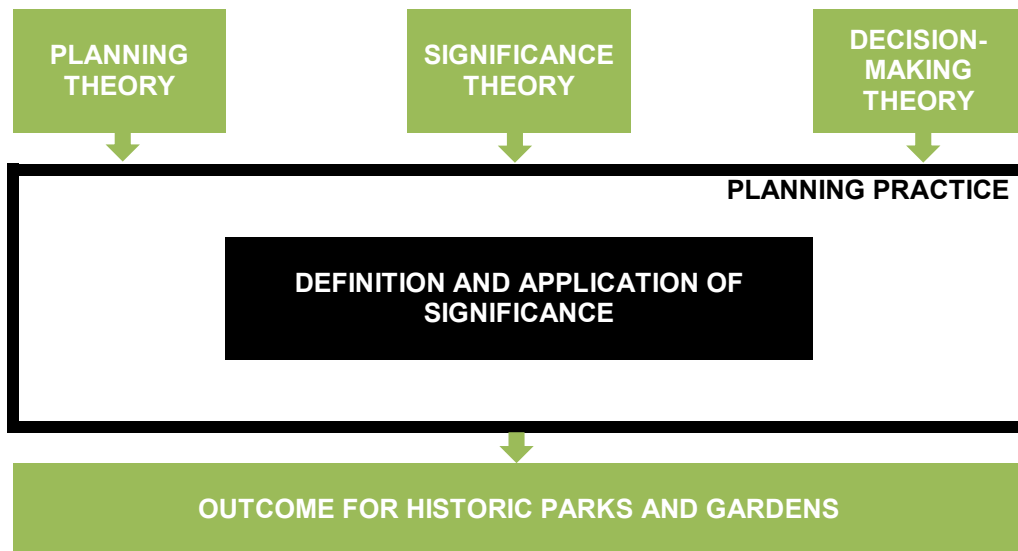
---

damage being done to historic parks and gardens, but there has not yet been a comprehensive assessment of the way in which the current planning system has addressed the protection of historic parks and gardens (i.e. the way in which special interest, and later significance, have been defined and weighted in practice), or of how effective that protection has been.

This research seeks to address these omissions, and to expand and update the literature within the interface of the planning and conservation fields, by examining the concept of significance in the protection of historic parks and gardens, and contributing to theories of significance in conservation, with specific reference to historic parks and gardens and the planning system. It does so within the conceptual framework outlined in Fig. 2, which shows the theoretical context in relation to planning practice, and the influence of that practice on historic parks and gardens, as a result of a ‘black box’ process with regard to the definition and application of the concept of significance: the research seeks to increase the transparency of the mechanism underpinning this crucial stage in the protection of historic parks and gardens.

# 1 Introduction

---



*Fig. 2: Conceptual Framework*

## 1.3 Research Aims and Objectives

With particular reference to historic parks and gardens, the research addresses the application of the concept of significance in planning. The research questions are, firstly, what constitutes significance in relation to historic parks and gardens in England, in theory and in practice? And, secondly, how effective is the planning system in sustaining that significance?

From these questions stem the two aims of the research: to evaluate the concept of significance as a basis for protecting historic parks and gardens in England; and to assess the effectiveness of the planning system in sustaining that significance. To deliver these aims, the research has five objectives (Table 1).

# 1 Introduction

---

OBJECTIVES	
1	With a particular focus on the conservation of historic parks and gardens, to develop a theoretical framework of significance and the development and application of relevant planning policy and practice.
2	Drawing on the emerging theoretical framework, to develop site selection criteria for case studies which will enable empirical investigation of policy implementation and definitions of significance in practice.
3	To develop appropriate research methods to undertake this investigation.
4	To apply these methods to an investigation of practice in selected historic parks and gardens, and evaluate the findings to understand the differences between theory (as identified in the more detailed theoretical framework) and practice.
5	To recommend and test a practical framework to be used to identify and conserve significance in relation to historic parks and gardens, including alternative means of protection, if there are important gaps in the protection the planning system provides, and to contribute to wider theories of significance.

*Table 1: Research Objectives*

## 1.4 Scope and Definition of Terms

### 1.4.1 Scope

#### *Technical*

This research focuses on the conservation of historic parks and gardens, with an emphasis on planning mechanisms. The technical focus on planning was determined by the primacy of planning controls in the justification and subsequent defence of historic parks and gardens added to the *Register*.

#### *Geographical*

The geographical focus on England was chosen to allow an in-depth assessment of one system: as the detailed operation of the planning system, and the procedures for the designation of historic assets, differ between England, Scotland, Northern Ireland and Wales, a study across the United Kingdom (UK) would therefore have to consider additional policies, mechanisms, and outcomes (a summary of the various provisions across the

## 1 Introduction

---

UK is provided in Appendix I). The particular choice of England was further influenced by the researcher's professional experience within the English planning system, ease of access, and the relative longevity and weight of the mechanism to identify and protect historic parks and gardens in England, namely the *Register*.

### *Parks and Gardens*

The research examines the conservation of registered historic parks and gardens. At the outset of this research there were around 1,600 parks and gardens on the *Register*, divided between three grades (Table 2); whilst this is thought to represent only around two thirds of sites potentially deserving inclusion (DCLG, 2010b, p. 12), it does enable the research to focus on a discrete sample, of defined national interest, which is subject to particular controls. The relevance of the research's findings to non-registered historic parks and gardens is increased by the fact that, since the publication of *Planning Policy Statement 5: Planning for the Historic Environment* (PPS5) in 2010, non-registered historic parks and gardens are themselves subject to some protection (DCLG, 2010a).

GRADE	IMPLICATIONS OF GRADING	PROPORTION
I	Sites of exceptional interest	9%
II*	Particularly important sites, of more than special interest	27%
II	Sites of special interest, warranting every effort to preserve them	64%

*Table 2: The Meaning of the Grades Used Within the Register*

Source: English Heritage, 2014a



### 1.4.2 Definition of Terms

#### *Significance*

The meaning of significance, interests and values are all addressed in detail in Chapter 3, but the definition of significance currently enshrined in English planning policy is:

*The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.*

DCLG, 2012, p. 56

#### *Parks and Gardens*

A useful generic definition is that ‘a garden or park is an area, defined visually and physically, wherein an ornamental environment is created, often to a design’ (Bilikowski, 1983, p. 1). Another is provided by the 1981 *Florence Charter*, which defines a ‘historic garden’ as ‘an architectural and horticultural composition of interest to the public from the historical or artistic point of view’ (ICOMOS, 1982, Article 1), further noting that the term is ‘equally applicable to small gardens and to large parks, whether formal or “landscape”’ (*ibid.*, Article 6).

As noted above, the focus of this research is the conservation of registered historic parks and gardens, i.e. those statutorily designated by English Heritage by being added to the *Register*. The precise nature of the parks and gardens to be so designated is not defined in statute or national planning policy. The statutory power introduced via the 1983 *National Heritage Act* enabled the compilation of a *Register* of ‘gardens and other land situated in England and

## 1 Introduction

---

appearing to them to be of special historic interest'.<sup>2</sup> As noted by English Heritage, this was a potentially wide-ranging term, which 'could include historic landscapes of all types', but the 'immediate concern' related to designed landscapes (Jacques, 1991, n. pag.), themselves later defined as being 'of many types', including:

*... the grounds of private houses.... public parks, town squares and cemeteries. Others include hospital landscapes, roof gardens, sculpture gardens and even two pumping stations.*

English Heritage, 2010c, n. pag.

Some of the resulting variety is illustrated in Fig. 3.

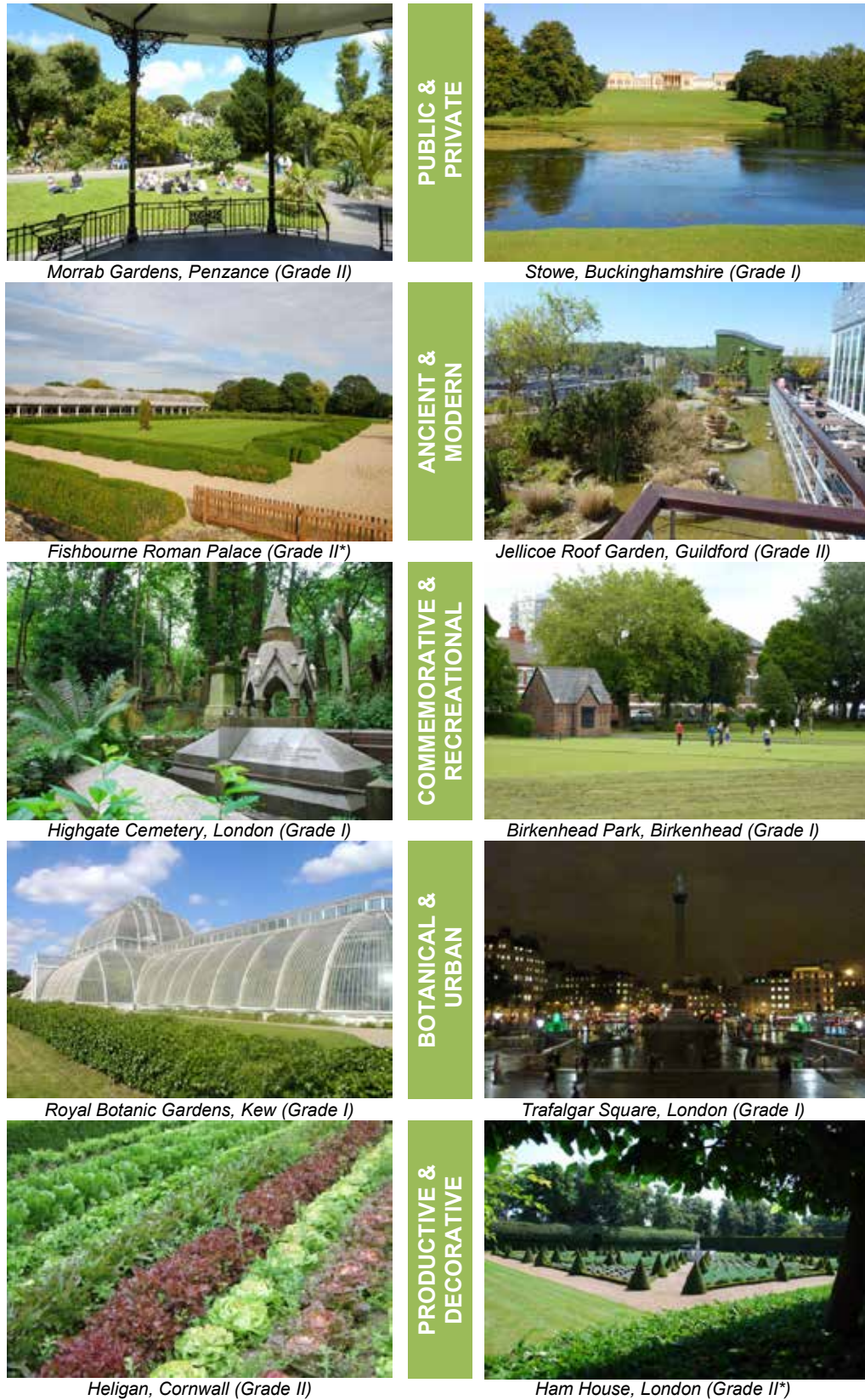
More recently, English Heritage's draft *Conservation Principles, Policies and Guidance for Historic Parks, Gardens and Designed Landscapes* (2011a, p. 35) sets out definitions of relevant terms 'used... in a specific or technical sense'. The terms 'park' and 'garden' were not themselves defined, nor the range of forms they might take, but it was confirmed that the 'Oxford English Dictionary [OED] definition otherwise applies' (*ibid.*).

Even this does not ensure precision, however. The OED defines a 'garden' as an 'enclosed piece of ground devoted to the cultivation of flowers, fruit, or vegetables', or as '[o]rnamental grounds, used as a place of public resort', whilst the relevant definitions of 'park' present even greater variety, relating to '[a]ny large enclosed piece of ground ... attached to or surrounding a manor, castle, country house, etc., and used for recreation, and often for keeping deer, cattle, or sheep', a 'house or mansion having extensive ornamental grounds',

---

<sup>2</sup> The provision enabling the production of the *Register* actually resides in the 1953 *Historic Buildings and Ancient Monuments Act 1953* (1 & 2 Eliz. II, c. 49, s. 8C(1)), as amended by the 1983 *National Heritage Act* (Great Britain. *National Heritage Act 1983*, Schedule 4, Amendment 10).

# 1 Introduction



*Fig. 3: Variety in the Parks and Gardens on the Register*

## 1 Introduction

---

or a ‘large public garden or area of land used for recreation’ (Oxford University Press, 2012). The terms have much in common, not least an element of enclosure, which was also a key characteristic in Humphry Repton’s 1816 definition of a garden as ‘a piece of ground fenced off from cattle, and appropriated to the use and pleasure of man’ (quoted and confirmed in etymological analysis by van Erp-Houtepen (1986, p. 227)). A broad distinction may however be discerned between the more ornamental ‘garden’, and the more recreation-focused ‘park’.

The National Monuments Record’s ‘Monument Type Thesaurus’ is perhaps the most relevant source of definitions within a conservation context, and demonstrates the merits of disaggregation of these high-level terms to a specific typology, not least through exhortations to ‘[u]se more specific type where known’ when seeking definitions for ‘broad terms’ such as ‘garden’ (English Heritage, 2012c). The Thesaurus defines ‘garden’ as ‘[a]n enclosed piece of ground devoted to the cultivation of flowers, fruit or vegetables and/or recreational purposes’; suggested ‘narrow terms’ within this category include ‘formal garden’, ‘ornamental garden’, ‘flower garden’, and so on (*ibid.*). The corresponding entry for ‘park’ suggests ‘[a]n enclosed piece of land, generally large in area, used for hunting, the cultivation of trees, for grazing sheep and cattle or visual enjoyment’; subsidiary terms include deer park, hunting park, landscape park, public park and royal park (*ibid.*). These are helpful illustrations of the potential scope of the terms, and suggest a clearer distinction between parks and gardens (albeit again with a degree of overlap, as demonstrated by the definition of a ‘pleasure garden’, correctly described as a ‘type of 18th century public park’), but may be seen not to encompass all the

## 1 Introduction

---

potentially ‘registrable’ landscapes outlined by English Heritage in the quotation above. ‘Cemetery’, for instance, is defined as ‘[a]n area of ground, set apart for the burial of the dead’, and falls outside the class relating to gardens, parks and urban spaces (*ibid.*).

Cemeteries were however identified alongside parks and gardens within a typology of ‘open spaces that may be of public value’ in *Planning Policy Guidance 17 (PPG17): Planning for Open Space, Sport and Recreation* (ODPM, 2002, p. 11), as summarised in Appendix II; whilst superseded by the NPPF, and defining types for their open space qualities rather than their historic interest or design, this typology was another illustration of the range of potentially registrable spaces.

For the purposes of this research, it is this overall breadth of types that should be understood by the term ‘parks and gardens’, albeit confined to those which may be regarded as ‘designed landscapes’, in accordance with English Heritage’s own interpretation of its statutory mandate in this area (itself perhaps influenced by the Garden History Society’s early definition of a garden as including ‘designed landscapes’ (cited in Jacques, 1986, p. 14)). The definition may be seen to exclude the wider landscape, therefore, which, although also largely man-made (Hoskins, 1985), is not designed, or at least not in the aesthetic sense which is common to English Heritage’s designations. Whilst the range of park and garden types encompassed by the term may be extensive, the number within that eligible for designation is much more limited, being dependent on the demonstration of special historic interest; it is the latter, namely those added to the statutory *Register*, which are the

## 1 Introduction

---

particular focus of this research, and, where mentioned, their particular nature will be defined as appropriate.

Two particular types are explored in more detail in subsequent sections: the various types of garden associated with the grounds of private houses, and public parks. This is due in part to the frequency with which they appear in the *Register*: in 1995, a ‘very marked weighting towards those parks or gardens associated with domestic dwellings’ was identified, although efforts have subsequently been made to increase the ‘very small percentage’ of public parks on the *Register* (Roberts, 1995, p. 44). The emphasis on private houses and public parks in this research is also due to the range of features that they each demonstrate, all of which must be taken into account in any attempt to develop an understanding of the overall significance of parks and gardens.

### *Historic*

The definition of ‘historic’ is also not straightforward. Government policy defines the historic environment rather broadly as ‘[a]ll aspects of the environment resulting from the interaction between people and places through time...’ (DCLG, 2012, p. 52). English Heritage’s overview of the *Register* is more specific, but still allows considerable flexibility of definition:

*To be included on the Register, a site must hold a level of importance defined as ‘special historic interest’ in a national context. The special historic interest of a site amounts to its significance as outlined in [PPS5], that is what needs to be looked after and protected for the future.*

English Heritage, 2010c, n. pag.

Criteria have been developed ‘as a guide to the level of historic interest expected’; these allow the registration of parks and gardens less than thirty

## 1 Introduction

---

years old, albeit only ‘if they are of outstanding quality and under threat’ (*ibid.*). Age is not the sole determinant of historic interest, therefore; whilst the use of ‘historic’ as in the *Register* is broadly adopted for this study, the precise nature of historic interest in practice, and the factors influencing it, will be investigated and summarised in greater detail within discussions of ‘significance’ in ensuing chapters.

### 1.5 Research Approach and Method

#### 1.5.1 Research Orientation

The research lies at the interface of two closely related fields: town and country planning, and historic conservation, which, within the orientation of this research, may be regarded as social sciences. Whilst there is no real consensus within the social sciences as a whole, there are generally recognised research philosophies and methodologies within different subsidiary fields (Chynoweth, 2008; Dainty, 2008; Lincoln and Guba, 2000). Planning and conservation do not have a fixed epistemological affiliation, however, and so philosophical and methodological choices need to be made.

This research adopts a pragmatist stance. At its core is a belief that researchers should ‘use whatever philosophical or methodological approach works best for a particular research problem’ (Robson, 2002, p. 43). Ontologically, pragmatists have ‘no problem in asserting both that there is a single “real world” and that all individuals have their own unique interpretations of that world’ (Mertens, 2010, p. 36). Methodologically, both qualitative and quantitative methods may be appropriate.

### *1.5.2 Research Design*

The research employs a range of methods (within a broadly deductive approach). A literature review informed the development of the conceptual framework and research methodology, with reference to literature on significance, parks and gardens, and planning policy and processes (the latter including decision-making theory). This review identified some gaps in knowledge, some of which were filled with empirical work as part of this research. Documentary analysis has been used in a detailed evaluation of the evolution of relevant planning legislation for the protection of historic parks and gardens, and in an analysis of current legislation (used to inform the development of a theory to describe the intended relationship between policy and practice in relation to the conservation of historic parks and gardens). It was also used to inform the development of a method for defining significance, and assessing the impact of proposals upon it, later applied to case-specific empirical work; this provided a framework by which subjective interpretations could be fed into the rather more technical and process-based planning system. Additionally, a questionnaire survey of all English local planning authorities was undertaken to provide important contextual information on current issues and practice, and to scope the state of understanding of the issues amongst practitioners.

A case study research design was adopted, to explore the degree to which the normative application of planning legislation and policy (outlined in the theory referred to above) reflects practice, and particularly to assess the effectiveness of significance as a concept in the protection of historic parks and gardens, and



## **1 Introduction**

---

to enable a deeper understanding of perceptions and processes in the definition of significance. The research design employed an explanatory, multiple-case approach, in which planning applications for development proposals in registered parks and gardens were the cases, or units of analysis, and were assessed in terms of both content and handling.

Case study selection criteria were informed by the literature review, documentary analysis, and analysis of secondary data, and resulted in the selection of three cases: a sports centre proposal at Prior Park, in Bath; an access drive proposal at Woburn Abbey, in Bedfordshire; and a BMX ('bicycle motocross') track proposal at Stanley Park, in Blackpool. The methods used in these case studies included site assessments (using the method for defining significance and the impact upon it referred to above), documentary research (in which policy documents, planning applications, and archival material were assessed), and semi-structured interviews with the key stakeholders in the planning process for each case, such as the applicant, Case Officer, political and community representatives, and technical consultees.

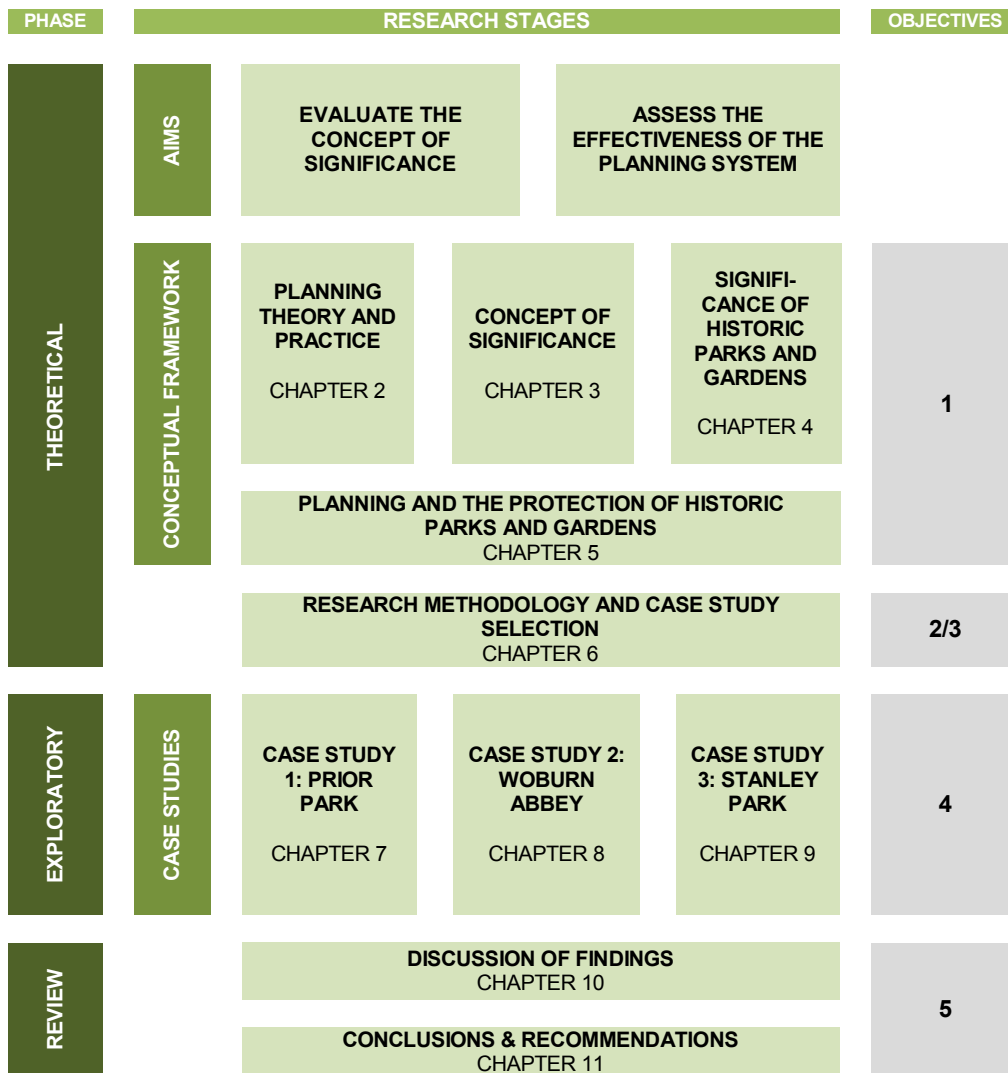
Further semi-structured interviews were later undertaken with strategic stakeholders in the planning and garden conservation spheres at the national level, to explore and contextualise the emerging findings from the research. This took place alongside further analysis and literature review, and informed the development of the research's conclusions.

### **1.6 Structure**

The research was carried out in three phases: theoretical, exploratory, and review. These phases, and their relationship to both the research's aims and

# 1 Introduction

objectives and the structure of the thesis, are illustrated in Fig. 4. The content of the various chapters in each phase is summarised below.



*Fig. 4: The Structure of the Research*

## 1.6.1 Theoretical Phase

The theoretical section of the thesis contains the literature review chapters, all of which review the existing literature, identify gaps in knowledge, and present the theoretical context for the research. The literature review itself is supplemented by empirical work to address lacunae in the literature, and both

## 1 Introduction

---

are then developed to generate methods and models which constitute the theoretical framework used in the research.

Chapter 2 outlines the planning context to the research, including consideration of the degree to which conservation is a part of planning activity, and a discussion of planning and decision-making theory, culminating in conceptualisations of the planning system and planning practice, and the presentation of a model of the planning process showing the points at which significance is constructed.

Chapter 3 defines the meaning of significance in more detail, including its development as a fundamental concept within conservation, and outlines a preliminary typology of significance's constituent interests. It also proposes a method for determining significance to be used in the remainder of the research.

Chapter 4 explores the evolution of interest in parks and gardens. It also outlines the evolution of initial planning mechanisms for their protection, and the degree to which there was a problem with that protection. It builds on this work to propose a revised typology of the interests constituting the specific significance of historic parks and gardens.

Chapter 5 outlines the current nature of the legislation for the protection of historic parks and gardens, and evaluates its effectiveness with direct reference to the findings of a questionnaire survey of English local planning authorities. It also refines the method for determining significance which was outlined in Chapter 3, for particular application to historic parks and gardens.

Chapter 6 defines the philosophical orientation and research design adopted for the research, and the process of case study selection.

### *1.6.2 Exploratory Phase*

The exploratory chapters are those in which the bulk of the empirical research is set out, namely the presentation and analysis of the three case studies. Chapter 7 is devoted to Prior Park, Bath; Chapter 8 to Woburn Abbey, Bedfordshire; and Chapter 9 to Stanley Park, Blackpool.

### *1.6.3 Review Phase*

Chapter 10 is the first of the review chapters, and undertakes an overarching discussion of the research findings, in light of the theory discussed in Chapters 2-5, and the research's conceptual and theoretical frameworks.

Chapter 11 presents conclusions regarding the overall effectiveness of the planning system in identifying and conserving the significance of historic parks and gardens. It also sets out the research's original contribution to knowledge, and makes recommendations for practice and for further research.

### CHAPTER 2: PLANNING THEORY AND PRACTICE

And plan we must—not for the sake of our physical environment only, but to save and fulfil democracy itself.

*Thomas Sharp, 1945, p. 116*

#### 2.1 Introduction

The planning system is an important mechanism in achieving the conservation of the historic environment in England; the development control process (the handling of planning applications) is an essential component of this system, and the primary tool for the protection of historic parks and gardens from development.<sup>3</sup> In order fully to appreciate this process, it is therefore important to understand the nature and purpose of the planning system.

Drawing on a review of the key literature on theory and practice in planning and conservation, and on decision-making theory, as well as a review of planning legislation from its inception, this chapter looks first at the degree to which conservation is in fact nested within planning in England, before considering the theoretical underpinnings to planning practice, with particular reference to the decision-making process. The concept of significance is explored more fully in Chapter 3, but this chapter seeks to understand – and conceptualise – the way in which this inherently subjective area of policy and decision-making can be addressed within the still largely technocratic planning system, and specifically to identify the points at which significance is intended to be constructed – how, and by whom – and where it is enacted and applied to

---

<sup>3</sup> Other mechanisms for achieving the conservation of the historic environment include financial aid, such as grants (discussed briefly in Chapter 3), the consent regime for scheduled monuments (which has links to but is not itself part of the planning system, as discussed later in this chapter), and community initiatives such as the identification of ‘Assets of Community Value’ (e.g. parks) under the *Localism Act 2011* (DCLG, 2013).

decision-making. This conceptualisation will then be used as the basis for the analysis of the decision-making process in each of the selected case studies (Chapters 7, 8 and 9).

The specific research questions being addressed in this chapter are:

- 1) What is the relationship between planning and conservation?
- 2) What is the theoretical orientation of the current planning system, and what is its relevance to practice?
- 3) How does decision-making operate within the planning system, and what are the implications of the way in which it operates for the way in which decisions are made on significance?
- 4) How might current decision-making practice be conceptualised, in a way which is relevant to the focus of this research?

### **2.2 Planning and Conservation**

#### ***2.2.1 Introduction***

The sole statutory provision relating specifically to the conservation of historic parks and gardens is not a piece of planning legislation, yet it is via the planning system that their protection is primarily delivered, through the application of planning policy and the determination of planning applications. Given the importance of the planning system in delivering conservation objectives, it is important first to explore the relationship between planning and conservation if the form and intent of the current planning provisions, and their application, are to be understood, and the degree to which conservation

activity may be regarded as ‘planning’ activity determined. Section 2.2.2 provides a narrative of the emergence of the relevant legislation, and Section 2.2.3 addresses the current degree of compatibility between the two fields.

The literature on the relationship between town planning and historic conservation is not extensive. The following assessment supplements reference to key sources (Pendlebury, 2009; Worthing and Bond, 2008; Hobson, 2004; Delafons, 1997; Ross, 1991; and Dobby, 1978) with primary research into the relevant statutes (listed in Appendix III).

### ***2.2.2 The Emergence of Conservation and Planning Legislation***

The planning system in England operates through the complex application of a range of tools by different tiers of government, with varying degrees of discretion (Thomson, 2014: Appendix IV), and is still (despite on-going reforms) recognisably based upon the *Town and Country Planning Act*, 1947. In introducing that legislation, Lewis Silkin (Minister of Town and Country Planning) described the objectives of town and country planning as being to:

*... secure a proper balance between the competing demands for land, so that all the land of the country is used in the best interests of the whole people.... Some must result in more land being brought into development.... On the other hand, town and country planning must preserve land from development.*

Hansard, Parl. Debs. (series 5):  
HC Deb 29 January 1947 vol. 432 c. 947

At the time the proposals studied in this research were being considered by their respective local planning authorities (2010-2011), planning was still defined by Government in relation to public interest and the management of land use, ‘good’ planning being ‘a positive and proactive process, operating in the public interest through a system of plan preparation and control over the

development and use of land’, albeit with the ‘underpinning’ objective of promoting sustainable development (ODPM, 2005, p. 2), itself soon to become the primary objective of the planning system (DCLG, 2012, p. 2).

Conservation legislation is strongly associated with – and often subsumed by – planning legislation, but the relationship is not uncomplicated. The first recognisable planning legislation was the *Housing, Town Planning, &c. Act* of 1909 (Delafons, 1994), which emerged nearly three decades after the first conservation legislation (the 1882 *Ancient Monuments Protection Act*). Planning legislation, and conservation legislation concerned solely with ancient monuments, developed broadly in parallel thereafter, but, from the outset, wider conservation concerns (initially buildings, and later other forms of historic asset) began to be addressed within planning rather than conservation legislation. The 1909 Act made provision for town planning schemes, which were to include consideration of ‘[t]he preservation of objects of historical interest or natural beauty’ (9 Edw. VII, c. 44, Fourth Schedule), and this acknowledgement of the value of the historic environment when preparing planning schemes was broadly repeated in the subsequent planning Acts of 1919, 1923, 1925, and 1932.

It was not until the *Town and Country Planning Act* of 1944, however, that a dedicated and recognisable protection mechanism was introduced for the conservation of anything other than monuments (the ‘embryonic’ provisions for listed buildings (Mynors, 2006, p. 11)). Other than a brief merger in the 1953 *Historic Buildings and Ancient Monuments Act*, the legislative regimes for the conservation of ancient monuments and the conservation of the rest of



the historic environment have remained separate ever since (*ibid.*). Wider conservation provisions have generally been made in – or implemented through – planning legislation, with the result that ‘conservation and planning have gradually coalesced’ (Hobson, 2004, p. 59).

### ***2.2.3 Compatibility***

As noted above, the basis for the modern planning system may still be discerned in the 1947 Act. Conservation was not explicitly addressed in the Ministerial statement introducing that Act, but Cherry (1982, p. 2) identified the influence of nineteenth century sanitary reforms in concluding that at the heart of planning was a desire to control development ‘in order to secure qualitative improvements in the environment’. Conservation of the historic environment would seem to fit within this framework, albeit traditionally aligned more with the negative ‘control of development’ than the positive ‘securing improvements’.

Hobson has identified an initial shared emphasis by planning and conservation on amenity, and a growing awareness of their ‘overlapping spheres of interest’ (2004, p. 33). In his account, this has led to a close and lasting relationship between conservation and planning, both operationally and philosophically, albeit one within which the relative status of conservation, and the compatibility of its objectives, have varied through time. Pendlebury confirms ‘an ever closer relationship between conservation and planning, sometimes fractious, sometimes harmonious’ (2009, p. 5), but also notes a divergence between ‘conservation orthodoxies’ and the way in which conservation is implemented through the planning system, largely as a result of planning’s

## 2 Planning Theory and Practice

---

emphasis on the visual, and conservation's emphasis on authenticity (*ibid.*, p. 218). Pendlebury later came to identify the substantial area of overlap between conservation and planning institutions, theory, values and practice as a 'conservation-planning assemblage' (2013, p. 711).

Larkham (1993, p. 354) has challenged the wisdom of subsuming conservation within planning, on the grounds that this 'may be deeply harmful to the root of the [conservation] concept itself', not least because planning lacks 'any clear vision of a philosophy, or ethic, of conservation' (*ibid.*, p. 356). In a related paper, Hubbard identified a potential disjunction between planning and conservation activity, manifested in a 'subjective' and 'elitist' approach to conservation within planning, based on assessments of architectural and historic interest rather than the real value of the historic environment to the wider public (1993, p. 361): this is potentially at odds with planning's perceived protection of the public interest (as discussed further below).

At a higher level of abstraction, though, both planning and conservation have developed from a positivist to a more relativist philosophical stance (as discussed further in Section 2.3), prompting a greater emphasis on public involvement in planning and conservation practice. Howard identifies a 'trend towards democratic participation' in 'almost all the fields of heritage' (2009, p. 53), and community engagement is certainly enshrined as a 'core principle' in planning (Audit Commission, 2006, p. 26).

Whatever the philosophical and operational overlap between planning and conservation, an important point to be stressed is that conservation is only one of a number of issues with which the planning system is concerned. An

## 2 Planning Theory and Practice

indication of the range of these issues may be given by listing the discrete policy areas addressed in current national planning policy (Table 3): however well integrated with the planning system (operationally if not conceptually), conservation will necessarily always be just one of the issues being addressed within a planning context.

NATIONAL PLANNING POLICY ISSUES		
<b>WHOLE PLANNING SYSTEM TO CONTRIBUTE TO ACHIEVEMENT OF SUSTAINABLE DEVELOPMENT</b>	Building a strong, competitive economy	<b>POLICY WITHIN THE NPPF</b>
	Ensuring the vitality of town centres	
	Supporting a prosperous rural economy	
	Promoting sustainable transport	
	Supporting high quality communications infrastructure	
	Delivering a wide choice of high quality homes	
	Requiring good design	
	Promoting healthy communities	
	Protecting Green Belt land	
	Meeting the challenge of climate change, flooding and coastal change	
	Conserving and enhancing the natural environment	
	Conserving and enhancing the historic environment	
	Facilitating the sustainable use of minerals	
	Nationally significant infrastructure	
	Gypsies and Travellers	
	Waste	

*Table 3: Conservation as Part of National Planning Policy*

Source: DCLG, 2012

To attempt to answer the first research question, then, conservation does operate within the planning system (and is regarded as a part of that system in the remainder of this research), but the close relationship between planning and conservation may still be characterised as uneasy. The two have undoubtedly influenced each other over the years, and conservation is now formally established as an objective of the planning system (DCLG, 2012). Most conservation mechanisms (such as the application processes relating to historic parks and gardens, and the policy under which those applications are determined) are now a part of the planning system, but are not wholly

subsumed: some aspects, such as listed building provisions, retain a legislative profile of their own under the auspices of planning law. Some conservation mechanisms remain outside the planning system (or at least planning legislation) altogether, such as the legislation, some of the policy, and the dedicated consent regime relating to scheduled monuments. The net effect is to create the impression, if not always the reality, of a system within a system, with a resulting potential for tensions between conservation and planning in their orientation and operation. The planning system remains the key mechanism for the protection of the historic environment, but it has not been designed solely for that purpose, and conservation objectives – as one of a range of sometimes competing planning objectives – may not be delivered through the application of that system.

### **2.3 The Theoretical Underpinnings of Planning**

#### ***2.3.1 Introduction***

The last section established that conservation practice is sufficiently embedded within planning practice for the two to be considered together as ‘planning’ activity within this research. This section moves on to consider the theory associated with that activity.

A theoretical underpinning grounds and even justifies a profession (Sandercock, 1998), and provides both an orientation for practice and a means of understanding and conceptualising practice. Whether as a result of its early legislative legitimation or the practical preoccupations of planners, planning ‘has no endogenous body of theory’ but instead has tended to invoke theoretical justifications and approaches from elsewhere, adapting

and adopting them as needed (Allmendinger, 2002, p. 30, citing Reade, 1987, and Sorenson, 1982).

The once-dominant positivist, ‘rational’ approach – with its emphasis on evidence, objectivity, the role of the professional and ‘a unitary public interest’ (Campbell and Marshall, 2002, p. 94) – has been increasingly challenged since the 1970s/1980s. The evolution of planning theory is widely understood as moving from empiricism and rationalism to a post-positivist, more communicative approach that recognised the validity of other forms of knowledge and other participants in the planning process (Wood and Becker, 2005; Allmendinger, 2002; Harrison, 2002; Tewdwr-Jones and Allmendinger, 2002; Weston, 2000; Sandercock, 1998), but there is no consensus as to the reigning paradigm for the profession in practice, or even as to whether a paradigmatic approach is appropriate in theory (Tewdwr-Jones and Allmendinger, 2002). This has resulted in a ‘cluttered landscape of ideas and theories’ on which planning theorists and practitioners may draw (Allmendinger, 2002, p. 29), these theories often combining both the rational and the communicative, and with an emphasis on the empirical (Baum, 1996). One such approach is pragmatism, and it provides the theoretical perspective underpinning this research.

### **2.3.2 Pragmatism**

#### *Pragmatism and Planning*

The relevance of pragmatism to planning theory and practice has been well articulated by Harrison (2002). The pragmatist approach enables planning to be recognised ‘as an area of social endeavour in which different forms of

## 2 Planning Theory and Practice

---

reasoning and action combine and interact’ in a fashion suited to a particular context (*ibid.*, p. 165). This enables it to combine – in a flexible, context-sensitive and holistic manner – the rational and the communicative. As a candidate for an underpinning planning theory, pragmatism ‘suggest[s] a particular “attitude” that would allow us to think creatively and act experimentally within our particular field’ (*ibid.*, p. 170): the characteristics of this attitude, as defined by Harrison, are set out in Table 4.

CHARACTERISTICS OF THE PRAGMATIST ‘ATTITUDE’
Orientation towards productive social purpose
Goal directedness with flexibility to reconsider the ‘ends-in-view’
Orientation toward consequences/outcomes rather than first principles
Aversion to dogmatism
Openness to experience
Attention to the concreteness of context/circumstances
Concern with building social solidarity whilst respecting difference
Respect for norms of community whilst willing to diverge where required by context
Appreciation for rational argumentation within planning process
Concern with the productive use of power
Creative/imaginative rather than scientific approach
Intelligently experimental attitude in relating ideas to action

*Table 4: Characteristics of the Pragmatist ‘Attitude’*

Source: Harrison, 2002, p. 170

### *Rationalism*

Pragmatism also answers the critiques of both the rational and communicative approaches. The key criticisms of the rational model involve its failure to acknowledge other ways of knowing, the impossibility of knowing all that is needed to make a truly rational decision, its denial of context, the privileged position within the planning system of planners, and its reinforcement of power structures (Sandercock, 1998; Baum, 1996). The issue of power is discussed below, but pragmatism answers the first of these criticisms of rationality by utilising ‘reasons, description, and beliefs that others can

## 2 Planning Theory and Practice

---

recognize, understand and use to guide their actions’, instead of ‘necessary and certain knowledge’ (Hoch, 1996, p. 32). With regard to the rationality of decisions, success is assessed based on outcomes rather than evidence alone. Pragmatism’s emphasis on experience and inquiry answers the criticism of positivist rationalism regarding abstraction from context, and, whilst the planner retains a central role in a pragmatist view of planning, this role is not as an unassailable expert; ideally, the planner will promote more accessible and less authority-bound planning (*ibid.*).

Nevertheless, rationality remains a part of planning activity (Clifford and Tewdwr-Jones, 2013), being the ‘normative basis for the methods used in planning, policy analysis, and administration, and for planners’ ... claims to professional expertise’ (Alexander, 1996, p. 47, citing Teitz, 1985). This too is accommodated by pragmatism, in part in the emphasis on results (Harrison, 2002): reasoning is not the driver for planning activity, but a tool to be used in the search for meaning.

### *Communicative Planning*

Communicative planning itself emerged in response to the criticisms of rationality and developed Habermas’s theory of communicative rationality, based on understanding: ‘it sets out a vision of planning as a dialogue and a search for consensus rather than the imposition of apparently technocratic solutions’ (Brownill and Carpenter, 2007, p. 403). Where rationality is acontextual, communicative planning is context-sensitive. Communicative planning has a rationality, but one ‘that reflects the interplay and negotiation of interests, statuses, and meanings’; in this, the planner ‘find[s] meaning and

interests in things ... as part of inter-subjective understandings among particular persons in particular situations' (Baum, 1996, p. 369).

The key criticisms of the communicative approach relate to its apparent assumption of discussions which take place untainted by power relations (Flyvbjerg and Richardson, 2002), and to the further assumption that debate enables the reconciliation of views (Lauria and Wagner, 2006; Rein and Schön, 1993). Pragmatism addresses this last point by acknowledging the importance of 'discourse and socially shared understanding', but also 'refut[ing] the requirement for universal consensus as a basis for planning, whilst simultaneously rejecting the existence or necessity of retaining a rigid dualism between facts and values' (Wood and Becker, 2005, pp. 351-2).

Pragmatism is not without its own critiques, however, also largely centred on the issues of power and implementation. Pragmatism is accused of being 'power blind', or at least 'power accepting', and that it may therefore risk 'perpetuating rather than tackling social problems' (Allmendinger, 2002, p. 130). This is an important point to address, given the importance of power relations in planning: as Flyvbjerg and Richardson (2002, p. 49) state, 'conflict and power' constitute 'a basic condition for understanding issues of exclusion and inclusion, and for understanding planning'. Both Allmendinger (2002) and Hoch (1996) suggest that pragmatism's practicality and communicative elements may provide the response to this concern, through the promotion of open and accessible planning processes, which may themselves both stimulate and reinforce local engagement by a range of communities around a common issue.



The other significant criticism of pragmatism is the difficulty in applying it to decision-making (Alexander, 1996). Harrison acknowledged that it does not provide ‘substantive solutions to the theoretical and practical dilemmas of planning’, and that it ‘does not tell us what to do or even what values or ends to adopt’ (Harrison, 2002, p. 170). Whilst it may be true that it does not tell planners *what* to do, pragmatism does – in its emphasis on context, communities of inquiry, and the identification of solutions in practice – tell planners *how* things may be done, providing a framework for decision-making in any particular context.

### 2.3.3 *Theory in Practice*

#### *Introduction*

A number of authors have identified a theory-practice gap in planning (Lauria and Wagner, 2006; Tewdwr-Jones, 2002 and 1995; Brooks, 1996; Flyvbjerg, 1996;), so what is the relevance of this theoretical context to planning practice, and, specifically, to the aspects of practice addressed in this research? Allmendinger suggests that it ‘is not that planners are not interested in theory—it is that there is *too much* theory’, resulting in debates on the implications for practice of the competing philosophical tendencies outlined above, thereby suggesting that theory is both relevant to practice and sought by practitioners (1996, p. 230, emphasis in original). As an approach that seeks to accommodate both the rational and the communicative, pragmatism has an obvious relevance to practice, and to the analysis of practice proposed in this research, particularly as a result of its emphasis on context and the promotion of discourse and workable solutions.

### *Application*

There are a number of aspects of theory with direct implications for practice; those of most relevance to this research are discussed below.

#### *i) Structure and Agency*

Any debate about influences on practice, or action, inevitably touches on the issue of structure versus agency, and ‘the degree to which the institutional context of planning is structured by and/or structures the mode of planning and the actions of individual planners’ is a key issue within planning (McDougall, 1996, p. 188). Structures may be defined as ‘organized sets of rules and resources that are produced and reproduced through human action’, and agency as ‘the ability of individuals to intervene in social life through their action’ (Giddens, 1984, cited in McDougall, 1996, p. 189).

The planning system is itself obviously a structure, operating within wider societal structures. Elements of that system may themselves be structures, or agents, or both, as Hill (2005) suggests of interest communities. McDougall suggests that the ‘constraints of structure are overestimated and the freedom of agency underplayed’, and that individual planners may challenge structure if they do not ‘abdicate responsibility for defining goals or ends to politicians or clients’ (McDougall, 1996, p. 191).

A pragmatist approach offers ways for the individual planner to transcend at least some ‘institutional constraints’ (*ibid.*), not least through increasing awareness of context, power relations and personal motivations, informing the context within which choices are made, increasing participation, and

exercising discretion. It is therefore important to look more closely at the role of the individual planning officer.

### *ii) The Role of the Planning Officer*

Clifford and Tewdwr-Jones describe planning as ‘more than just a structure, a collection of laws and procedures – it is a peopled process’, with planning officers at the ‘front line’ (2013, p. 243). Within the context of LPA decision-making, Allmendinger suggests that planning officers have a ‘powerful role’, as they determine a majority of applications, and ‘can very effectively control access, discourse and decision-making criteria’ (1996, p. 231).

Nevertheless, in their work to identify practitioners’ perspectives, Campbell and Marshall identified a ‘huge ambiguity surrounding the core purpose of the activity of planning’ (2002, p. 99), which extends to the role of planners themselves. The emergence of the communicative approach, with its emphasis on participation and correcting power imbalances, has provided an alternative to the previously-established role of the planner as expert, and challenged it, but no clear prescription has emerged in its place. In practice, this has resulted in a widely-held perception that planners should be promoting public engagement (Campbell and Marshall, 2002), but less clarity as to how this should be achieved, and to what degree the planner’s technical remit remains intact and legitimate within the planning process. The planner in practice is therefore given a range of choices, but no clear philosophical orientation within which to make a decision. Kørnøv and Thissen (2000, pp. 196-7) have codified these choices in a typology of roles that may be adapted and applied to planning officers (Table 5).

## 2 Planning Theory and Practice

ROLE	DEFINITION	INTENTION
<b>Technician</b>	Collection and presentation of information to decision-maker/participants	NEUTRALITY
<b>Mediator-Facilitator</b>	Active in information exchange, structuring the discussion, and seeking compromise	NEUTRALITY
<b>Advocate</b>	Acts as the representative of a stakeholder/interest and provides information/arguments from that point of view	BIAS
<b>Entrepreneur</b>	Actively promotes a particular policy	BIAS

*Table 5: Typology of Planning Officer Roles*

Source: Kørnøv and Thissen, 2000, pp. 195-6

In making a choice between these roles, key questions include, firstly, whose interests should the planner be promoting? The public constitutes only one of a range of stakeholders in the planning process (Tewdwr-Jones, 2002), and should not necessarily ‘be privileged over other demands or interests’ (Tewdwr-Jones and Allmendinger, 2002, p. 215). Kitchen’s classification of the range of stakeholders in ‘customer clusters’ is shown in Table 6.

RELATIONSHIP TO LPA	CLUSTERS
<b>INTERNAL</b>	Other departments of the local authority
	Elected Members of the Council
<b>EXTERNAL</b>	Applicants for planning permission
	Local residents affected by planning applications in an area
	Wider general public in an area
	Business community
	Interest or pressure groups in the community
	Other agencies whose actions affect development process
	Formal control mechanisms of Central Government
Purchasers of planning services	

*Table 6: Local Planning Authority Customer ‘Clusters’*

Source: Kitchen, 1997, pp. 27-29

Kitchen (1997, p. 30) interprets the role of the planner as striking a balance and ‘meeting as many of the needs of [this] range of customers as is possible’, within an acknowledgement of the importance of the employer, by virtue of

## 2 Planning Theory and Practice

---

both a council's statutory powers (*ibid.*) and the strong influence of corporate objectives (Campbell and Marshall, 2002).

Public interest is in any case not easily defined: despite the fact that 'the view of planning as serving a wider public interest than any sectional interests underpins the Town and Country Planning Acts' (Kitchen, 1990, p. 65), 'the public', and 'the community', are not homogeneous bodies (Waterton and Smith, 2010), and the views expressed by that public on an issue such as significance will be varied and potentially conflicting as a result. Classification of its component elements may help to ensure that all potential publics, or stakeholders, are identified, and supported to enable their participation in planning processes, but this classification may itself be unhelpful (discussed further below).

A related question when the planner is determining his or her role is the intended purpose of the planner's engagement with or support for particular interests. As shown in Table 5, above, this can range from the assumed neutrality of the facilitative 'technician' to the proactive advocacy of the 'entrepreneur'. Allmendinger suggests that the pragmatist planner should aim to be a 'mediator', seeking 'to reach some kind of agreement' between participants (2002, p. 119). The discussion on framing, below, suggests that in fact the role adopted by an individual planner is not constant but is likely to vary from case to case.

Location also plays a part in informing the decision-making context for planning activity. Campbell and Marshall identified a link between prosperity and planners' perceptions of the role of planning: planners in more affluent

areas understood planning to be ‘strongly regulatory in nature’, whilst those in less prosperous areas identified an ‘overwhelming emphasis on the need to secure development and jobs, an imperative which it was acknowledged would frequently override all other planning considerations’ (2002, p. 97).

Overall, a generally technocentric orientation was identified within the planning profession, originating in uncertainty as to role, awareness of the need to balance varying interests, and issues around professional status and knowledge (Tewdwr-Jones, 2002; Campbell and Marshall, 2002).

### *iii) Participation*

The perceived role of the planner is perhaps most crucial in determining the nature and effectiveness of participation in the planning process. Participation is itself important as it permits ‘informed rather than uninformed activity [and] generates information which improves the quality of decision-making’ (Kitchen, 1990, p. 68).

Campbell and Marshall identified ‘an enduring attachment to public involvement’ in planning, but a wide spectrum of commitment to it in practice (2002, p. 101). Clifford and Tewdwr-Jones found that development control planners were ‘less likely to view public participation as useful than policy planners’ (2013, p. 160).

Thomas invokes Arnstein’s ‘ladder of public participation’ (Fig. 5) as a useful means of conceptualising ‘the very different degrees of direct public influence or power over decision-making that can shelter under the participation label’ (1996, p. 172). Standard planning practice is likely to fall into the ‘degrees of

## 2 Planning Theory and Practice

tokenism' category: despite its prominence in debates around the planner's identity, and an increase in public engagement in planning (Audit Commission, 2006), practice is often largely limited to the consultation which is statutorily required (Rydin, 2003), and 'attempts at fostering enhanced public participation in planning remain comparatively rare' (Tewdwr-Jones, 2002, pp. 72-73).

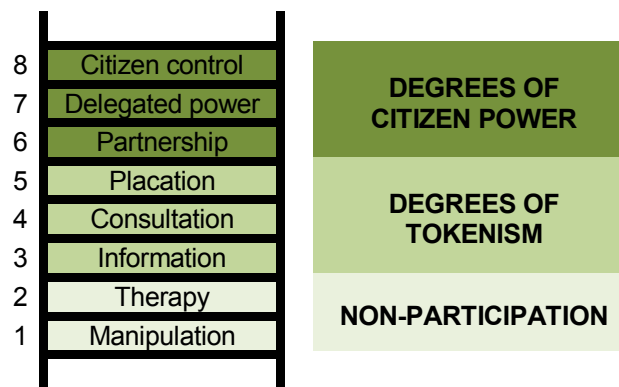


Fig. 5: Arnstein's Ladder of Public Participation

Source: Thomas, 1996, p. 172

As decisions taken regarding the extent and format of consultation influence both the nature and level of responses and the eventual decision (Kitchen, 1990), it is important to consider how best to target consultation. Aiming to involve all potentially interested parties, using 'a traditional standard method, such as exhibitions and public meetings' favours the more articulate and knowledgeable (Thomas, 1996, pp. 184-5); a middle-class bias in respondents is frequently noted (Rydin, 2003; Thomas, 1996). Although the way in which various communities are defined for the purposes of planning activity 'has been shown to be itself exclusionary and can entrench differences between decision-makers and others' (Brownill and Carpenter, 2007, p. 415), it remains important that the (potentially competing) interests are 'identified, evaluated

## 2 Planning Theory and Practice

---

and involved in the decision-making process' (Kitchen, 1990, p. 66). Within a pragmatist approach, planners may wish to identify and actively support the less vocal, to ensure the generation of appropriate communities of inquiry, representative of those affected by – or likely to be interested in – a planning proposal.

The mechanisms of participation are also important in improving the value of the exercise to all concerned, and accessibility is the first consideration. Although the emergence of requirements for Statements of Community Involvement and pre-application discussions have improved the amount of consultation on planning applications, it remains true that 'the development control process is ... one with notoriously few opportunities for public involvement', and the 'points of access' to the decision-making process remain tightly defined (Thomas, 1996, p. 179; p. 170). Within this context, the publicity given to consultations, and their format, become more significant, although there is no single template for effective participation (Brownill and Carpenter, 2007).

Another facet of accessibility is language. Jargon should be limited (RTPI, 2005), and planners must not obstruct wider engagement by managing the debate as a planning discourse (Kitchen, 1990). The necessary information should be 'appropriate to the circumstances and their context and assembled and made available in a manner that meets the real needs at which it is being aimed' (*ibid.*, p. 75).

Accessibility may also be enhanced by capacity building, specifically '[d]eveloping effective training or mentoring both to explain public



## 2 Planning Theory and Practice

---

engagement processes and to motivate groups to wish to participate, but also to provide groups with skills, capability or organisation required to respond and become fully involved' (RTPI, 2005, p. 14). This is an approach that is increasingly being adopted by the Garden History Society for consultations on applications affecting historic parks and gardens (discussed further in Chapter 10).

A final aspect of accessibility relates to the current emphasis on delegation of decision-making from members to officers, which means that the vast majority of planning applications are dealt with by officers rather than elected members (as illustrated in Table 7, with regard to the delegation rates for the LPAs which received each of the case study planning applications discussed in Chapters 7-9). This brings risks associated with the reduced exercise of democracy (Essex, 1996), and with the legitimacy of the planning process (Tewdwr-Jones, 1996), although delegation of cases may be challenged.

LOCAL PLANNING AUTHORITY	APPLICATION YEAR	APPLICATIONS DETERMINED	PROPORTION DELEGATED
<b>Bath &amp; North East Somerset Council</b>	2010/11	2193	96%
<b>Blackpool Council</b>	2010/11	672	89%
<b>Central Bedfordshire Council</b>	2011/12	2015	95%

*Table 7: Selected Local Planning Authority Delegation Rates*

Source: Bath & North East Somerset Council 2014, pers. comm., 14 April; Blackpool Council 2014, pers. comm., 9 April; Central Bedfordshire Council 2014, pers. comm., 25 March

With regard to how participation should be handled, pragmatism advocates the implementation of a 'practical approach' in which 'competing ideas are tested and the most effective and popular is used' (Allmendinger, 2002, p. 121, citing Hoch). It is important that these competing ideas are then considered

appropriately, including the retention of the essence of the original points made by respondents. If transformed into professional planning discourse without sensitivity to the respondents' original intentions, consultation responses may be 'translated into, and filtered through, the technical language used by planning analysts' (Healey, 1996, cited in Rydin, 2003, p. 94).

Responses may instead be dismissed altogether, if they are not deemed relevant to the planning discourse defined by the professionals (Tewdwr-Jones, 1996). Even if retained, and in a recognisable form, the consideration of responses may not be seen to be thorough or even-handed: stakeholders interviewed by the Audit Commission noted that '[c]ouncils gave insufficient weight to community views and tended to filter comments and cherry pick what they wanted to hear' (2006, p. 26).

Thomas (1996) advocates the development of 'participation strategies' to ensure that all the relevant considerations are addressed in the preparation of a consultation exercise. These considerations are summarised in Table 8, and, as they should be considered in the light of the prevailing circumstances in a particular case, accord well with pragmatist principles.

## 2 Planning Theory and Practice

---

CONSIDERATION	DETAIL
<b>TYPE OF ISSUES</b>	<ul style="list-style-type: none"> <li>• Degree of technical knowledge required</li> <li>• Time range involved/tangibility of outcomes</li> <li>• Determine who defines issues discussed</li> </ul>
<b>GOALS AND OBJECTIVES</b>	<ul style="list-style-type: none"> <li>• Purpose of participation (education/legitimation)</li> </ul>
<b>DEFINITION OF THE 'PUBLIC'</b>	<ul style="list-style-type: none"> <li>• Identify intended participants</li> <li>• Design participation with those participants in mind</li> </ul>
<b>STAGE IN PLANNING PROCESS</b>	<ul style="list-style-type: none"> <li>• Clarity regarding stage in process at which participation sought, and subsequent process</li> <li>• Consider role in building a longer relationship</li> </ul>
<b>CLARIFICATION AS TO WHAT IS OPEN TO INFLUENCE</b>	<ul style="list-style-type: none"> <li>• Clarify scope for influencing the proposal which is the focus of the participation</li> </ul>
<b>TYPES AND AMOUNT OF RESOURCES</b>	<ul style="list-style-type: none"> <li>• Identify the available staff and financial resources</li> </ul>

*Table 8: Considerations in the Development of a Participation Strategy*

Source: Thomas, 1996

### *iv) Discretion and subjectivity*

The English planning system is characterised as being discretionary rather than purely regulatory (Rydin, 2003; Kelly and Gilg 2000; Tewdwr-Jones, 1999). It is a system in which:

*Planning is operated within the context of administrative powers and administrative flexibility which, in turn, has provided a great deal of administrative discretion.... Policies and plans, where they do exist, can provide an indication of what decisions should be made, but under the British legal system there is nothing to stop a policy-maker from ignoring those policies in [favour] of other, more material circumstances.*

Tewdwr-Jones, 1999, p. 248

Such a system is flexible but not necessarily transparent or consistent, and the introduction of a plan-led system, performance criteria for LPAs, and the increasing profile of national planning policy has increased tensions between established discretion and desired certainty (*ibid.*, 1999). Within the overall

structural discretion of the planning system are various opportunities for the exercise of individual discretion; as noted by Allmendinger, '[w]hat is important ... is *where* this discretion exists in the process' (1996, p. 232, emphasis in original). These locations might usefully be conceptualised using terminology from Murdoch's discussion of actor-network theory, namely 'spaces of prescription' and 'spaces of negotiation' (1998, p. 358). The discretionary elements of the system render it 'susceptible to structural and human agency influence' (Kelly and Gilg, 2000, p. 341), and it is therefore important to understand where the spaces of negotiation are, and how discretion is exercised. In large part, it is informed by value judgements (Rydin, 2003; Tewdwr-Jones, 1995): the values inherent in the planning system, and their influence on both planners and the decision-making process, are discussed in Section 2.4.3, below.

Discretionary processes introduce inherent subjectivity, but this may bring potential benefits. In his work on decision-making in Environmental Impact Assessment (EIA), Wilkins (2003) identified subjectivity as an opportunity rather than a weakness, as a prompt to increase the profile of an issue, promote wider engagement in the process, generate greater understanding and transparency (and potentially legitimacy), and to develop a discourse – or indeed community – around the issues which may endure.<sup>4</sup> On the subject of discourse and language, Rydin notes that 'where there is scope for more

---

<sup>4</sup> Extensive work has been undertaken (such as that by Wood, 2008; Wood, Glasson and Becker, 2006; Wood and Becker, 2005; Wilkins, 2003; Kørnøv and Thissen, 2000; and Weston, 2000) to investigate decision-making within environmental impact assessment (EIA) and strategic environmental assessment (SEA), both elements of the planning process. EIA also involves the determination of significance; whilst the goals and methods associated with this EIA definition of significance are different to those within historic conservation, the parallels are sufficient for the research to have some application to the current debate, not least in relation to subjectivity.

discretion, a less formalistic mode of expression may be used, which ... offers more opportunities for alternative interpretation' (2003, p. 85); this is certainly the case with policy, and particularly the policy relating to significance in the English planning system (discussed further in Chapters 3 and 5).

### **2.4 Decision-Making in Planning**

#### ***2.4.1 Decision-Making Theory***

This research focuses on the decisions made on planning applications affecting historic parks and gardens, through the application of the development control element of the planning system. Decision-making is at the heart of the planning process (Faludi, 1996), and decision-making theory is therefore a further important element of planning's theoretical context of direct relevance to this research.

A useful introduction to decision-making theory is provided by Etzioni, who, in 1967, described a continuum of decision-making, itself reflecting the wider structure and agency debate. At one end of the continuum was the rationalistic model, in which the decision-maker (or agent) was highly influential, but which required extensive information for its implementation (not always available in practice). Towards the other end was the incrementalist model (Lindblom's 'muddling through' approach, characterised by Dror (1964, p. 153) as 'incremental change aimed at arriving at agreed-upon policies which are closely based on past experience'), with much less agent influence, and a tendency not to respond to changing circumstances.

## 2 Planning Theory and Practice

---

Etzioni proposed a ‘mixed-scanning’ approach falling somewhere between these two on the continuum, in which both complementary ‘fundamental’ and ‘incremental’ decisions were distinguished:

*... incrementalism reduces the unrealistic aspects of rationalism by limiting the details required in fundamental decisions, and contextuating rationalism helps to overcome the conservative slant of incrementalism by exploring longer-run alternatives.*

Etzioni, 1967, p. 390

Planning activity also falls somewhere between the two extremes of the continuum. The policy within which development control decisions are made may be seen as a ‘fundamental’ decision, and the development control decisions themselves as ‘incremental’. Planning officers determining planning applications may operate with a strong degree of agency – or discretion – within the overall constraints of the structure provided by the policy, and the rules of the planning system. The scope for the exercise of discretion within the structural influence of the policy may be greater when the policy is clear to those making decisions within it (the degree to which the policy relating to significance is understood by participants in the planning process is explored further in the case studies).

Perhaps the model of decision-making most relevant to this research (philosophically and operationally) is that proposed by Kuruvilla and Dorstewitz (its application to decisions on planning applications is addressed further in Section 2.5.4). They highlighted the relevance of pragmatism to decision-making theory, notably in enabling the integration of ‘scientific, democratic, moral, and ecological considerations’ and thereby promoting a more holistic understanding of the influences on decision-making in public

## 2 Planning Theory and Practice

policy (Kuruville and Dorstewitz, 2010, p. 266). They labelled their approach ‘transactive rationality’, and it develops pragmatist principles to present a model (Fig. 6) which ‘integrates transactions and relationships that are formative of rational policy inquiry, deliberation, and change’; the model ‘takes both a descriptive and a normative stance’ (*ibid.*, p. 267; p. 269).

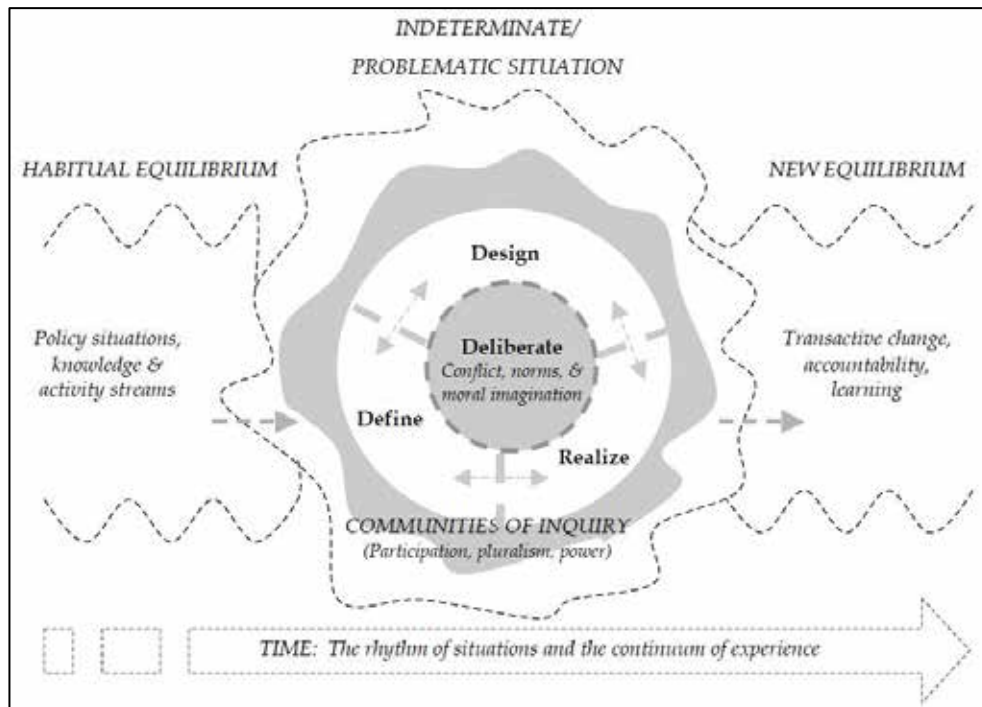


Fig. 6: The Transactive Rationality Model

Source: Kuruville and Dorstewitz, 2010, p. 270

In transactive rationality, the starting point for decision-making is an ‘indeterminate situation’ (*ibid.*, p. 269), i.e. an untidy, real-world scenario in which neither the problem nor the goal need be perfectly defined (within a planning context, this may be understood as a planning application). This situation emerges when something has occurred to disrupt an existing, ‘habitual’ equilibrium that has itself developed through transactions:

## 2 Planning Theory and Practice

---

*Transactions, as active life processes, involve both organism and environment acting together in a composite unity. Dewey termed this composite transactive unity ... a "situation". In any specific functional context, a situation comprises the diversity and multiple dimensions of related transactions (including biological activity, social habits, individual thoughts, cultural values, and natural environments)....*

Kuruvilla and Dorstewitz, 2010, p. 267

Human agency emerges to resolve an indeterminate situation, and to create a new equilibrium. This agency comprises networks of individuals and groups, forming 'communities of inquiry' which 'determine and demarcate' a problem (*ibid.*, p. 271). These communities of inquiry are characterised firstly by participation: 'relevant actors' should be identified (*ibid.*). Kørnøv and Thissen suggest that relevance should be determined by 'formal position ... control of relevant resources ... power to hinder or block implementation ... or by the stakes in the issue' (2000, p. 195). Communities of inquiry are also characterised by pluralism (diversity of perspective is important), and power (all participants may influence the inquiry and resolve the issue). Kuruvilla and Dorstewitz conclude that, with 'communities of inquiry forming the basis of rational agency, the oft-cited chasm between scientific expertise and democratic participation is not unbridgeable' (2010, p. 272).

The four activities within the model (define, design, realise and deliberate) are deliberately non-linear (though may be applied linearly, as would be the case in the handling of a planning application), to emphasise the role that all play in influencing the ultimate decision, and to remove a distinction between 'intellectual and practical phases' (*ibid.*, p. 276). Transactions may take place 'in any direction and at any stage of the process' (*ibid.*). Success is defined as 'achieving a working harmony between diverse values, desires, and their



anticipated consequences' in the resolution of an indeterminate situation (*ibid.*, p. 282).

Jennings and Wattam (1994) also propose a non-linear, context-sensitive approach to identifying and correcting problems, in the form of a systems approach (in which the systems may be open or closed). This approach enables the context for a decision to be taken into account, and allows more complex issues to be examined than the normative model. It has direct relevance for an assessment of decision-making within the planning process, if used with caution: it may impose 'upon the analysis of what actually happens a potentially distorting framework if what really happens is radically different' (Hill, 2005, p. 21).

### ***2.4.2 Decision Types***

In their work on decision-making, Jennings and Wattam (1994) define a continuum of decision types. The continuum runs from programmed decisions at one end, which are contained within procedures and regularly made, to non-programmed decisions, which are more variable, complex, and potentially substantial. The degree of discretion within the otherwise regulation-bound planning system suggests that planning decisions constitute non-programmed decisions. Jennings and Wattam further note that decision-making may be a more protracted process than is generally assumed.

### 2.4.3 Values and Framing

#### *Values*

As noted by Kørnøv and Thissen, ‘virtually all empirical research shows that decision-making processes in practice do not follow ... a rational procedure, even in cases where significant efforts are made to improve rationality’ (2000, p. 192). Instead, decision-makers, like other people, are influenced by the values they hold (Allmendinger, 2002), something which is fully acknowledged within a pragmatist approach (Harrison, 2002).

These values are informed by experience and intuition (Wilkins, 2003; Jennings and Wattam, 1994), and discourses (Rydin, 2003; Wilkins, 2003); more specifically, in rule-bound contexts such as planning, they may be informed by ‘standardised working procedures, professional standards, cultural norms and institutional structures’ (Kørnøv and Thissen, 2000, p. 193, citing March, 1994). As an illustration of the range of influences on values, Brooks (1996) offers a useful ‘typology of idea sources’ (Table 9).

SOURCE	NATURE
<b>ONE'S SELF</b>	<ul style="list-style-type: none"> <li>• Knowledge, reason</li> <li>• Ideology, values</li> <li>• Intuition based on past experience</li> </ul>
<b>REFERENCE GROUPS</b>	<ul style="list-style-type: none"> <li>• Local (colleagues, friends)</li> <li>• Professional (professional organisations)</li> </ul>
<b>INFLUENCE-WIELDERS</b>	<ul style="list-style-type: none"> <li>• Superiors in one's organisational hierarchy</li> <li>• Elected officials</li> <li>• Social and economic 'power figures'</li> <li>• Providers of resources</li> </ul>
<b>CLIENT GROUPS</b>	<ul style="list-style-type: none"> <li>• E.g. 'customer clusters' (Kitchen, 1997)</li> </ul>

*Table 9: Typology of Idea Sources*

Source: Brooks, 1996, p. 121

These idea sources ‘remain in the individual’s mind as thought processes and are the baggage that individuals take to decision settings, in interpreting events, and in deciding whether and how to act and for whom’; within the decision setting, some modification of these thought processes may be required in response to other ‘planning actors’ and the circumstances of the case (Tewdwr-Jones, 2002, p. 74). Thus ‘an individual’s judgement ... is never constant’ (Tewdwr-Jones, 1995, p. 164).

### *Framing*

The concept of ‘framing’ is a useful one for examining the nature and extent of the influence of experience and values, and other attitudes held implicitly or explicitly by participants in the planning process (Tewdwr-Jones, 1995). Frames are ‘shortcut devices people use to characterize situations, problems or adversaries’ (Kaufman and Smith, 1999, n. pag.), in which ‘facts, values, theories, and interests are integrated’ (Rein and Schön, 1993, p. 145), and may be chosen consciously or unconsciously. Whilst they may aid participants in ‘dealing with complex situations’, the result of their application may instead be ‘filtering the information base of decisions, foreclosing options and obliterating situation specifics’ (Kaufman and Smith, 1999, n. pag.); framing may also be ‘problematic because it leads to different views of the world and creates multiple social realities’ (Rein and Schön, 1993, p. 147).

Kaufman and Smith (1999) outline the relevance of the framing concept to planning and land use decisions:

*As widely held “packages” of views on recurring situations, shared or collective frames are particularly relevant to physical change conflicts because they transcend individual*

## 2 Planning Theory and Practice

---

*perceptions and may lead to predictable community reactions....*

Kaufman and Smith, 1999, n. pag.

They go on to outline a typology of frames of particular relevance to physical change (Table 10): ‘those which appear to inform parties about issues, other stakeholders, processes, options and consequences, the value of information, and about the necessity to act’ (*ibid.*).

FRAME TYPE	DEFINITION	LAY TERMS	STABILITY
<b>SUBSTANTIVE</b>	Consequences of change are at the core of disputes	Doom and gloom	CAPABLE OF CHANGE
<b>LOSS/GAIN</b>	Uncertain choices are presented either in terms of gains or losses to a party	Glass half-full or half-empty	STABLE
<b>CHARACTERISATION</b>	Evaluations, often stereotypical, of others' behaviour, attitudes, motives or trustworthiness	Stereotypes	CAPABLE OF CHANGE (BUT SELF-CHARACTERISATION IS STABLE)
<b>PROCESS</b>	Reflects views about steps, decision rules, and participation in conflicts	Closed to public input, done deal: business as usual	CAPABLE OF CHANGE
<b>OUTCOME</b>	Description of conflicts in terms of parties' positions, often expressed as preferred solutions	Positions (vs. interests)	STABLE
<b>ASPIRATION</b>	Reflects disputants' needs, interests, desires or concerns, in terms of which they evaluate options	Interests	STABLE
<b>COMPLEXITY</b>	Reflects the value placed on scientifically-based information	Science as ultimate truth or as completely relative	CAPABLE OF CHANGE

*Table 10: Typology of Frames Relevant to Physical Change*

Source: Kaufman and Smith, 1999, n. pag.

In understanding decision-making, it is important to consider the frames that participants may bring to the process (e.g. ‘conservation is a good thing’, or ‘every local resident is a NIMBY’), although frames are only influences on

## 2 Planning Theory and Practice

---

decisions, rather than being determinative (Rein and Schön, 1993). The decision-maker should be particularly aware of the implications of personal frames, as these ‘can affect the procedures they follow, the parties they choose to involve, the issues for focus, and the perceived set of solutions’ (Kaufman and Smith, 1999, n. pag.).

In considering the nature and impact of pre-existing frames, a deliberate choice of frame by some stakeholders (such as the decision-maker) may foster participation and even consensus, or at least counteract a ‘frame detrimental to the decision process’; alternatively, ‘reframing’ may be considered: ‘a deliberate attempt to alter someone else’s frame’ (*ibid.*). This is more likely to succeed where frames do not refer primarily to a stakeholder’s personal perspective; where frames refer to external factors, they ‘may be more malleable, or susceptible to information’ (*ibid.*). Examples given by Kaufman and Smith include bringing ‘the more malleable frames in synch with dispute specifics’ through the provision of information and support, and undertaking to ‘actively shape process and other malleable frames ... to ensure that they do not limit key aspects of decision making’ (*ibid.*). They note (in line with the discussion above about the role of the professional) that the action taken depends on the planner’s perception of his or her own role in the process.

In contrast, Rein and Schön (1993, p. 160) identify two decision contexts, the ‘political’ and the ‘cooperative’. The emphasis in the cooperative approach is shared inquiry, whereas in the political it is negotiation between competing interests. As noted by Tewdwr-Jones, ‘[t]here are no real victories in these situations, only temporary ones, since the underlying differences to the

individuals' conflict remain unchanged' (1995, p. 174). This is entirely in accordance with a pragmatist approach, therefore, in which consensus is not sought, merely a workable solution.

It is difficult to determine the particular frames in use in any particular situation, due to their dynamism and multiple sources of influence, as well as to the fact that they are generally implicit, and may not be able to be articulated even by the holder (Tewdwr-Jones, 2002; Rein and Schön, 1993). Instead, it is important to acknowledge their likely existence, 'focus on the methodology used in ... framing, on the problems associated with frames, and on the reasons why frames are formed in particular ways' (Tewdwr-Jones, 1995, p. 174).

### **2.5 Conceptualising the Planning System**

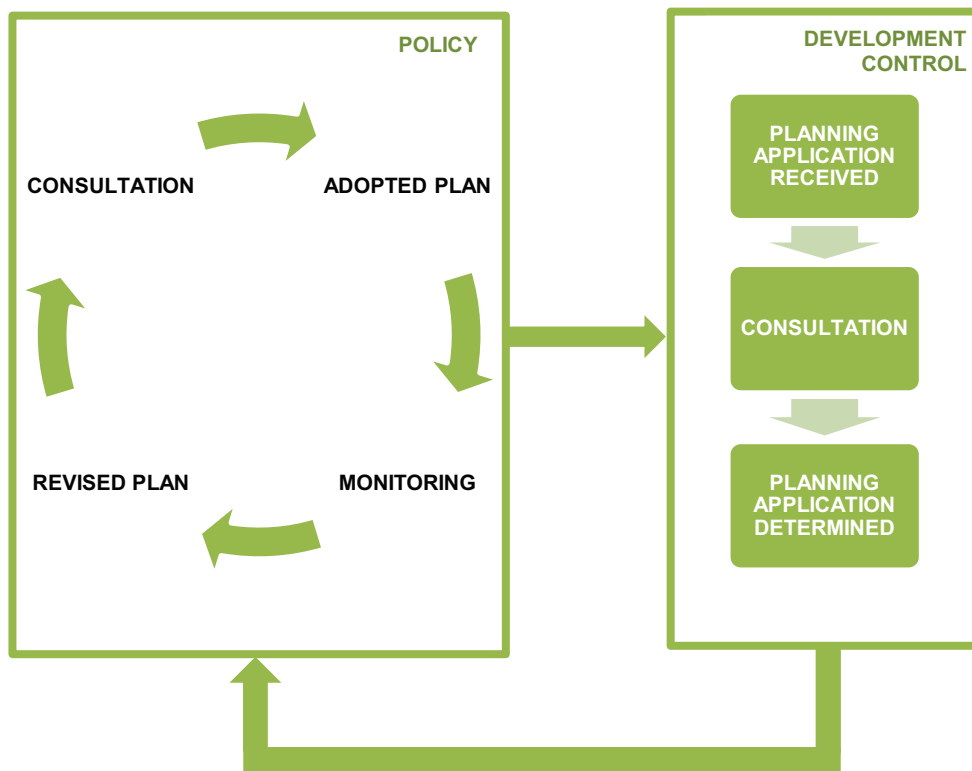
#### ***2.5.1 Introduction***

This section presents a conceptualisation of the various elements of the planning system as understood from the above discussion of the theoretical context to planning and conservation, with particular reference to the focus of this research, i.e. how, when, and by whom significance is determined. This conceptualisation is intended to provide a framework for the subsequent analysis of practice in each of the selected case studies.

#### ***2.5.2 The Planning System***

The planning system itself may most clearly be understood as two related systems: policy and development control. Broadly speaking, policy informs subsequent decision-making on planning applications in the development

control process, that is, '[p]lans predefine ... the situation for operational decision makers' (Faludi, 1996, p. 71). Ongoing cycles of policy review and feedback loops between the two systems do however create a process more like that modelled in Fig. 7. Although the relationship between the two is close, it is the development control system in which 'the most significant perceived conservation contribution is made' in local planning authorities (Hobson, 2004, p. 253), and which is the focus of the decision-making aspect of this research, i.e. the decisions made on specific planning applications, within the context of the relevant policy.



*Fig. 7: Interaction of Planning Policy and Development Control Systems*

Development control constitutes an open system, in which external input is acted upon, changed, and returned (Jennings and Wattam, 1994). Crucially, in terms of the influences on decision-making, it is an open system with unclear, or 'permeable' boundaries, i.e. the decision-making body is part of the

environment but also has direct influence on the decisions made. The open system ensures that there is also more flexibility in the decision-making process: the outcome is not prescribed, and there is ‘no one best way for an organisation to pursue its objectives’ (*ibid.*, p. 31), nor an ‘absolute “24 carat gold standard” by which a decision can be judged right or wrong’ (Willis, 1995, p. 1066): this conceptualisation is consistent with a pragmatist approach.

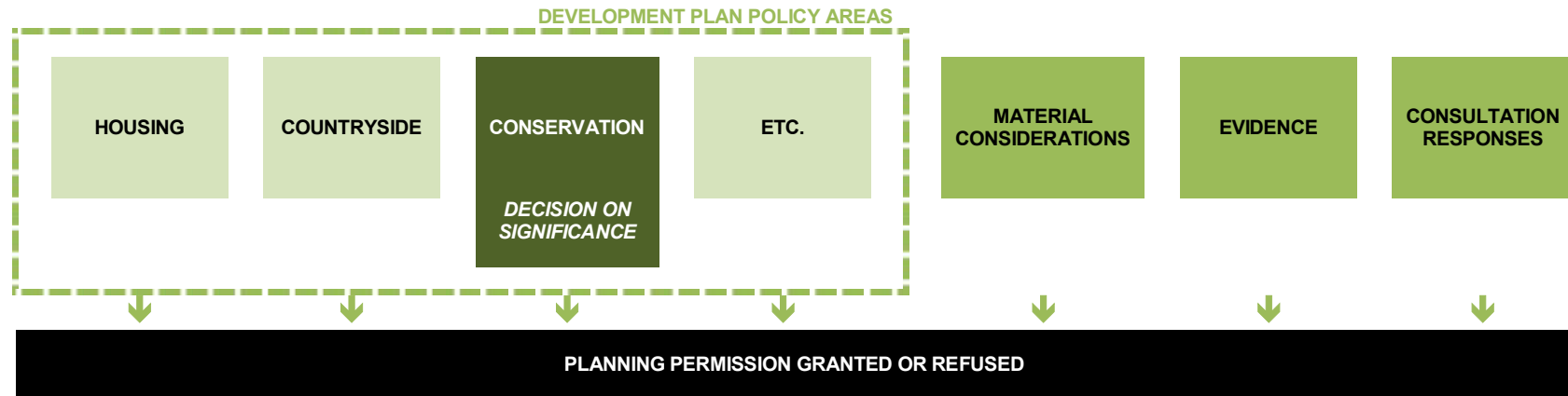
### ***2.5.3 Significance and Decision-Making***

As noted in Section 2.2.3, conservation (and more specifically the significance of a historic asset and the impact of a proposal upon that significance) is one of a number of issues to be considered within a decision on a planning application. As such, deliberations on significance and impact constitute a ‘decision within a decision’. This is illustrated in Fig. 8, in which a hypothetical proposal for housing development within the grounds of a rural country house is envisaged by way of a justification for the selection of the illustrated policy areas. The decision on significance (the process for which is addressed in detail in Chapter 3) is effectively a sub-decision within the overall decision on the planning application, and is undertaken alongside (or in competition with) sub-decisions on other relevant planning matters, such as other areas of development plan policy, material considerations (including national planning policy), evidence, and the results of consultation.



## 2 Planning Theory and Practice

---



*Fig. 8: A 'Decision Within a Decision' in the Planning Process*

## 2 Planning Theory and Practice

---

Within the Jennings and Wattam continuum of decision types, whilst decisions on planning applications are clearly of the non-programmed type, sub-decisions on significance may be seen to be located even more towards the non-programmed end of the continuum, being made without prescriptive guidance, and with a reliance on the assessment of interests. They involve a much greater degree of subjectivity and discretion, and are therefore somewhat anomalous within the wider planning process. This creates a potential operational tension for planners and other participants in the planning process.

This difference (and the resulting tension) stems from both the nature of the policy on significance, and the process associated with it. As will be discussed in more detail in Chapter 3, the national planning policy on significance (which must be reflected in local development plan policy) explicitly – and uniquely – requires judgements to be made solely on the consideration of ‘interests’. Planning policies ‘should be clear but interpretative; they must state expressions of intent but allow a certain amount of flexibility for individual judgements to be applied in different cases’ (Tewdwr-Jones, 1995, p. 171); Rydin sees this flexibility as policy being ‘framed ambiguously to enable different readings as required’ (2003, pp. 86-7).

Whilst all planning activity requires judgements to be made on particular issues, the evidence needed in support of those judgements is usually more clearly defined (and often quantified), and a framework provided for the process of assessment, as is the case with retail planning policy (Table 11). In the language of systems analysis, wider planning decision-making – although ultimately reliant on professional and/or political judgements – remains more

## 2 Planning Theory and Practice

reliant on ‘hard’ information, whereas significance is very much determined using ‘soft’ information (Jennings and Wattam, 1994).

DECISION-MAKING PROCESS	POLICY
<b>PROCEDURE</b>	<ul style="list-style-type: none"> <li>• Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan.</li> <li>• They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered.</li> <li>• When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre....</li> </ul>
<b>EVIDENCE &amp; ASSESSMENT</b>	<ul style="list-style-type: none"> <li>• When assessing applications for retail, leisure and office development outside of town centres, which are not in accordance with an up-to-date Local Plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500 sq. m.).</li> <li>• This should include assessment of:               <ul style="list-style-type: none"> <li>• the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and</li> <li>• the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made.</li> <li>• for major schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made.</li> </ul> </li> </ul>
<b>DECISION</b>	<ul style="list-style-type: none"> <li>• Where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the above factors, it should be refused.</li> </ul>

*Table 11: The Decision-Making Process within Retail Planning Policy*

Source: DCLG, 2012, p. 8

In contrast, the given procedure within conservation policy is merely to ‘identify and assess the particular significance of any heritage asset that may be affected by a proposal ... taking account of the available evidence and any necessary expertise’ (DCLG, 2012, p. 30). The nature of the required evidence is not specified, other than in a definition of significance as the ‘value of a

## 2 Planning Theory and Practice

---

heritage asset to this and future generations because of its heritage interest [which] may be archaeological, architectural, artistic or historic' (*ibid.*, p. 56). Definitions of these interests are no longer provided in national guidance, with the exception of archaeological interest, and this definition is itself somewhat lacking in precision:

*There will be archaeological interest in a heritage asset if it holds, or potentially may hold, evidence of past human activity worthy of expert investigation at some point. Heritage assets with archaeological interest are the primary source of evidence about the substance and evolution of places, and of the people and cultures that made them.*

*Ibid.*, p. 50

The way in which the evidence should then be assessed is also not set out in national guidance, merely that local planning authorities should 'take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal' (*ibid.*, p. 30). Other factors to be taken into account are then identified, which may work against the defence of significance (the importance of re-use, economic contributions, and new development).

Guidance on decision-making is provided (e.g. '[s]ubstantial harm to or loss of designated heritage assets of the highest significance, notably ... grade I and II\* registered parks and gardens ... should be wholly exceptional' (*ibid.*, p. 31)), but, again, is imprecise, and, given that its implementation is itself predicated on vaguely-defined evidence and assessment processes, is perhaps difficult to apply with confidence in 'the UK's literalistic and semantic legal system' (Weston, 2000, p. 193).

## 2 Planning Theory and Practice

---

A decision on significance constitutes a tool for subsequent application rather than an end result. Although both the decision on significance and the decision on the planning application as a whole require the weighing of factors and an ultimate decision, the decision on significance is itself less binary: it is not a decision to approve or refuse, but to describe and evaluate. Under the auspices of the English planning system, the ultimate decision on the planning application lies with an individual planning officer or with a planning committee. Within this, though, determinations of significance, and of the impact of proposals upon it, warrant a more discursive and multifaceted approach, in line with the inherently subjective qualities of this policy area, which is certainly a 'space of negotiation'. Indeed, this is the approach advocated in the *Australia ICOMOS Burra Charter, 1999*: determinations of significance are to be made with the full involvement of 'people for whom the place has special associations and meanings, or who have social, spiritual or other cultural responsibilities for the place' (Australia ICOMOS, 2000, p. 5).<sup>5</sup> The stimulus to discourse may also bring wider benefits relating to profile and community engagement (Wilkins, 2003; Flyvbjerg, 1998), and to power relations, as the 'real debate/power lies within the interpretation of guidance, case law, etc.' (Allmendinger, 1996, p. 232).

A decision on significance made in accordance with the process outlined in the *Burra Charter* would constitute a wholly different decision-making process to that used for the overarching planning application, but it would not be an

---

<sup>5</sup> The *Burra Charter* was revised during the course of this research, in October 2013. The majority of the text from the 1999 version remains unchanged, but alterations of cited extracts are included where needed. One such change relates to the determination of significance, which is now to be made with the involvement of 'people for whom the place has *significant* associations and meanings, or who have social, spiritual or other cultural responsibilities for the place' (Australia ICOMOS, 2013, p. 5, emphasis added).

impossibility under the current English planning system. Techniques suggested by Mason to elicit participation in the construction of significance include surveys, interviews, public meetings, focus groups, mapping exercises, and structured observation techniques (2002, pp. 18-21); Hunt proposes ‘mapping ... different responses’ to parks and gardens (2004, p. 218), and a similar approach was used to inform assessments of significance in work by English Heritage at Chiswick House, where different interests were mapped and management decisions taken in light of them (English Heritage, 2008a).

In noting that planning decisions have tended to be taken within an ‘analysis-centred’ decision-making mode, Tonn, English and Travis (2000) suggest that by increasing awareness of the available procedural options, and their implications, decision-makers may choose to operate more collaboratively, and certainly there is no proscription on wider engagement in discussions on significance in English policy or legislation (indeed, the Ministerial foreword to the NPPF states that ‘we are allowing people and communities back into planning’ (DCLG, 2012, p. ii)).

Such an approach would reflect the pragmatist philosophy, with the planner facilitating discussion (in line with the Audit Commission’s recognition of planners’ ability to ‘communicate, negotiate and lead’ (2006, p. 28)) and seeking a workable solution with which others might agree (Forester, 1996b). The inherent pluralism of pragmatism means that consensus would not be required, merely ‘sufficient social solidarity’ (Harrison, 2002, p. 171), within a wider context of ‘agonistic pluralism’ which ‘recognises that mutually incompatible positions are a legitimate and necessary part of

democratic debate' (Pendlebury, 2009, p. 221, citing Mouffe, 2000). The resulting determinations would inevitably be provisional and subject to future change (Allmendinger, 2002). Thus decisions on significance are 'tentative' decisions, rather than 'operational' decisions 'result[ing] in definite commitments', as is the case with decisions on planning applications (Faludi, 1996, p. 70).

Those decisions would ultimately be made by the planner, however, albeit largely informed by the debate in which he or she had participated: whilst '[o]ne of the main challenges of a transactive, participatory model of policy-making is locating authority and accountability' (Kuruvilla and Dorstewitz, 2010, p. 280), in a pragmatist view of planning activity this authority remains with the planning officer (or planning committee). The officer or committee is the embodiment of the power to make the decision – and thereby achieve a result – and this role should be made clear to participants in order that all involved 'better understand their respective roles, responsibilities, and related accountabilities' (*ibid.*, p. 281).

A decision-making process more directly suited to the determination of significance would be of a different character to most within the planning process. Decisions on significance are subjective rather than objective, communicative rather than rational, and (following Rein and Schön's classification), cooperative rather than political. Overall, the distinction between the decision types creates the potential for unease in the handling of significance within the planning process (alongside wider issues associated with lack of specialist knowledge). Significance is both vaguely defined as a

concept, and inherently multivocal when applied in practice (as a result of the range of participants and interpretations informing its construction), and this makes it a challenging policy tool for a planning system still strongly influenced by rationalism. A pragmatist orientation is particularly helpful in understanding how significance might fit within the planning system, offering a way to reconcile the rational and the communicative, and the objective and the subjective.

Whilst not yet present in national policy, mechanisms for achieving this reconciliation, and defining significance more effectively within a planning context, are discussed in Chapters 3, 4 and 5. This is in line with the suggestions by Weston (2000) and Wood (2008) – in respect of EIA decision-making – and Flyvbjerg (1998) that the challenge is to make the process systematic rather than wholly rational, as well as more participative and transparent, and thereby to increase its legitimacy. In fact, instead of comprehending the definition of significance as ‘a simple case of objectivity versus subjectivity, more realistically it becomes an issue of “how well subjective judgements are substantiated”’ (Wood, 2008, p. 36).

### ***2.5.4 The Decision-Making Process***

The planning application process broadly fits the pragmatist transactive rationality model discussed in Section 2.4.1, above. The ‘habitual equilibrium’ is disturbed by a development proposal, which is then addressed by communities of inquiry (albeit led in this case by the local planning authority); the determination of the application establishes a new equilibrium.



## 2 Planning Theory and Practice

---

The way in which the ‘problematic situation’ is addressed is determined by both prescribed processes (relating to the use of technical evidence, application of policy, public consultation, political input, and so on) and other influences such as the values held by professionals. Informed by the concept of framing, the characterisation of the influences on the operation of the planning system (and on the construction of significance) proposed in this research draws on the literature discussed above, and includes empiricism, professional judgement and values, political input and the associated influence of power, and community perceptions (Table 12). Individual actions within this process will themselves be informed by personal frames, also susceptible to these influences.

INFLUENCE	SCOPE
<b>RATIONALITY/TECHNICAL</b>	<ul style="list-style-type: none"> <li>• Technical processes invoking a rationalist approach</li> <li>• Need for/use of evidence</li> </ul>
<b>PROFESSIONAL</b>	<ul style="list-style-type: none"> <li>• Exercise of planner’s professional judgement</li> <li>• Planner-dominated processes</li> <li>• Input by professional stakeholders</li> </ul>
<b>POLITICAL INPUT</b>	<ul style="list-style-type: none"> <li>• Direct political engagement by elected members (e.g. Ward Member involvement, Planning Committee)</li> </ul>
<b>COMMUNITY INPUT</b>	<ul style="list-style-type: none"> <li>• Opportunities for community engagement</li> <li>• Articulation of community views</li> </ul>

*Table 12: Influences on the Operation of the Planning System*

Fig. 9 seeks to conceptualise these influences on the implementation of the planning system in England, and with particular reference to the detailed process for decision-making in relation to planning applications affecting historic parks and gardens (decision-making in relation to policy formulation being outside the scope of this research). In so doing, it also highlights the ‘spaces of negotiation’ in the decision-making process within which significance is constructed and contested, and the potential influences

## 2 Planning Theory and Practice

---

on that construction, albeit to different degrees at different stages (the ‘decision within a decision’ referred to in Section 2.5.3, above, is represented by the ‘planning application determined’ stage in Fig. 9). By way of contrast, Fig. 9 also illustrates the points in non-planning decision-making processes at which the concept of significance is constructed.

Fig. 9 proposes that there are a number of points in the decision-making process at which the concept of significance may be explored in determining responses to various proposals affecting historic parks and gardens, and particularly that, although the (historic conservation) concept of significance is not exclusive to planning, it is within the planning system that it is most debated: those debates are each informed by one or more of the identified influences under the ‘discretionary’ nature of the English planning system. Fig. 9 also demonstrates, however, the number of routes from the formulation to the implementation of a proposal in which significance need not be debated at all, namely, when planning permission or funding is not needed.

This conceptualisation is used in the remainder of the research to inform the collection and analysis of data, with a view to understanding the way in which these influences inform the definition of significance with regard to historic parks and gardens proposals.

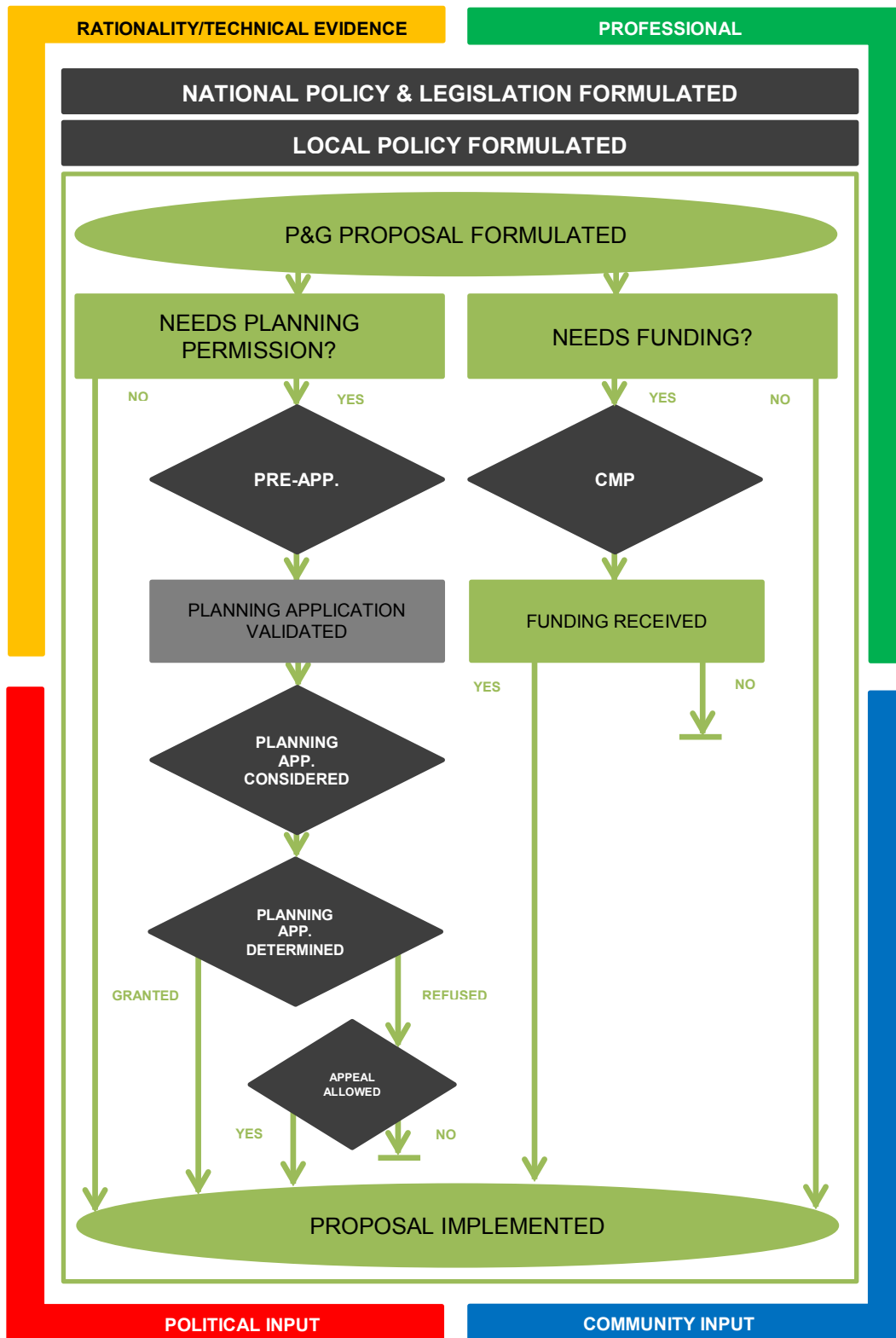








Fig. 9: The Construction of Significance in the Decision-Making Process (key overleaf)

### KEY

-  INFLUENCES ON PROCESS
-  ACTIVITY SUBJECT TO ONE OR MORE INFLUENCES
-  ACTIVITY INFORMED BY SOLELY TECHNICAL EVIDENCE
-  PROPOSAL-SPECIFIC DECISION-MAKING PROCESS
-  START/END OF DECISION-MAKING PROCESS
-  POINTS IN PROCESS AT WHICH SIGNIFICANCE CONTESTED

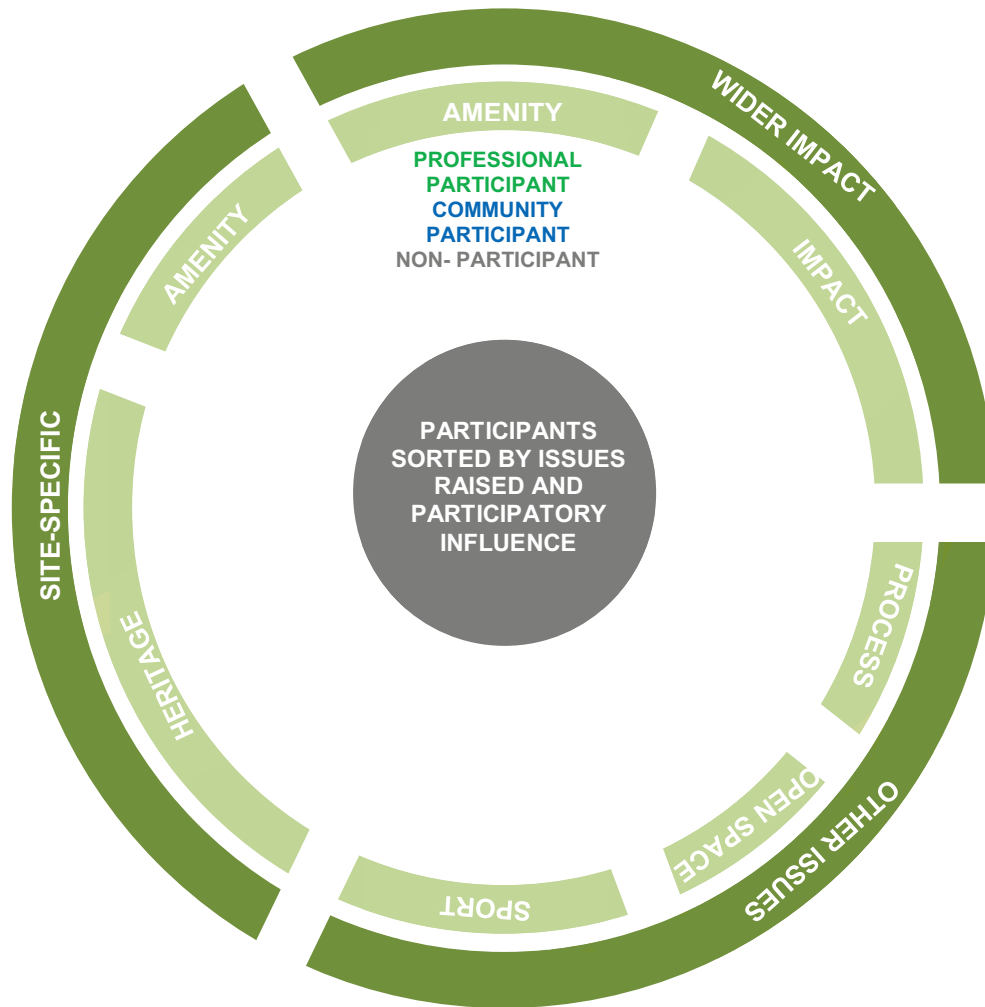
### *2.5.5 Participation*

Consultation on planning applications may take place at two points in the process outlined in Fig. 9. The first is where pre-application advice is sought: the applicants may undertake a consultation exercise with a view to informing the development of the scheme. The second forms the focus of this research, and is the point at which the planning application is considered: it is to this stage in the process that the statutory consultation requirements apply, i.e. the provision of twenty-one days for statutory consultees and the public to respond to the planning application that has been submitted, in response to notification (which may take the form of a site notice, press notice, and/or direct correspondence). This stage is administered by the local planning authority, which may choose to exceed the minimum consultation requirements, such as by extending the time available for comments, or arranging supplementary engagement opportunities such as meetings, exhibitions, or focus groups. A third opportunity for stakeholders to participate is at an appeal (if made), but involvement at this stage is limited to earlier participants, and does not constitute consultation as such.

## 2 Planning Theory and Practice

---

Whilst the decisions as to who is invited to participate (and supported in that participation), and how that participation is sought, are made by the local planning authority, anyone may participate if they are aware of the opportunity and feel able to participate. For the purposes of analysis in this research, a framework is needed within which the actual participation achieved in any case can be considered. The proposed framework is set out in Fig. 10, which enables individual participants to be identified within particular communities of interest. This does involve categorisation, but, consistent with a pragmatist approach, also enables the degree to which competing interests have participated and influenced the decision outcome to be defined. The categories chosen in each case have been influenced by an application of Kitchen's 'customer clusters', and of Kørnøv and Thissen's approach to determining relevance, particularly in relation to the determination of those having 'stakes in the issue' (2000, p. 195). A distinction is drawn between 'professional participants' and 'community participants', but this distinction is used with caution; as noted by Pendlebury, amenity bodies, in particular, may not directly 'represent wider public opinion.... Rather, they are a self-defined elite' (2009, p. 130).



- KEY**
- Grouping of issues
  - Specific issues
  - ABC Professional participant raising a particular issue in consultation response
  - ABC Community participant raising a particular issue in consultation response
  - ABC Participant expected to raise an issue by virtue of area of interest, but not doing so

*Fig. 10: Participants in the Decision-Making Stage, by Issue Raised*

Within this framework, the research looks both at the comments made by the participants themselves, and at the way that they were subsequently interpreted by the local planning authority. This approach addresses concerns about the exclusion of community views:

*The community and the planners agree on the topics to be acted on, but these are then excluded on the grounds that they do not come under the remit of ‘professional land use*

*planning', or are against the policy preferences of central government.*

Tewdwr-Jones, 1996, p. 240

As further noted by Tewdwr-Jones in relation to the legal analysis of planning decisions, the details of the decision-making process are not explicit, and cannot therefore be fully understood, which 'removes the ability of social scientists to identify how individuals weigh up different considerations in forming judgements' (1995, p. 166). Decision reports do set out some of the reasoning, however,<sup>6</sup> and may be used as a proxy, supplemented by interviews with the decision-makers. The interpretation and application of the participants' comments by the LPA is further explored through the re-coding of the original comments using the typology of interests developed in Chapters 3 and 4. This typology seeks to maximise receptiveness to the participants' original intentions in order to define significance as intended by those participants, but in such a way as also to maximise their visibility and application within the planning process.

### 2.6 Conclusions

This chapter has reviewed the theoretical context to planning and decision-making, to determine the position of conservation within planning activity, and to develop a conceptualisation of decision-making within the planning process of direct relevance to the consideration of determinations of significance in the

---

<sup>6</sup> Between 2003 and 2013, local planning authorities were required to give their reasons for granting or refusing planning permission. The requirement to give these reasons in relation to the grant of planning permission was removed in June 2013 via the *Town and Country Planning (Development Management Procedure) (England) Amendment Order 2013*. Thus reasons are available for the decisions on the case studies in this research, but will not be available for any post-2013 cases researched in the future for which planning permission has been awarded.

remainder of this research. The chapter began by identifying four particular research questions, and these are addressed below.

### ***2.6.1 The Relationship Between Planning and Conservation***

The first research question sought to determine the relationship between planning and conservation. The planning system is the main mechanism for the delivery of conservation, and the policy- and decision-making processes for the conservation of historic parks and gardens which are investigated in this research may be regarded as ‘planning’. It must be borne in mind, however, that there remains the potential in the operation of this system for very real tensions between conservation and wider planning objectives, not least in the consideration of significance (discussed further below, and in Chapter 3).

### ***2.6.2 The Theoretical Orientation of the Current Planning System***

The second research question addressed the theoretical orientation of the current planning system, and its relevance to practice. There is no consensus on the theoretical orientation of current planning practice, but some acceptance of pragmatism as a reasonable orientation. This is suited both to the issues raised in practice, and to the overall orientation of the planning system as a means of finding solutions to real issues.

### ***2.6.3 The Operation of Decision-Making Within the Planning System***

The third research question asked how decision-making operates within the planning system, and what were the implications of its operation for the way in which decisions are made on significance. The decision-making process within



the development control component of the planning system remains technocratic in its orientation, both procedurally and philosophically, and this creates some difficulties in the determination of significance, for which there is not necessarily a rational answer, nor a wholly rational process for its determination. This is a result of the introduction of an inherently subjective policy into a system still largely operating on the basis of quantified data. A pragmatist approach appears to provide the greatest philosophical and practical opportunities for reconciling these difficulties.

### ***2.6.4 The Conceptualisation of Decision-Making Practice***

The fourth research question explored the way in which current decision-making practice might be conceptualised, in a way relevant to the focus of this research. This chapter has proposed a number of conceptualisations of various aspects of the decision-making process. Understanding the determination of significance as a ‘decision within a decision’ is key to these, as it both defines and isolates the particular problem in the decision-making process in respect of significance, thereby confirming the focus of this research on the ways in which significance is currently defined, and might better be defined.

This chapter has explored the ways in which the concept of significance challenges the operation of the wider planning system. The background to significance is discussed in more detail in the next chapter, as well as ways in which it might be more readily implemented within the planning system. Chapter 3 addresses the way in which it might be determined: where this chapter has concentrated on ‘why’, ‘when’ and ‘by whom’ significance is determined, the next chapter focuses more on ‘how’ is it determined, and

## **2 Planning Theory and Practice**

---

suggests a method for this very specific stage in the wider decision-making process outlined in Fig. 9.

Chapter 4 will then explore the way in which the particular significance of parks and gardens might be defined, before Chapter 5 brings these strands together to assess the effectiveness of the planning system in sustaining that significance. The various elements of the framework for analysis developed in these chapters will then be brought together in the exploration of practice in the case studies, as discussed in Chapters 7, 8 and 9.

### CHAPTER 3: THE CONCEPT OF SIGNIFICANCE

[G. K. Chesterton] said that tradition was the truly democratic thing to do because one did not limit the suffrage to those alive at any particular time.

*Mr. David Price (Eastleigh), Hansard, Parl. Debs. (series 5):  
HC Deb 03 December 1979 vol. 975 c. 114*

#### 3.1 Introduction

The last chapter addressed the operation of conservation practice within the planning system. This chapter explores the meaning and implications of significance and interests for general conservation policy and practice in England, thereby providing a context for the more detailed exploration of these issues in relation to historic parks and gardens in the following chapter.

Conservation is both a formal protective regime and ‘a reflection of deeper cultural attitudes to the past’ (Hobson, 2004, p. 3). Current conservation philosophy and practice are underpinned by concepts of significance and interest, both in England and internationally, reflecting the general shift from a positivist to a relativist philosophical stance in conservation, discussed in Chapter 2. The concepts are not universally defined, but reflect an increasingly pluralist interpretation of what is important within the historic environment, accompanied by a widening of the scope of protection. The absence of a universal definition, and the inherent subjectivity of the concepts, mean that there inevitably remains some inconsistency in their implementation, and a tension between their (interpretivist) philosophical basis and that of the (more positivist) planning system through which they are primarily delivered.

To understand the concepts of significance and interest, this chapter first presents an assessment of the historical development of the concepts in

### 3 The Concept of Significance

---

conservation philosophy, international charters, and domestic policy. This assessment is achieved through a review of the existing literature (both general texts on conservation philosophy and practice, and publications dealing specifically with the concepts), and through a thorough assessment of the coverage of the issues in charters and policy documents (as listed in Appendix V). This analysis of inter-related strands is structured by the adoption of Bell's (1997) 'why, what, how?' analytical framework. The specific interplay of interests in English conservation is explored in more detail (primarily drawing on analysis of policy and practice documentation), then, based on the preceding literature and analysis, a method for the determination of significance is developed, and an initial typology of interests proposed as a basis for identifying and understanding significance.

The specific research questions being addressed in this chapter are:

- 1) What is meant by the concept of significance, and how has it evolved?
- 2) What does the concept mean for conservation practice?
- 3) How might significance be conceptualised for and reconciled with English conservation practice?

#### 3.2 Definitions

In attempting to answer the first research question for this chapter, namely, what is meant by the concept of significance, it is necessary to explore issues of definition.

### 3 The Concept of Significance

---

#### 3.2.1 Heritage Significance

The term ‘significance’ is used in a number of the documents discussed in this chapter, but only defined in some. Within a historic conservation context, it first appeared explicitly in the US 1935 *Historic Sites Act* (Tainter and Lucas, 1983), and, internationally, in the *Recommendation Concerning the Safeguarding of Beauty and Character of Landscapes and Sites* (UNESCO, 1962), but it was first given a dedicated meaning in the 1979 *Burra Charter*, where, with the qualification of ‘cultural’, it was defined as ‘aesthetic, historic, scientific or social value for past, present or future generations’ (Australia ICOMOS, 1979, n. pag.). By the time the 1999 revisions to the *Burra Charter* were adopted, this definition had been extended:

*Cultural significance means aesthetic, historic, scientific, social or spiritual value for past, present or future generations. Cultural significance is embodied in the place itself, its fabric, setting, use, associations, meanings, records, related places and related objects. Places may have a range of values for different [people].*

Australia ICOMOS, 2000, p. 2

Within English conservation policy and practice, significance was first articulated in the 1997 English Heritage discussion paper *Sustaining the Historic Environment*. Linking conservation directly to sustainability, and drawing heavily on wider environmental practice and terminology, the paper acknowledged that ‘heritage owes its present value and significance to people’s perceptions and opinions, or in other words to their personal beliefs and values’ (English Heritage, 1997, p. 1), and identified a range of principal heritage values (discussed further in Section 3.2.2). The National Trust (n.d.) also formulated conservation policy centred on significance, which recognised

### 3 The Concept of Significance

---

the ‘cultural and natural, tangible and intangible’ importance of its properties (n. pag.).

Significance was fully articulated in English Heritage’s *Conservation Principles*, in which significance was defined as ‘[t]he sum of the cultural and natural heritage values of a place, often set out in a statement of significance’ (2008b, p. 72). This document was intended primarily as a means of ensuring consistency within English Heritage practice, in a climate of heritage protection reform (Bee, 2008). The concept of significance was subsequently given greater prominence in a new statement of national planning policy published in 2010, *Planning Policy Statement 5: Planning for the Historic Environment* (PPS5), albeit with a slightly amended definition as ‘[t]he value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic’ (DCLG, 2010a, p. 14). This definition was carried forward into current national planning policy, as set out in the NPPF (DCLG, 2012), and is the definition used in this research.

#### **3.2.2 Interests and Values**

Whilst there is a strong similarity of intent in the two definitions of significance, it is also apparent that there are some differences in the specific terminology used, notably in the distinction between English Heritage’s use of the term ‘values’ in the *Conservation Principles* document and in English Heritage practice, and the Government’s use of the term ‘interests’ (and specifically ‘heritage interest’) in PPS5 and later the NPPF, and in planning practice.

### 3 The Concept of Significance

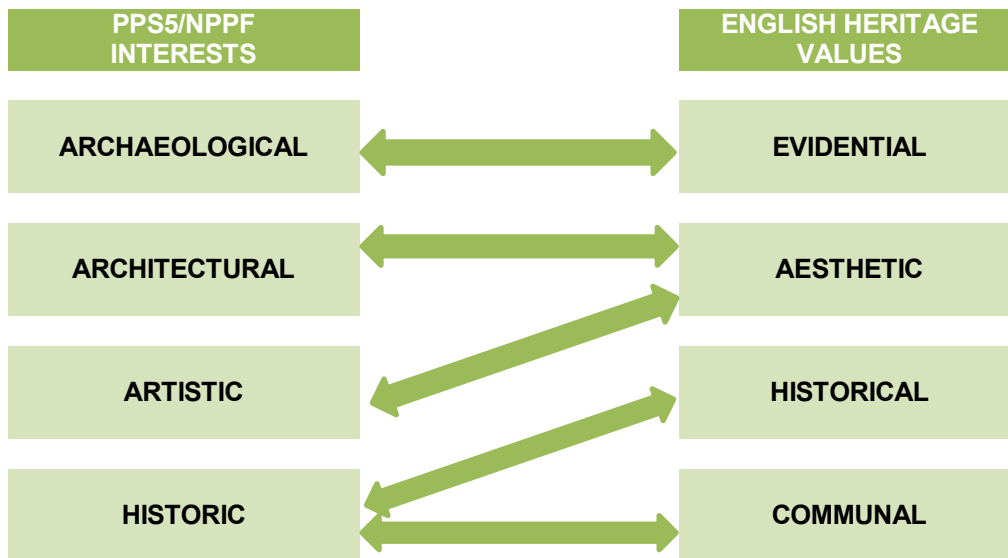
---

Whilst PPS5 did not define ‘interest’, value was defined in *Conservation Principles* as ‘[a]n aspect of worth or importance, here attached by people to qualities of places’ (English Heritage, 2008b, p. 72), with ‘heritage values’ defined as ‘represent[ing] a public interest in places’ (*ibid.*, p. 19). These definitions are endorsed by the Getty Conservation Institute definition of values as ‘a set of positive characteristics or qualities perceived in cultural objects or sites by certain individuals or groups’ (de la Torre and Mason, 2002, p. 4).

Interests and values are in fact regarded as synonyms by English Heritage (Bee, 2010). Whilst the use of both terms in practice is potentially unhelpful (something which will be explored further in relation to the case studies in Chapters 7-9), both may be understood as reflecting aspects of their respective definitions in the *Oxford English Dictionary*, i.e. both relate to a quality of relative importance (Oxford University Press, 2012): this is the definition used in this research. As the ‘planning’ term, ‘interest’ will generally be used in preference to ‘value’ when referring to the qualities to be protected, due to the fact that significance is delivered through the planning system, and that government policy has greater weight within the planning system.

The specific constituent interests or values identified in PPS5 and *Conservation Principles* also differ (they are listed in Appendix VI, along with their definitions). They also demonstrate a considerable degree of overlap, however, and may be easily reconciled, as shown in Fig. 11. For instance, archaeological interest and evidential value both relate to the potential of a place to yield evidence about past human activity.

### 3 The Concept of Significance



*Fig. 11: Reconciliation of 'Interests' and 'Values'*

Source: DCLG, 2012, p. 50; DCLG, 2010a, pp. 13-14; English Heritage, 2008b, p. 72

This reconciliation forms the basis for an initial shared typology of specific interests for use in this research (Table 13), informed by both the English Heritage and Government approaches to the definition of significance set out in more detail in Appendix VI. This typology will be developed further in Section 3.5, after a review of the relevant literature to identify the particular interests most appropriate to English conservation.

INTEREST	DEFINITION
<b>ARCHAEOLOGICAL</b>	An interest in the potential of a place to yield evidence about past human activity (the substance and evolution of places, and of the people and cultures that made them) through future investigation.
<b>AESTHETIC</b>	Interest deriving from design of a place and the ways in which people draw sensory and intellectual stimulation from it. Subsets include 'architectural' and 'artistic' interest.
<b>HISTORIC</b>	An interest deriving from the way in which past lives, events and aspects of life can be connected through a place to the present, through illustration or association.
<b>COMMUNITY</b>	Stems from heritage assets with historic interest. Emotional meaning of a place for the people who relate to it, derived from their collective experience or memory of a place; can symbolise wider values such as faith and cultural identity.

*Table 13: Reconciled Typology of Interests*

Source: DCLG, 2012, p. 50; DCLG, 2010a, pp. 13-14; English Heritage, 2008b, p. 72



### 3 The Concept of Significance

---

#### 3.2.3 Environmental Significance

It is worth noting that the term ‘significance’ appears in another capacity within the planning system, although, again, it is both a key concept and undefined (Wood, 2008). To ensure that environmental impacts are considered appropriately within planning activity, the *Town and Country Planning (Environmental Impact Assessment) Regulations 2011* require the preparation of environmental statements for some forms of development proposal, including those ‘likely to have significant effects on the environment by virtue of factors such as [their] nature, size or location’ (Regulation 2). In this respect, the context within which significance is used is very different, being a measure of impact rather than an inherent or attributed quality, as in the heritage use.

The determination of what constitutes a significant impact demonstrates some interesting parallels with, and links to, the heritage context, however. Firstly, in that determining impact involves a degree of subjectivity, including (in some of the prevailing methodologies) the incorporation of the views of a wide range of stakeholders (Glasson, Therivel and Chadwick, 2012). Secondly, in that there is a need to consider the impact on the historic environment,<sup>7</sup> thereby introducing the possibility of an assessment of a significant impact on significance.

Differences and potential for confusion aside, the closest parallel between the two terms is that both are used as part of a specific quasi-rational evaluation of

---

<sup>7</sup> Schedule 4 of the 2011 *Regulations* requires that environmental statements must include a ‘description of the aspects of the environment likely to be significantly affected by the development, including, in particular ... material assets, including the architectural and archaeological heritage’.

### 3 The Concept of Significance

---

a particular aspect of a planning proposal, the output of which is then considered alongside other factors in a wider planning decision.

#### 3.3 The Development of Significance

The explicit articulation of the interests embodied in heritage assets is now an integral part of much conservation practice worldwide, but conservation has always been informed by assessments of value, often implicitly (Bell, 1997). Changing societal values have resulted in changing conservation principles, and it is necessary briefly to chart their development if the remainder of this chapter's first research question is to be addressed, i.e. how the concept of significance has evolved. The analysis of their evolution also starts to address the second question, relating to what the nature and implication of the concept means for current conservation practice:

*Crucial questions of 'what to conserve' and 'how to conserve' are directly related to the values of conservation and there is a real need to identify them before taking any action.*

Basarir, 2008, p. 328

This is particularly important when the survival of 'residual values' from earlier conservation paradigms is taken into account: new values reinterpret rather than replace the existing, and the result is a wider palette from which to draw; furthermore, these values will have 'percolated differentially across the breadth of the conservation system', and will be interpreted in a range of different contexts by a variety of participants in the process of conservation (Hobson, 2004, pp. 5-6, and 27): the resulting value-laden context is therefore complex.

### 3 The Concept of Significance

---

#### 3.3.1 *Why Conserve?*

##### *The Early Conservation Movement*

The development of the conservation movement from its origins in eighteenth century antiquarianism has been well chronicled elsewhere (notable examples include Jokilehto, 1999; Bell, 1997; and Hunter, 1996), and is only summarised here, with particular reference to the emergence of interests.

The antiquarian interest in monuments as records of the past and a contribution to beauty (i.e. historic, archaeological, and artistic interest) became more widespread in response to the rise of Romanticism (Hunter, 1996), and to an emerging concept of ‘historicity’, or ‘historical consciousness’, itself associated with the decline of a universal ideal, and an increasing ‘relativity of values’ (Jokilehto, 1999, p. 303).

This ‘relativity of values’ was apparent within the emerging conservation movement. Ruskin, and later Morris, prioritised authenticity, the ‘spirit which is given only by the hand and eye of the workman’, and the ‘sweetness in the gentle lines which rain and sun had wrought’ (Ruskin, 1880, p. 195). Whilst Morris’s manifesto for the Society for the Protection of Ancient Buildings (SPAB, 1877) came to inform much of English and international conservation philosophy, early English legislation such as the 1882 *Ancient Monuments Protection Act* recognised only the ‘abstract and indirect academic advantage to society’, with a marked emphasis on historic, archaeological and artistic values (Bell, 1997, pp. 7-8). The monuments protected were those which were ‘especially precious’ when assessed against these values, and which thereby warranted protection by the state (Hunter, 1996).

### 3 The Concept of Significance

---

By 1903, Riegl was able to categorise the varying interpretations of the importance of history which had emerged in the previous century (Younés, 2008, p. 27), distinguishing between memorial and present-day values, and also to outline the practical implications of adopting different values (Araoz, 2011). In articulating for the first time the potential for conflict between values, and the consequences of this for conservation choices, he argued for the need to ‘find the right balance’ (Jokilehto, 1999, 216). Assessments of value retain this importance in current practice, influencing as they do decisions on whether, and to what degree, ‘the quality that makes a site of value to society’ is conserved (Bell, 1997, p. 6).

#### *International Charters*

By the 1930s, there was sufficient consensus within the conservation field to enable the ‘codification of the unified belief system of heritage conservation’ (Wells, 2007, p. 1), in the form of the first international conservation charter, the 1931 *Athens Charter* (ICOMOS, 1931).

As embodiments of prevailing beliefs, ‘[c]harters, [c]onventions and [r]ecommendations’ (Bell, 1997, p. 1) – the term ‘charter’ is generally used hereafter to refer to all such statements of international policy and practice – provide a useful distillation of evolving conservation philosophy and standards for the purposes of research (De Marco, 2009; Worthing and Bond, 2008); a list of relevant conservation charters is provided at Appendix V. They are not without flaws, however, including inter- and intra-charter inconsistency and sometimes contradictions, and a lack of clarity (*ibid.*). Definitions and recommended practices vary, therefore, and the range of bodies developing

### 3 The Concept of Significance

---

charters, and the relative status of these international statements, means that the most up-to-date position may not be that which has the greatest weight and geographical influence.

The issue of status is itself complex. What the various international statements have in common is their role as ‘the basis of current international conservation philosophy [and] the established code of acceptable practice’ (Bell, 1997, p. 5). They are however produced by organisations with very different profiles and responsibilities: the three ‘foremost producers of conservation guidelines’ are the Council of Europe and UNESCO, which operate primarily at the member state level, and ICOMOS, which operates primarily at the professional level (*ibid.*, p. 4). The nature of the originating body does not itself wholly determine the weight of the international document which is produced, though. By way of illustration, UNESCO produces ‘conventions’, which ‘define rules with which the States undertake to comply’, ‘recommendations’, which ‘Member States are invited to apply’, and ‘declarations’, which are binding on member states by custom (UNESCO, 2012c).

Whilst terminology is not entirely consistent between the various bodies, charters (generally produced by ICOMOS and other specialist bodies) have a lower formal status, but a widespread application, not least in informing the practice of conservation (Bell, 1997) and influencing subsequent conventions (Mynors, 2006). The conventions themselves may be regarded as international treaties, but even these ‘are not law and have no direct force in planning or other consent decisions’ (English Heritage, 2014e). Instead, international

### 3 The Concept of Significance

---

conservation statements inform the development, interpretation and implementation of national policy and legislation (English Heritage, 2014e; Mynors, 2006), and may be regarded as ‘leading in the ethical and practical field and giving an expert counterpoint to national legislation’ (Bell, 1997, p. 5).

Both De Marco and Wells also identify a lack of philosophical exploration and evolution in (and as a result of) these normative documents which seek unity and the imposition of a specific discourse, but, nevertheless, charters provide an international conservation narrative with a degree of consensus. The remainder of this section explores the development of the concepts of value and significance in national and international charters, drawing on an analysis of the charters themselves and a review of the relevant literature. The initial emergence of key concepts and terms is mapped in Table 14; overall, the general trend identified is one of increasing plurality, in the range of values being considered, the stakeholders involved in that consideration, and the broadening understanding of what constitutes heritage.

After the *Athens* and *Venice Charters*, both of which sought to ‘imbue the materiality of the object with truth as an absolute’ (Wells, 2007, p. 1), the *Burra Charter* (Australia ICOMOS, 1979) effectively introduced a new conservation paradigm (Araoz, 2011), a ‘heritage’ rather than ‘preservation’ paradigm, in which ‘the variety of heritage users and their requirements’ was also acknowledged (Hobson, 2004, p. 53) through the development of the concept of ‘cultural significance’. As shown in Table 14, this phrase was first used in the *Venice Charter* (ICOMOS, 1964), but first given meaning and

### 3 The Concept of Significance

application in the Australian *Burra Charter*, through the incorporation of social (and later spiritual) value (Australia ICOMOS, 1979; 2000).

CHARTERS (TITLES ABBREVIATED)	DATE	VALUE/ INTEREST/ CHARACTER									SIGNIFICANCE	CULTURAL SIGNIFICANCE	INTEGRITY	AUTHENTICITY
		HISTORIC	ARTISTIC	SCIENTIFIC	ARCHAEOLOGICAL	ARCHITECTURAL	CULTURAL	AESTHETIC	SOCIAL	OTHERS				
ATHENS CHARTER	1931	✓	✓	✓	-	-	-	-	-	-	-	-	-	-
HAGUE CONVENTION	1954	✓	✓	-	-	-	-	-	-	-	-	-	-	-
ARCHAEOLOGICAL EXCAVATIONS	1956	✓	✓	-	✓	✓	-	-	-	-	-	-	-	-
LANDSCAPES AND SITES	1962	-	-	-	-	-	✓	✓	-	-	✓	-	-	-
EXPORT/ IMPORT OF CULTURAL PROPERTY	1964	✓	✓	-	✓	-	-	-	-	-	-	-	-	-
VENICE CHARTER	1964	✓	-	-	✓	-	-	✓	-	-	-	✓	✓	✓
NORMS OF QUITO	1967	✓	✓	-	✓	-	-	-	-	✓	✓	-	-	-
CULTURAL PROPERTY	1968	✓	✓	✓	-	✓	✓	-	-	-	✓	-	-	-
ARCHAEOLOGICAL HERITAGE	1969	✓	-	✓	✓	-	✓	-	-	-	✓	-	-	-
IMPORT/ EXPORT OF CULTURAL PROPERTY	1970	✓	✓	✓	-	-	✓	-	-	✓	-	-	-	-
WORLD CULTURAL/ NATURAL HERITAGE	1972	✓	✓	✓	-	-	-	✓	-	✓	✓	-	-	-
NATIONAL CULTURAL/ NATURAL HERITAGE	1972	✓	✓	✓	✓	-	✓	✓	-	✓	-	-	-	-
CONTEMPORARY ARCHITECTURE	1972	✓	✓	-	-	-	-	-	-	-	✓	-	-	✓
SMALLER HISTORIC TOWNS	1975	-	-	-	-	-	-	-	-	✓	-	-	-	-
DECLARATION OF AMSTERDAM	1975	✓	-	-	-	✓	✓	-	-	✓	✓	-	-	-
CULTURAL HERITAGE	1975	-	-	-	-	-	✓	-	-	✓	-	-	-	-
EXCHANGE OF CULTURAL PROPERTY	1976	✓	✓	✓	-	-	-	-	-	✓	-	✓	-	-
ROLE OF HISTORIC AREAS	1976	✓	-	-	✓	✓	✓	✓	-	✓	✓	-	✓	✓
MOVABLE CULTURAL PROPERTY	1978	✓	✓	✓	✓	-	-	-	-	✓	✓	-	-	-
BURRA CHARTER	1979	✓	-	✓	-	-	-	✓	✓	-	-	✓	-	-

Table 14: Key References in Conservation Charters (Pre-Burra)

Source: As listed in Appendix V

### 3 The Concept of Significance

---

The *Burra Charter* represents a rare reopening of the philosophical debate underpinning conservation (De Marco, 2009), and a shift from the positivist and ‘univocal’ stance of the early charters to a relativist stance in which cultural contexts are considered, and differences in value within and between cultures acknowledged in considering both what to conserve and how to conserve it (Wells, 2007, p. 10). Zancheti *et al.* (2009) note, however, that positivism is still apparent in the Charter’s perpetuation of a belief in significance being ‘embodied in the place itself’, albeit alongside embodiment in ‘associations, meanings, [and] records’ (Australia ICOMOS, 2000, p. 2); it is also apparent in the statement that ‘[d]emolition of significant fabric of a place is generally not acceptable’ (*ibid.*, p. 6).

#### *The Challenge of Significance*

The introduction of the concept of significance, and the relativism associated with it, also introduced a considerable challenge to conservation theory and practice regarding the status of the material. The first dimension to this challenge is the issue of whether interests can ever be intrinsic to the object, as the conservation profession has traditionally assumed (Gibson and Pendlebury, 2009; Wells, 2007), and which Smith identifies as a key tenet of the ‘Authorised Heritage Discourse’ (2009, p. 35). This assumption is illustrated by the *Venice Charter*, which refers to the aim of restoration as being ‘to preserve and reveal the aesthetic and historic value of the monument’ (ICOMOS, 1964, Article 9). Given the meaning of the terms used (as discussed in Section 3.2.2), it must be clear that values or interests cannot be intrinsic, and must be constructed: they are perceived, and given relative



### 3 The Concept of Significance

---

importance, by external observers. But (in relation to material heritage at least: intangible heritage raises different challenges) they must have *some* relevance to the material: without the object, there is no focus for the interests being considered.

Araoz states that ‘heritage professionals have never really protected or preserved values; the task has always been protecting and preserving the material vessels where values have been determined to reside’ (2011, p. 59); the link between values and the material may be better understood as being *embodied*, rather than residing. This approach is well articulated by Gibson and Pendlebury:

*... value is not an intrinsic quality but rather the fabric, object or environment is the bearer of an externally imposed culturally and historically specific meaning, that attracts a value status depending on the dominant frameworks of value of the time and place.*

2009, p. 1 (emphasis in original)

Hunter suggests that acceptance of changing values means that assets ‘will need to continue to be altered or refined in a compromise with shifting public opinion’ (1996, p. 16). This acknowledgement of the mutability of significance (which is ‘multiple and diverse in time and space ... determined in a continuous interactive movement’ (Zancheti *et al.*, 2009, p. 50)), and values (‘a vaguely shared set of intangible concepts that simply emerge from and exist in the ether of the communal public consciousness’ (Araoz, 2011, p. 58)), leads ineluctably to the conclusion that conservation actions taken in the light of a current significance might deny the ability of future generations adequately to define their own significance. There is therefore a tension in the recognition of conservation’s multivalent nature between the entitlement of

### 3 The Concept of Significance

---

current and future generations, as, if features which do not support current values (which may relate more to the intangible) but may have meaning for future generations are lost, those future generations will only be able to ‘study those sites that we appreciate as important’ (Tainter and Lucas, 1983, p. 716). It is important to ‘avoid pre-empting their options’ (English Heritage, 1997, pp. 6-7) by removing the source material for their assessments, not least as ‘the present moment of a site ... is an infinitesimally small part of its existence’ (Hunt, 2004, p. 219).

This tension may be resolved by the adoption of something akin to the ‘precautionary principle’ from environmental conservation, in this case the retention of some of the emphasis on the material from ‘traditional’ historic conservation. This form of compromise is in fact reflected in the *Burra Charter*’s recognition that value *may* rest in the material: Article 3 requires that ‘[c]hanges to a place should not distort the physical or other evidence it provides’, and seeks to balance a ‘respect for the existing fabric, use, associations and meanings’ (Australia ICOMOS, 2000, p. 3). English Heritage is more emphatic in its statement that ‘[e]vidential value, historical values and some aesthetic values ... are dependent upon a place retaining (to varying degrees) the actual fabric that has been handed down from the past’ (2008b, p. 45).

Work by the Getty Conservation Institute also acknowledges the need to marry an articulation of significance to physical assets (Mason, 2002), not least to ensure that the impact of subsequent conservation actions on those values can be assessed. Whilst not all interests associated with a site will necessarily have

### 3 The Concept of Significance

---

a physical expression, all the tangible components of a site are likely to have one or more interests associated with them. The result should be ‘a clear delineation of how each of the values identified for the site is expressed, embodied, or otherwise represented in the materials of the site’ (*ibid.*, p. 24). Bell articulates a pragmatic balance between material and value, noting that the focus of conservation is not the maintenance of the material per se, ‘though maintenance is an essential part of the process’; instead, the ‘aim should be to protect the “cultural significance” by maintaining the fabric, to find a way of conserving the physical form which does the least damage to its qualities under protection’ (1997, p. 27; emphasis in original). Overall, this approach ensures that ‘sufficient’ historic material is left intact for future generations to appreciate and study, and the temporal dimension to plurality in conservation recognised. This is the approach reflected in English policy and legislation (Pendlebury, 2009; Turnpenny, 2004), and is broadly the approach to significance adopted within this research.

The second dimension to the challenge posed by the relativistic concept of significance relates to the issue of who should be defining it. Regarding significance as a ‘cultural construction’ (Wells, 2007, p. 10), shared by both communities and professionals, has the potential to enable a greater legitimacy and social relevance in conservation decisions (Hobson, 2004). It could also ‘plunge heritage management into a relativistic morass, where all values are individual rather than collective and any possibility of a shared narrative illusory’ (Gibson and Pendlebury, 2009 p. 10), not least because:

*A specific stakeholder group may change the values attributed to a place as its needs evolve.... Likewise, one generation may*

### 3 The Concept of Significance

---

*attribute values to a place that are different from previous generations. Adding to this complexity is the fact that different stakeholder groups may attribute entirely different sets of values to the same place simultaneously, and those values may be in direct conflict to each other.*

Araoz, 2011, p. 58

Nevertheless, such an approach is now endorsed by the *Granada Convention*, and by the *Faro Convention* (not yet ratified by the United Kingdom). Article 14 of the *Granada Convention* requires the establishment of ‘appropriate machinery’ for involving the public in decision-making (Council of Europe, 1985), whilst the *Faro Convention* requires that ‘everyone’ be encouraged to ‘participate in the process of identification, study, interpretation, protection, conservation and presentation of the cultural heritage’, and that ‘the value attached by each heritage community to the cultural heritage with which it identifies’ is taken into consideration (Council of Europe, 2005, Article 12). The approach is also recognised within the *European Landscape Convention* (ratified by the UK in 2006), as for instance, in Article 5, which requires the establishment of ‘procedures for the participation of the general public ... and other parties with an interest in the definition and implementation’ of landscape protection policies (Council of Europe, 2000). Flyvbjerg sees this emphasis on ‘more participation, more transparency, and more civic reciprocity in public decision making’ as supporting democracy, making the cultural construction of significance both an expression of democracy and a means of enhancing it (1998, p. 235). Certainly the process of constructing significance can lead to the thoughtful articulation of a ‘refined preference’ by community participants (Blaug, Horner and Lekhi, 2006, p. 23), and improve planners’ understanding of what is important to communities (Hubbard, 1993).

### 3 The Concept of Significance

---

What is the role of the professional in this new approach to understanding the heritage? Howard (2009) identifies an ongoing need for the conservation specialist within the wider move towards community participation, and both the *Burra Charter* and work by the Getty Conservation Institute on values and heritage conservation have emphasised the importance of appropriate expert-led processes in applying the concept of significance to conservation. The construction of significance requires the weighing of evidence (itself gathered appropriately) by an appropriate professional, and that is the approach adopted in this research. Involving the community in the identification of values may result in a ‘change in the perceived authority of the heritage expert’ (Mackay and Johnston, 2010, p. 56) – particularly when experts facilitate rather than dominate assessments – but the professional is still an integral part of the process, and makes the ultimate assessment of significance.

The role of the professional is therefore perpetuated in the determination of both significance and actions in response to that determination. The authority for decisions must be vested in someone, and that someone will ideally be as well-informed as possible, both technically, and in the consultation and engagement practices of the discipline; the alternative is ‘a descent into relativism and the loss of any basis for qualitative judgement’ (Punter, 1994, p. 42). In light of this, it is important to ensure that the techniques for obtaining stakeholder views are as inclusive and accessible as possible, so that professional views are suitably balanced, or complemented, with a wider range of perceptions.

### 3 The Concept of Significance

---

The professional is not a neutral participant, however, as discussed in Chapter 2. It is therefore important to ensure that the determination of significance is also a transparent process (Mason, 2002; Pendlebury, 2009), so that the approach to determination can be understood, and challenged if necessary. The statements of significance advocated by the *Burra Charter*, Mason and (to a lesser degree) English conservation planning policy support this inasmuch as they require the statement to be supported by reasoning and evidence, enabling an observer to understand the way in which judgements were made, but Zancheti *et al.* (2009) also propose the inclusion of feedback opportunities within the process of determining significance, for the purposes of validation, as well as the reporting of both validated and non-validated values within the statement itself. The model proposed in Section 3.3.3 makes provision for this feedback, and also promotes transparency by promoting the adoption of a ‘consistent, rigorous process ... crucial to reaching publicly-justifiable decisions’ (English Heritage, 2008b, pp. 44).

It is in the definition and implementation of these processes, emphasising plurality and participation, that the roles of community and professional may be reconciled (discussed further in Section 3.3.3). A professional-led approach – in line with a pragmatist orientation – need not mean that communities are marginalised.

It is important to note that in English local authority practice, the professional or expert in this process may be either a planning officer or a conservation officer. Hobson suggests that ‘minor’ conservation-related proposals ‘are dealt with almost exclusively by planning officers’ (2004, p. 253). Both work within

### 3 The Concept of Significance

---

the planning system, but, despite the RTPI's assertion that 'it is only reasonable to expect every competent town planner to have a sound knowledge of conservation principles', the planning officer may be assumed to have less conservation expertise than the conservation officer, and therefore be more in need of guidance (RTPI, 2000, p. 29).

#### *Sustainability*

Reconciliation between current and future needs may also be achieved through considering significance as closely aligned to sustainable development:

*The notion of sustainability accords with the principles underlying values-based conservation planning in that it adopts a holistic view of [cultural] resources ... and their contexts and aligns with the goal of taking account of the widest range of heritage values. It deals directly with the problem of making decisions in the present but for the very long term.... Sustainability has also proven to be politically resonant ... and practically useful....*

Mason, 2002, p. 26

This position is endorsed in English conservation: English Heritage notes that '[e]ach generation should ... shape and sustain the historic environment in ways that allow people to use, enjoy and benefit from it, without compromising the ability of future generations to do the same' (2008b, p. 19), and the NPPF requires the planning system to promote sustainable development. Thus 'sustainability holds great potential as a framing concept for the task of integrating heritage values' (Mason, 2002, p. 27), and balancing current perceptions of value with a longer-term vision of conservation, namely conserving what others might come to value. This is not conservation seeking to 'hide behind its traditional philosophical matters of faith' (Avrami, Mason and de la Torre, 2000, p. 6), but instead seeking to ensure that 'the heritage is

### 3 The Concept of Significance

---

meaningful to those whom it is intended to benefit' (*ibid.*, p. 7). The challenge is to:

*... [acknowledge] that culture is a fluid, changeable, evolving set of processes and values and not a static set of things [and] embrace the inherent flux but not lose sight of this immutable cross-generational responsibility.*

*Ibid.*, p. 10

#### *Stance Adopted in this Research*

Thus the approach to significance adopted in this research is to draw on the original rationale of conservation, and seek to protect that material with which value is associated, whilst acknowledging the wider construction of value, and the role of communities in that construction, and negotiating an appropriate balance. This stance is well articulated by Mason:

*Should material culture recognized as heritage be said to have some intrinsic value (unchanging and universal), or should heritage value be seen as radically and essentially extrinsic and constructed out of the various social contexts of the object, building, or site? The answer seems to lie somewhere in between: value is formed in the nexus between ideas and things.*

Mason, 2002, p. 8

It is also articulated in English policy, which regards material assets as embodying significance (and thereby enables their protection using existing conservation tools): '[s]ignificance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting' (DCLG, 2012, p. 31). This is not to suggest that change should be entirely prohibited, and preservation rather than conservation promoted; this would 'deny ... the continuing change which allows life to go on while reflecting our evolving culture, interests and fashions' (English Heritage, 1997, p. 7). Instead, change



### 3 The Concept of Significance

---

is to be managed within a full understanding of significance and sustainability, with the result that:

*[W]e can moderate the discussions of a broad set of stakeholders while setting in place a number of filters that will promote decisions ... that protect the heritage while making it relevant to society.*

de la Torre and Mason, 2002, p. 4

#### 3.3.2 What is to be Conserved?

In this section, various concepts and trends in conservation are explored, starting with two concepts which Bell describes as ‘the ethical backbone of conservation’ (1997, p. 27).

##### *Concepts*

The two key concepts guiding conservation practice are currently ‘authenticity’ (Fig. 12) and ‘integrity’. Both were first mentioned in the *Venice Charter* (Table 14), but best defined in the UNESCO *Operational Guidelines for the Implementation of the World Heritage Convention*: ‘properties may be understood to meet the conditions of authenticity if their cultural values ... [are] truthfully and credibly expressed through a variety of attributes’, whilst ‘integrity is a measure of the wholeness and intactness of the natural and/or cultural heritage and its attributes’ (UNESCO, 2012d, pp. 22-23).

### 3 The Concept of Significance

---



*"It is a truth universally acknowledged, that texting is easier without one's gloves"*

*Fig. 12: The Difficulties in Achieving Authenticity: Participants in the Jane Austen Festival Grand Regency Costumed Promenade, Parade Gardens, Bath (September, 2013)*

In both concepts, there remain significant elements of subjectivity, and it is therefore important that they are applied with the understanding that they too are negotiated rather than absolute – although Mason (2002) draws interesting parallels between authenticity and historic value as potentially intrinsic qualities. Certainly the understanding that authenticity is a ‘truthful’ expression of cultural value suggests a close and potentially circular relationship between authenticity and value, in which the values are in some way intrinsic in the asset in order to both be able to demonstrate authenticity and inform perceptions of value – within the parameters of a particular culture. Authenticity is indeed ‘not an easy concept’ (Bell, 1997, p. 28), and embodies some fundamental tensions between ‘materiality’ and relativity (Araoz, 2011, p. 57). It also raises particular challenges with reference to parks and gardens (Tomaszewski, 2004).

### 3 The Concept of Significance

---

#### *Trends*

Within a general broadening in the scope of what is regarded as heritage, two main trends are illustrated in national and international charters. The first relates to an increase in the types of asset addressed: after an initial focus on ‘historic monuments’ in the 1964 *Venice Charter*, greater specificity was sought, to enable the resolution of ‘conservation issues posed by particular typologies of heritage, which ... seemed to open fresh theoretical questions’ (De Marco, 2009, p. 15). A result of particular relevance to this research was the 1981 ICOMOS *Historic Gardens, or Florence, Charter*.

The second trend relates to a move from the physical to a non-physical form of heritage. This was manifested in the development of national charters which ‘take the individuality of their own cultural development as a starting point and the dominant quality to be protected’, such as the *Burra Charter* (1979 and subsequent incarnations), and the 1982 French-Canadian *Deschambault Declaration* (Bell, 1997, p. 15). It also appeared more explicitly in the 2003 UNESCO *Convention for the Safeguarding of the Intangible Cultural Heritage*, in which ‘intangible cultural heritage’ is defined as ‘the practices, representations, expressions, knowledge, skills – as well as the instruments, objects, artefacts and cultural spaces associated therewith – that communities... recognize as part of their cultural heritage’ (UNESCO, 2003, Article 2).

#### *Variations in Approach*

The scope of what is defined as the historic environment, and the reasons it is valued, have increased together since the *Venice Charter*, not least because of

### 3 The Concept of Significance

---

the direct involvement of communities in defining value and identifying significant heritage assets (Araoz, 2011, p. 57). No single charter has sought to standardise the various definitions in use worldwide (Ahmad, 2006), and, whilst this is consistent with the growing emphasis on cultural relativity, it increases the potential for discrepancy and confusion. It also increases the potential for differential levels of protection depending on the asset type being considered, the values it embodies or is associated with, the country in which it is located, and the charter or guidelines invoked:

*With [a] common language, it becomes possible to set a standard for the success of conservation work and to communicate its criteria simply, clearly, and with the least opportunity for misunderstanding.*

*Ibid.*, p. 23

An example of the potential for differential treatment is the provision for the protection of historic parks and gardens: whilst the definition of ‘sites’ as including ‘works of man or the combined works of nature and of man’ enables gardens to be identified as World Heritage Sites under the 1972 UNESCO *Convention Concerning the Protection of the World Cultural and Natural Heritage* (one of the English registered parks and gardens to be so inscribed is illustrated in Fig. 13). This is dependent on the garden being of ‘outstanding universal value from the historical, aesthetic, ethnological or anthropological points of view’ (UNESCO, 1972, Article 1). Under the aegis of the 1981 ICOMOS *Florence Charter*, a historic garden is ‘an architectural and horticultural composition of interest to the public from the historical or artistic point of view’ (ICOMOS, 1982, Article 1), but under the Australian *Burra Charter*, a historic garden may be a ‘place’ with ‘aesthetic, historic, scientific, social or spiritual value’ (Australia ICOMOS, 2000, p. 2).

### 3 The Concept of Significance

---



*Clockwise from top left: vista to Pagoda, Temperate House, Palm House interior, Palm House exterior (August, 2005)*

*Fig. 13: The Royal Botanic Gardens, Kew: World Heritage Site*

In accordance with the preamble to the *Venice Charter*, though, it remains appropriate for ‘each country [to apply generally agreed principles] within the framework of its own culture and traditions’ (ICOMOS, 1964): at the national level, therefore, an attempt can usefully be made to encourage consistent terminology, and Section 3.5 of this thesis will propose such an approach for England.

#### ***3.3.3 How is Conservation to be Achieved?***

This section addresses the way in which the conservation theory and philosophy outlined above is to be achieved in practice.

### 3 The Concept of Significance

---

#### *Guidance*

Given the profile of significance in current policy, there is little in the way of guidance regarding its application in practice. This is a notable omission, particularly given the disjunction between the subjectivity of significance as a concept and the more objective needs of planning practice which was discussed in Chapter 2. A degree of standardisation is required, to function as an analytical framework to facilitate research, as a guide to promote consistency and accessibility, and as a means of translating the intangible and socially constructed to something which the existing planning system can address.

The *Burra Charter*, and work by Bell, the Getty Conservation Institute and English Heritage, all make some attempt at outlining a suitable process for defining significance (in which key elements are the gathering of the necessary information, and consultation with the relevant stakeholders), and then for utilising that definition. Whilst common elements could be identified in this work, there was no single agreed approach. Given the importance of the concept of significance to conservation practice generally, and the current research more specifically, a single process was sought, in the interests of clarity, and also to enable robust definitions of significance to be attempted in relation to the case study sites. Not being reliant merely on the policy and practice espoused within the English planning system, such definitions would be more comprehensive, and have greater extrinsic validity, and would therefore be able to be used as a yardstick for the assessment of the degree to which the planning process has in fact protected significance in each case.

### 3 The Concept of Significance

---

A review of the literature, and of guidance in related fields, provided the basis for the model for the definition and application of significance in English conservation proposed and tested in this research (Fig. 14). The model represents a synthesis of procedures and techniques from available guidance on assessment, which varied in its original purpose, output, and scale of application. Some guidance was chosen for its direct relevance to significance, such as the 1999 *Burra Charter*, English Heritage's 2008 *Conservation Principles*, and Bell's synthesis of existing charter provisions (including those in the *Burra Charter*) to develop a useful diagram of the 'basic conservation activities' needed to support the production and application of statements of significance in conservation practice (1997, p. 34). Other source guidance related to the characterisation of particular assets (e.g. landscape character assessment), or to processes more specifically targeted at determining significance in the historic environment (e.g. historic area assessment). The resulting model provides a clearly structured but flexible process for both developing a robust and well-evidenced understanding of significance, and applying that understanding. It also supports the reconciliation of the subjective and objective within the planning process. In its accommodation of stakeholder input it is also intended to address Pendlebury's concerns that characterisation techniques are too 'reductive', and fail to reflect wider constructions of meaning (2009, p. 219). The full list of sources used to inform the development of the model is set out in Appendix VII.

### 3 The Concept of Significance

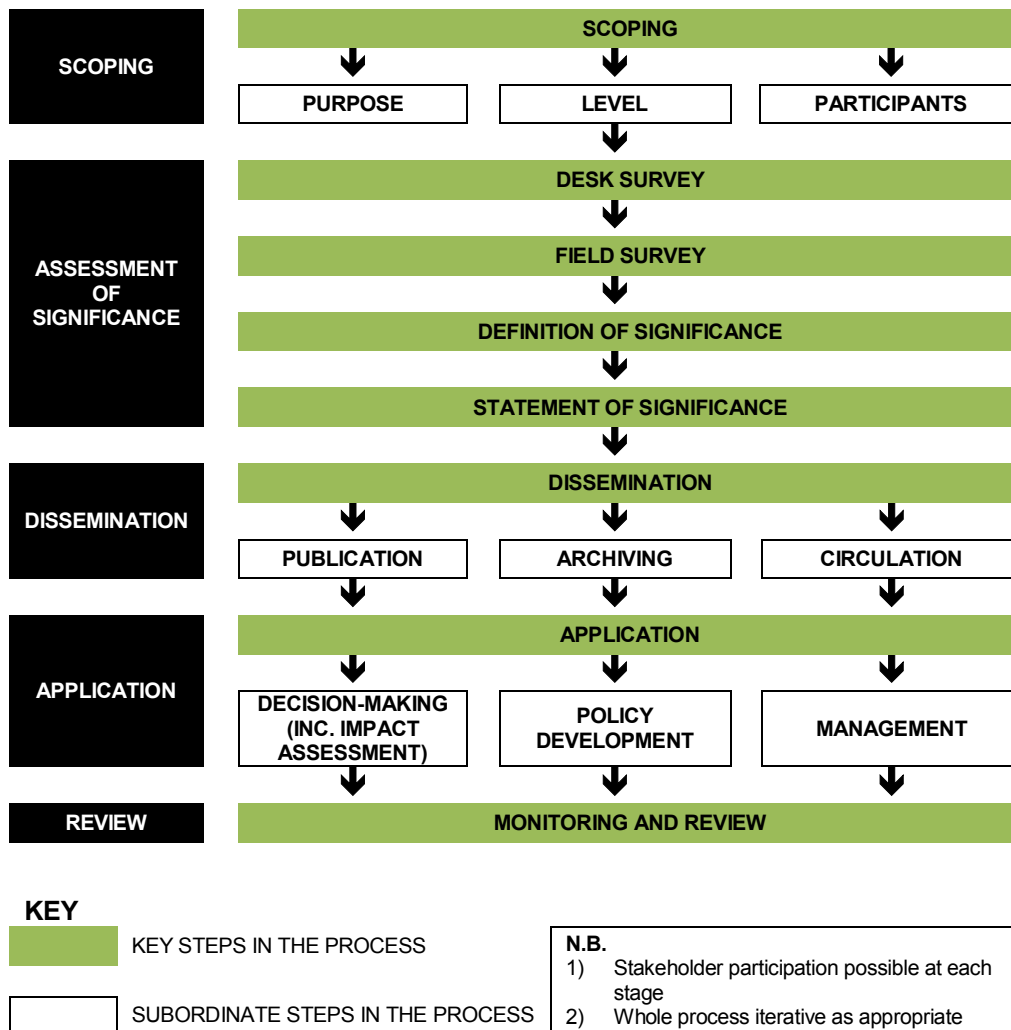


Fig. 14: Model for the Definition and Application of Significance

Source: As listed in Appendix VII

#### Reconciliation of Values

Little guidance is however available on the actual mechanisms to be applied in the definition of significance, which may require the reconciliation of a wide range of values. The *Burra Charter* merely advises that ‘[t]he validity of the judgements will depend upon the care with which the data is collected and the reasoning applied to it’ (Australia ICOMOS, 2000, p. 13), whilst Mason proposes an articulation of ‘the dimensions of significance and meaning ... in terms that will be understandable to all stakeholders’ (2002, p. 24). The



### 3 The Concept of Significance

---

development of this articulation is not prescribed, but Wells (2007, p. 12) suggests a process whereby ‘truth may be acquired as a kind of triangulation of interpretations’, which is at least an equitable – if unstructured – means of reconciling contested meanings.

As discussed in Section 3.3.1, the professional has a key role to play in this process. But the resulting definition of significance should not be regarded as fixed. Instead – and in line with pragmatist thinking – it should be regarded as appropriate for the time and place, but subject to future re-evaluation:

*... shifting coalitions [of temporary consensus] would provide the necessary basis for collective social action but their meaning would be limited in space and time, and they would be open to new voices and renegotiation.*

Harrison, 2002, p. 164

#### *The Assessment of Impact on Significance*

Within the ‘application’ stage of the model shown in Fig. 14, the assessment of impact upon identified significance is a key action, particularly within the process of decision-making in relation to a specific proposal. Again, there is no particular guidance on how this should be done, beyond the NPPF’s instruction that local planning authorities ‘should take [the assessment of significance] into account when considering the impact of a proposal on a heritage asset’ (DCLG, 2012, p. 30).

The perceived need for guidance is amply demonstrated by the fact that practitioners have co-opted a technique designed for application in the field of Environmental Impact Assessment (identified as a related but nonetheless different field in Section 3.2.3). More specifically, assessment of a number of

### 3 The Concept of Significance

---

planning applications for the case study selection (discussed further in Chapter 6) revealed considerable use of the technique espoused in the *Design Manual for Roads and Bridges* (The Highways Agency, 2007), relating to the environmental assessment of the cultural heritage, or customised variants thereof.<sup>8</sup> To enable the assessment of impact (strictly the significance of the impact, rather than the impact on significance), the technique defines five levels of landscape value, from ‘very high’ to ‘negligible’, and five levels of impact magnitude, from ‘major’ to ‘no change’. These scales are placed in a matrix, and the ‘significance of effects’ read off from this matrix, itself populated within a five-point scale from ‘very large’ to ‘neutral’. The significance of the effect is defined as ‘the extent to which the change to the historic landscape character matters’ (*ibid.*, p. A7/17), and the potential relevance of such an approach to the assessment of impact on a historic park or garden’s significance is apparent.

ICOMOS itself identified a need for a mechanism to assess the impact of proposals on the historic environment, albeit with reference to the outstanding universal value of world heritage sites. ICOMOS noted that there were ‘few examples of excellence for Heritage Impact Assessment (HIA)’, and that, ‘[w]here formal evaluations are undertaken, many of these make use of procedures for environmental impact assessment’ (ICOMOS, 2011, p. 1).

The method proposed by ICOMOS to address the issue may therefore be seen to adopt a very similar approach to that in the *Design Manual for Roads and*

---

<sup>8</sup> Volume 11, Section 3, Part 2 (HA 208/07) relates to the environmental assessment of the cultural heritage; Annex 7 of this guidance relates specifically to the historic landscape, and is intended for application to road proposals affecting historic parks and gardens. It is supplemented by further guidance in *Assessing the Effect of Road Schemes on Historic Landscape Character* (The Highways Agency *et al.*, 2007).

### 3 The Concept of Significance

*Bridges*; described as a ‘defendable system for assessing/evaluating impact’ (*ibid.*, p. 8), it is illustrated in Table 15. The magnitude of impact is assessed on a scale from ‘major’ to ‘no change’, and the value of the asset from ‘very high’ to ‘negligible’; the difference between the ICOMOS and Highways Agency versions lies primarily in the adoption of a nine-point scale for assessing the ‘significance of the effect of change – i.e. the overall impact’, which recognises that ‘change or impacts may be adverse or beneficial’, and therefore has ‘neutral’ as its midpoint (*ibid.*, p. 9). A further distinction between the two approaches is the inclusion of ‘example guides’ for assessing the value of heritage assets, and the magnitude of impact upon them; those for historic landscapes are included here at Appendix VIII. This approach to the assessment of impact on significance is applied in this research to the case studies discussed in Chapters 7-9.

VALUE OF HERITAGE ASSET	SCALE & SEVERITY OF CHANGE/IMPACT				
	NO CHANGE	NEGLIGIBLE CHANGE	MINOR CHANGE	MODERATE CHANGE	MAJOR CHANGE
VERY HIGH	NEUTRAL	SLIGHT	MODERATE/ LARGE	LARGE/ VERY LARGE	VERY LARGE
HIGH	NEUTRAL	SLIGHT	MODERATE/ SLIGHT	MODERATE/ LARGE	LARGE/ VERY LARGE
MEDIUM	NEUTRAL	NEUTRAL/ SLIGHT	SLIGHT	MODERATE	MODERATE/ LARGE
LOW	NEUTRAL	NEUTRAL/ SLIGHT	NEUTRAL/ SLIGHT	SLIGHT	SLIGHT/ MODERATE
NEGLIGIBLE	NEUTRAL	NEUTRAL	NEUTRAL/ SLIGHT	NEUTRAL/ SLIGHT	SLIGHT

*Table 15: ICOMOS Matrix for the Assessment of Impact on Significance*

Source: ICOMOS, 2011, p. 9-10

#### *The Application of the Definition of Significance*

Without application, significance is merely an ‘abstract quality’ (Velkov, 2008, p. 94). The *Burra Charter*, the Getty Conservation Institute work, and English Heritage’s *Conservation Principles* all acknowledge the wider context

### 3 The Concept of Significance

---

within which definitions of significance are applied, the *Burra Charter* recognising the need to reflect the ‘co-existence of cultural values’, which may be ‘broader than values associated with cultural significance’ alone (Australia ICOMOS, 2000, p. 5). Avrami, Mason and de la Torre note the importance of this wider context, and also the need for further work to understand its dimensions:

*Broadly, we lack any conceptual or theoretical overviews for [modelling] or mapping the interplay of economic, cultural, political, and other social contexts in which conservation is situated.*

2000, p. 10

Whilst this larger model is beyond the scope of this research, the present study is intended to contribute to this debate, by exploring the way in which conservation planning decisions are made in respect of historic parks and gardens (i.e. a focus on the ‘decision-making’ application shown within the model above), with particular reference to the way in which their significance is constructed, the influences on that construction process, and the way in which that significance is considered within the wider planning process.

#### *Conclusions*

Overall, it is difficult to be definitive in answering the research question relating to the meaning of the concept of significance for conservation practice: there is no shared stance on its definition or application. This is not to say that significance is necessarily contested as a high-level concept; it is perhaps more accurate to conceptualise current debates around significance as exploratory. Some common elements are apparent in this exploration, however: the necessity of community input to its definition in particular cases,

### 3 The Concept of Significance

---

an on-going role for the professional in that definition, the importance of evidence, the location of the debate within a wider context of sustainability, and the need for an agreed methodology for weighing interests and making decisions on significance. The model outlined above reflects these common elements, as does its application in subsequent chapters.

#### 3.4 Interests Within English Conservation

##### *3.4.1 Introduction*

The remainder of this chapter considers the application of significance in English conservation. In so doing, it seeks to address the third of the research questions posed at the outset, namely how significance might be conceptualised for – and reconciled with – English conservation practice, given that the wider interpretation of significance in the international conservation community does not wholly accord with current English policy and practice.

It is worth noting, with Araoz (2011), that the changing philosophical and practical context for conservation articulated in international charters is not necessarily supported by appropriate new mechanisms for its implementation. This is certainly true in England, where the decision-making tools available to both the practitioner and the community remain largely those which have been in force under different paradigms, and current conservation planning policy is limited in its adoption of prevailing norms. Nevertheless, some trace of emerging international conservation practice is apparent within the English conservation and planning systems, and this section explores its extent in respect of the definition and application of interests through an assessment of

### 3 The Concept of Significance

---

the various statements of policy in use in practice (the wider evolution and scope of conservation planning controls is considered in Chapters 4-5).

#### ***3.4.2 Planning Policy***

The incorporation of an interest-based approach in English planning has been gradual and uneven (Table 16). From 1994 to 2010, English planning policy for the historic environment was set out in *Planning Policy Guidance 15: Planning and the Historic Environment* (PPG15), followed by PPS5 in 2010, and the NPPF in 2012. Introduced two years after the publication of English Heritage's *Conservation Principles*, and clearly influenced by it, PPS5 was part of a wider agenda of heritage reform, and formally articulated the concepts of significance and interests in English conservation planning.<sup>9</sup> The content of PPS5 was broadly replicated, albeit in distilled form, in the NPPF, published in 2012 (this time within an agenda of *planning* reform).

Table 16 demonstrates that, even in the newer policy statements, international conservation practice was not wholly replicated in English policy, notably in relation to the constituent interests of significance. In identifying four specific interests as components of significance (strictly, as components of heritage interest, itself a contributor to the 'meta value' of significance), PPS5 (and later the NPPF) effectively created a typology for English conservation practice, but, in contrast with some of the other approaches outlined above, this typology appeared to be a closed set. This point was confirmed by a

---

<sup>9</sup> The heritage reform agenda included the *Draft Heritage Protection Bill* proposal to designate broad categories of 'heritage structure' and 'heritage open space' on the basis of their 'special historic, archaeological, architectural or artistic interest': had this been enacted, the interests defined for both designation and the management of change through planning policy would have been consistent (Great Britain. DCMS, 2008; s. 2(1); s. 3(1)).

### 3 The Concept of Significance

footnote which clarified the formal relationship between the PPS5 and English

Heritage typologies:

*The accompanying Practice Guide expands on how one can analyse the public's interest in heritage assets by sub-dividing it into aesthetic, evidential, historic and communal values. This is not policy, but a tool to aid analysis.*

DCLG, 2010a, p. 14

	PPG15	PPS5	NPPF
Significance	<ul style="list-style-type: none"> <li>No</li> <li>'We must ensure that the means are available to identify what is special in the historic environment'</li> </ul>	<ul style="list-style-type: none"> <li>Yes</li> <li>Information to be gathered to support the determination of significance, itself used to inform protection</li> </ul>	<ul style="list-style-type: none"> <li>Yes</li> <li>Reference to 'importance' rather than 'significance' in key policy</li> </ul>
Interests	<ul style="list-style-type: none"> <li>No</li> <li>Implicit influence of historic, archaeological, architectural and community interest</li> </ul>	<ul style="list-style-type: none"> <li>Yes</li> <li>Archaeological</li> <li>Architectural</li> <li>Artistic</li> <li>Historic</li> </ul>	<ul style="list-style-type: none"> <li>Yes</li> <li>PPS5 interests retained but three no longer defined</li> </ul>
Value Embodied in Physical Form	<ul style="list-style-type: none"> <li>Yes</li> <li>'The physical survivals of our past are to be valued and protected for their own sake'</li> </ul>	<ul style="list-style-type: none"> <li>Yes</li> <li>'[P]resumption in favour of the conservation of designated heritage assets.... Once lost, heritage assets cannot be replaced'</li> </ul>	<ul style="list-style-type: none"> <li>Yes</li> <li>'[G]reat weight should be given to the asset's conservation ... heritage assets are irreplaceable'</li> </ul>
Public Engagement	<ul style="list-style-type: none"> <li>Very limited</li> <li>Need for 'broad public support and understanding', supported by 'adequate processes of consultation and education'</li> </ul>	<ul style="list-style-type: none"> <li>Limited</li> <li>Reliance on statutory consultation mechanisms</li> <li>Provision for special community consultation on significance</li> </ul>	<ul style="list-style-type: none"> <li>Very limited</li> <li>Reliance on statutory consultation mechanisms</li> </ul>
Sustainable Development	<ul style="list-style-type: none"> <li>Acknowledged</li> <li>Has 'particular relevance to the preservation of the historic environment'</li> </ul>	<ul style="list-style-type: none"> <li>Central tenet</li> <li>'[T]he historic environment ... and ... assets should be conserved and enjoyed for ... future generations'</li> </ul>	<ul style="list-style-type: none"> <li>Primary tenet (presumption in favour)</li> </ul>

Table 16: Elements of International Practice in English Policy

Source: DCLG, 2012; DCLG, 2010a; DoE, 1994

### 3 The Concept of Significance

---

There was therefore a risk that the framing of the policy would create a constraint on subsequent practice, requiring stakeholder participation to conform to a range of predetermined definitions.

PPS5 did however introduce a qualitative and quantitative increase in the sensitivity of English policy to potentially significant assets. It applied the same interests to all designated heritage assets, whatever the basis for their initial designation (the subsequent potential for tension is discussed in Chapters 4-5), and the same broad policy (although reduced in scale and resulting in weaker protection) was applied to ‘any element of the historic environment’ (DCLG, 2010a, p. 6). PPS5 also introduced an increased acknowledgement of the need to involve the community in the definition of significance, since lost: public participation in English practice remains limited.

#### **3.4.3 Other Policy**

Some of the international practices missing from English conservation planning policy are however embodied in other sources of conservation guidance, and notably those produced by English Heritage. In procedural terms, some precede planning processes, and some occur within management processes.

Documents such as the *Principles of Selection for Listing Buildings* (DCMS, 2010) suggest an element of comparison between potentially similar places in making decisions on listing; the same document also confirms an abiding emphasis on historic interest in English conservation: ‘[t]he older a building is,



### 3 The Concept of Significance

---

and the fewer the surviving examples of its kind, the more likely it is to have special interest' (*ibid.*, p. 6).

The *National Heritage Protection Plan* (NHPP) was produced in a climate of public sector financial austerity, and seeks to coordinate conservation efforts by a range of stakeholders (English Heritage, 2011c). As such, it may do more to enable community participation in conservation than any formal policy or procedure; indeed, one of the stated expectations of the plan is the facilitation of 'greater engagement in the protection of [the] historic environment by local communities', and anticipated outcomes include '[s]hared public understanding of the significance of the historic environment', and '[g]reater active engagement in the historic environment by more people' (*ibid.*, pp. 3-4). In addition, the Plan's priorities have been informed by public participation, and, perhaps most importantly, an underlying assumption in all NHPP activities is 'local involvement':

*The implementation plans will establish how and where relevant local communities can be included in the assessment of values and significance so that we can balance the continuing need for expert assessment with local perceptions of values. There will be considerably more local involvement than has been the case in the past and it is expected to continue increasing over the Plan period.*

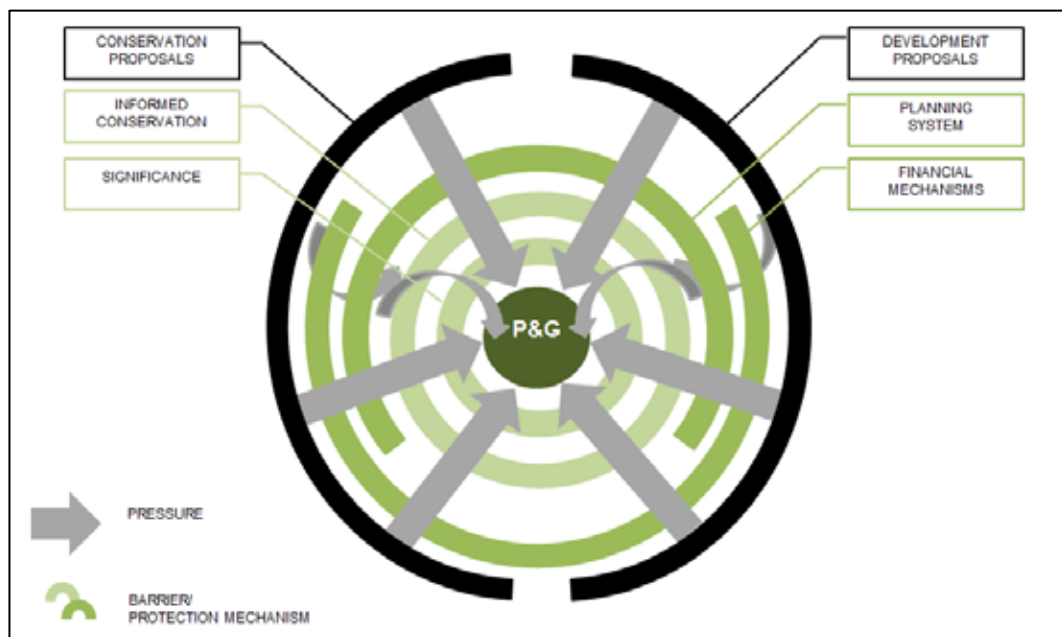
*Ibid.*, p. 13

Thus there remains a role for the expert, but the relationship of this role and stakeholder engagement is clearly articulated. Overall, the proposed balance between coordinating expertise and stakeholder input appears both pragmatic and inclusive, and largely reflects the *Burra Charter* approach. In this respect the NHPP has outpaced national planning policy, but, due to its emphasis on procedure, can be regarded as complementing it.

### 3 The Concept of Significance

#### 3.4.4 The Wider Application of Significance

Whilst the focus of this research is on the interpretation and application of significance within a planning context, the concept is also of relevance to conservation practice through the use of financial mechanisms. Fig. 15 shows financial mechanisms alongside planning mechanisms, as one of a number of potential hurdles for park and garden proposals to pass – or, in some cases, bypass. As previously illustrated in Fig. 9 (Chapter 2), some proposals do not trigger any control mechanisms, and thus do not require a consideration of significance.



*Fig. 15: Significance in Both Financial and Planning Mechanisms*

As Brooks (1992, p. 86) notes, '[m]any conservation bodies tie conservation funding to the application of [Burra Charter] methodologies', and, whilst this link to the Charter is not explicit, aspects of English practice are no exception.

### 3 The Concept of Significance

---

English Heritage's grant funding is intended to 'help to slow down the process of decay without damaging the historical, architectural, design or archaeological significance of the building, monument or landscape concerned' (English Heritage, 2004, p. 12). The level and type of significance eligible for funding, however, has largely already been determined, including 'a designed landscape ... in our Register of Parks and Gardens at grade I or II\*' (*ibid.*, p. 3): these parks and gardens are regarded as 'outstanding'. An example of such a garden is Painshill Park, Surrey, which was awarded a grant in 1993 (Streeten and Bilikowski, 1993).<sup>10</sup>

The Heritage Lottery Fund (HLF) is less prescriptive in the nature of the projects which may be submitted under grant programmes such as 'Parks for People', but does require the submission of a Conservation Management Plan (CMP) with applications for larger or more complex grants (HLF, 2008, p. 2), which itself requires both 'consultation with stakeholders' (*ibid.*) and a 'statement of significance'. The statement of significance is defined as an 'explanation of what is important about the heritage and to whom it is important, including expert values and community values' (*ibid.*, p. 11).

The process and broader spectrum of values promoted in the HLF document suggest that, away from the constraints of the planning system, or those of Government departments, conservation practice is moving more rapidly towards a *Burra Charter* model, particularly when issues of public interest are being assigned a financial value in the form of grants. In the meantime, however, and in answer to the research question, significance and value are

---

<sup>10</sup> The specific powers for the award of grants to parks and gardens are discussed further in Chapter 4.

### 3 The Concept of Significance

---

being conceptualised in a variety of ways in English practice: the range of ‘official’ typologies and methodologies provides a broad palette, but may also create confusion in practice. A reconciliation of these approaches is proposed in the next section.

#### 3.5 Initial Typology

An acceptance of the contingent nature of significance extends the range of interests to be considered in practising conservation from the traditional architectural and historic focus to a much wider and more complex field (Mason, 2004), in which a ‘cluster of meanings’ must be acknowledged (Hunt, 2004, p. 205). Addressing this complexity, whilst ensuring that all views are considered, suggests the need for interests to be characterised, and a typology developed, thereby enabling various viewpoints to be ‘voiced and compared more effectively’, transparently, and evenly (Mason, 2002, pp. 8-9; a view shared by Worthing and Bond, 2008), and, in response to the need identified above, to offer a means of reconciling the different approaches currently in use.

There are a number of concerns around the production of a typology. These include differences of perception and terminology, and the inherent mutability of values (Mason, 2002), as well as the potential for ‘a reductionist approach to examining the very complex issue of cultural significance’ (Avrami, Mason and de la Torre, 2000, p. 8). A typology might introduce a constraint on the construction of significance in practice, requiring stakeholder participation to conform to a range of predetermined definitions.

### 3 The Concept of Significance

---

A robust typology, drawing on a wide range of sources, does however offer a ‘flexible framework which broadly acknowledges a range of values that ought to be considered in most situations’, and in which ‘all stakeholders recognise that their interests are represented’ (Worthing and Bond, 2008, p. 60); it therefore has the potential to ‘make meaning’ (Allmendinger, 2002, p. 29), and to be a conduit rather than a barrier to the discourse of significance. It also offers a heuristic device to ‘facilitate the assessment and integration of different heritage values in conservation planning and management’ (Mason, 2002, p. 9). A defined typology also aids research by providing a common frame of reference and a mechanism for comparison. There is, however, ‘little agreement on what constitutes a universal typology of heritage values’ (Mason, 2004, p. 71), although after summarising existing typologies Mason notes the need for balance in devising a typology, so that particular values or perspectives are not unduly prioritised or neglected.

The initial typology proposed in this research draws on a number of sources, as shown in Table 17. The international sources are Riegl’s 1903 classification, the 1999 *Burra Charter* categories, and Mason’s work (2002), but the majority are drawn from English policy and practice, as it is in an English context that the typology is initially to be applied. English Heritage’s proposals from 1997 and 2008 were considered because they effectively initiated the values debate in England; the 2008 Heritage Lottery Fund’s *Conservation Management Planning* criteria are those applied in a funding rather than planning context, and thereby introduce a wider perspective on current practice; and the final source documents are PPS5 and the NPPF,

### 3 The Concept of Significance

which represent, respectively, the first and current explicit English applications of values to planning policy for conservation.

INTEREST	RIEGL (1903)	ENGLISH HERITAGE (1997)	BURRA CHARTER (1999)	MASON (2002)	WORTHING & BOND (2008)	ENGLISH HERITAGE (2008)	HERITAGE LOTTERY FUND (2008)	PPS5 (2010)/NPPF (2012)
<b>AESTHETIC</b>								
AESTHETIC		✓	✓	✓	✓	✓	✓	✓
ART(ISTIC)/DESIGN	✓				✓	✓		✓
<b>ARCHAEOLOGICAL</b>								
ARCHAEOLOGICAL					✓		✓	✓
EVIDENTIAL						✓	✓	
<b>ARCHITECTURAL</b>								
ARCHITECTURAL					✓		✓	✓
TECHNOLOGICAL					✓			
<b>HISTORIC</b>								
HISTORIC(AL)	✓		✓	✓	✓	✓	✓	✓
AGE	✓							
<b>CULTURAL</b>								
CULTURAL		✓	✓	✓				✓
<b>SOCIAL</b>								
SOCIAL (VALUE)			✓	✓	✓	✓	✓	
<b>COMMUNITY</b>								
COMMUNAL						✓		
COMMUNITY							✓	✓
<b>SPIRITUAL</b>								
FAITH/RELIGIOUS				✓	✓			✓
SPIRITUAL			✓	✓	✓	✓	✓	
<b>COMMEMORATIVE</b>								
ASSOCIATIONAL					✓			
COMMEMORATIVE	✓				✓	✓		
ICONIC/SYMBOLIC				✓	✓	✓		
<b>EDUCATIONAL</b>								
ACADEMIC		✓						
EDUCATIONAL		✓			✓		✓	
<b>SCIENTIFIC</b>								
SCIENTIFIC			✓				✓	
<b>ECONOMIC</b>								
ECONOMIC		✓		✓	✓			
<b>ENVIRONMENTAL</b>								
ECOLOGICAL					✓			
ENVIRONMENTAL					✓			
NATURAL							✓	
RESOURCE		✓						
<b>RECREATIONAL</b>								
RECREATIONAL		✓			✓			
<b>POLITICAL</b>								
POLITICAL			✓					
<b>OTHER</b>								
INSPIRATIONAL					✓			
NATIONAL			✓					
NEWNESS	✓							
RELATIVE ART	✓							
SCENIC/PANORAMIC					✓			
USE	✓							

Table 17: Collation of Typologies

Source: As listed

### 3 The Concept of Significance

---

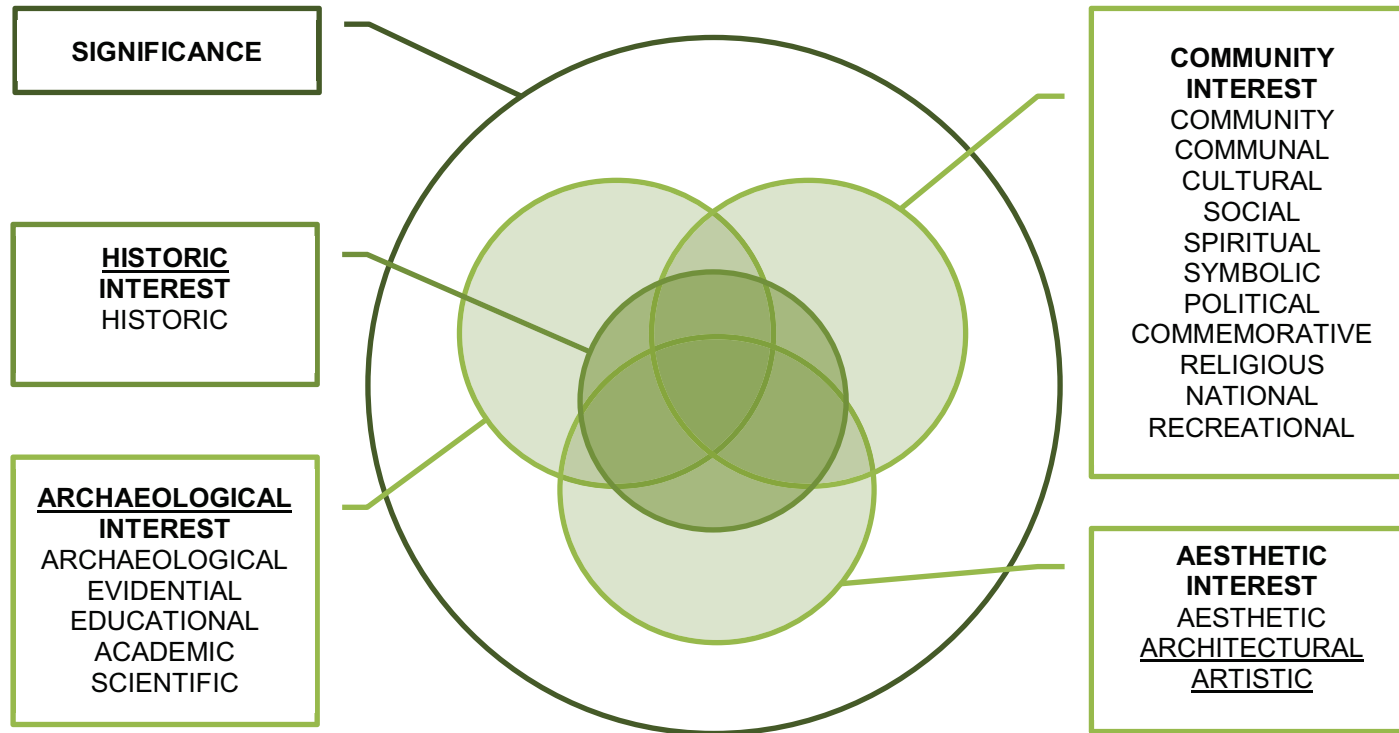
As Mason identified in his own summary of available typologies (2002, p. 10), a number of recurring themes are apparent, suggesting some degree of consensus. This is largely reflected in the typology proposed for application in this research (Fig. 16), which also builds on the reconciliation of the PPS5/NPPF and English Heritage typologies introduced in Table 13. That reconciliation itself prioritises the terms closest to the NPPF definition where appropriate (shown underlined in Fig. 16) to ensure greater relevance for the typology to English practice, avoid a further proliferation of terms, and, most importantly, enable the terms used in the typology to have greater potential weight in the planning process.

The ‘primary’ interests in Fig. 16 reflect the structure of the reconciled typologies, whilst the range of ‘constituent’ interests reflects the various interests identified from the sources listed in Table 17. ‘Historic’ and ‘archaeological’ interest are terms used in the NPPF; ‘aesthetic’ interest comprises both ‘architectural’ and ‘artistic’ interests, recognised as closely linked within the NPPF, and ‘community’ interest is also implicitly recognised in the PPS5 statement that:

*Heritage assets with historic interest ... can also provide an emotional meaning for communities derived from their collective experience of a place and can symbolise wider values such as faith and cultural identity.*

DCLG, 2010a, p. 14

### 3 The Concept of Significance



*Fig. 16: Provisional Typology of Interests  
(with NPPF interests underlined)*



### 3 The Concept of Significance

---

Further explanation of a number of aspects of this typology is warranted. Firstly, the extent of interests regarded as appropriate in relation to a heritage asset, beyond the more obvious architectural and archaeological interest, and specifically the inclusion of community interest. The classification ‘community’ is chosen as the component interests are all aspects of social life. Mason notes that community interest ‘refers to those shared meanings associated with heritage that are not, strictly speaking, historic’ (2002, p. 11). Hunt identifies a more active interrelationship between parks and gardens and their users – of direct relevance to the concept of significance – in which parks and gardens are ‘absorbed into the experiences of generations of people who explore them after their creation’; this absorption subsequently modifies the meaning of the garden (2004, p. 11).

Both the *Burra Charter* and English Heritage note the fundamentally historic nature of heritage assets, and relate all other values to this, the *Burra Charter* by stating that ‘[h]istoric value ... underlies all of the terms set out in [the Charter]’ (Australia ICOMOS, 2000, p. 12), and English Heritage by explaining that the suggested ‘heritage values’ denote the reasons ‘why people value their environment for its historic interest’ (1997, p. 4). For instance, English Heritage identifies the not overtly historic ‘recreational values’ as a form of heritage value, as:

*... the historic environment plays a very significant role in providing for people’s recreation and enjoyment. Increasingly, the past and its remains in the present are a vital part of people’s everyday life and experiences.*

*Ibid.*

### 3 The Concept of Significance

---

Within PPS5, the inclusion of such interests was explained as the function of a historic asset engendering ‘an emotional meaning for communities derived from their collective experience of a place’, (DCLG, 2010a, p. 14). Thus the typology set out in Fig. 16 aims to identify not merely the historic interests associated with an asset, but also the interests specifically associated with the historic nature of a historic asset. Nevertheless, economic and environmental interests are excluded from the typology: these are regarded as not having as direct a link to heritage interest, and as being more appropriately considered within the wider planning debate.

A further point to note is the potential for overlap between the various interests identified. Some are obviously subsets of a broader category, but are identified in the typology to maximise clarity and the opportunity to articulate and consider all relevant interests in any particular case. Interests may also occupy more than one category, depending on circumstance. Mason gives the example of varying uses of a church informing different perceptions of its value: these differing assessments of value can be held simultaneously, but remain discrete, as they ‘correspond to different ways of conceptualising the heritage, to different stakeholder groups’ (2002, p. 11). The typology in Fig. 16 attempts to identify some of these potential relationships, but overall it is assumed that, as the *Burra Charter* states, the primary interests can between them ‘encompass all other values’ (Australia ICOMOS, 2000, p. 12).

Finally, it is important to note that, although the typology is intended to be used as a means of coordinating and structuring analysis, and reconciling different approaches in the interests of clarity and accessibility, it ‘should serve

### 3 The Concept of Significance

---

only as a starting point' (Mason, 2002, p. 11). Each case should be assessed on its merits and not within a wholly standardised framework (*ibid.*, pp. 10-11), and 'more precise categories may be developed as understanding of a particular place increases' (Australia ICOMOS, 2000, p. 12).

#### 3.6 Conclusions

The analysis above demonstrates that the research questions posed at the beginning of this chapter can be answered to varying degrees.

##### 3.6.1 *The Concept of Significance*

The first research question asked what the concept of significance means, and how it has evolved. The initial part of this question is perhaps the most straightforward: there is a reasonable degree of consensus in the literature as to the meaning of significance, with the NPPF definition of 'the value of a heritage asset to this and future generations because of its heritage interest' being reasonably representative. Interests (or values) are also generally understood in the same way, as 'a set of positive characteristics or qualities perceived in cultural objects or sites by certain individuals or groups' (de la Torre and Mason, 2002, p. 4).

The evolution of the concepts of value and significance is readily discerned from an analysis of conservation philosophy and practice, most recently documented in international charters. From a common initial historic-architectural focus, the range of values perceived to be important to conservation has broadened considerably to include both technical and cultural interests. At the same time 'significance' has developed from an initial

### 3 The Concept of Significance

---

common usage meaning to being emblematic of a new conservation paradigm, representing both philosophical and practical considerations. As a result of these changes, conservation is now a more complex sphere, in which the range of issues to be debated has increased, as has the range of participants in that debate.

#### ***3.6.2 Implications for Conservation Practice***

The second research question asked what the concept of significance means for conservation practice. This is less easily established, not least because of the on-going debate as to its application. Even in the rather more traditional (historic-architectural and material) English approach to conservation, significance and interests are articulated: they are current concepts with a very real influence. There is less agreement as to which interests are to be considered, however, and how they should be elicited and then used in various conservation actions. Following the pluralist logic behind these concepts to its extreme potentially undermines deeply-held and long-established justifications in conservation relating to the protection of the material asset, and, in wrestling with this issue, a range of intermediate interpretations may be seen in the literature and in practice. This serves to emphasise the need for an agreed stance, for both philosophical and operational consistency.

#### ***3.6.3 Conceptualisation for English Conservation Practice***

The third research question asked how significance might be conceptualised for and reconciled with English conservation practice. Given the range of potential interpretations of significance (and the number already in use in English practice), a conceptualisation of significance and interest is justified

### 3 The Concept of Significance

---

as, firstly, a reconciliation of sometimes competing perspectives (a necessity in this practical field), and secondly as a theoretical framework within this research to enable consistent analysis of the ways in which significance has been interpreted and applied in the case studies. The PPS5 (later NPPF) definition of significance is broadly adopted, but within this a more detailed typology of constituent interests is proposed as a provisional reconciliation of the various perspectives espoused in the literature and in policy documents such as the *Burra Charter*.

At this stage, the proposed typology reflects general ‘conservation’ values, albeit with a perpetuation of the existing English emphasis on the material (this being intended as a pragmatic and philosophically defensible means of reconciling the interests of present and future communities). The following chapter will explore the application of this perspective to a particular type of heritage asset, historic parks and gardens, as well as outlining the evolution of planning mechanisms for their protection. Chapter 5 then outlines and evaluates current planning protection mechanisms (with particular reference to the interests identified and protected), and develops the model from this chapter for particular application to historic parks and gardens.

### CHAPTER 4: THE SIGNIFICANCE OF HISTORIC PARKS AND GARDENS

I suggest that the English garden is English in a number of ways, all profoundly significant.

*Pevsner, 1955*

#### 4.1 Introduction

As was noted in Chapter 1, historic parks and gardens have been recognised in the planning system as part of the historic environment since 1983, and are now subject to broadly the same conservation policy as other historic assets. They are also relatively under-researched, however, and thus the applicability and relevance of the generic conservation approaches discussed in Chapter 3 have not been studied. This chapter addresses this deficiency by proposing a refinement to the concept of significance for application to parks and gardens within planning activity, drawing on an investigation into the origins of measures for their protection to determine the particular interests associated with these historic assets. The nature of these initial protection mechanisms is then explored, and the degree to which they succeeded in delivering protection is then evaluated.

The research questions being addressed in this chapter are:

- 1) What are the specific interests associated with historic parks and gardens?
- 2) How effective have measures for the protection of parks and gardens been in the past?

## 4 The Significance of Historic Parks and Gardens

---

The chapter draws on a review of the existing literature to inform assessments of interest, and an appreciation of the problems regarding the conservation of parks and gardens. Gaps in the available literature once again necessitated the examination of primary sources, however – this time requiring an extensive analysis of relevant legislative provisions from the 1840s onwards – to determine the way in which provisions for the protection of historic parks and gardens evolved, and the reasons why, with particular reference to the insight this provides as to the interests parks and gardens were thought to embody. Reference is also made to a questionnaire survey of all English local planning authorities undertaken for this research (discussed in more detail in Chapters 5-6 and Appendices IX-X), which investigated current practice in relation to the handling of parks and gardens in the planning system.

### 4.2 The Significance of Historic Parks and Gardens

#### 4.2.1 Context

The basis for the formal recognition of historic parks and gardens, i.e. the quality which enables them to be added to the *Register*, is their ‘special historic interest’.<sup>11</sup> Whilst this and other current provisions for the protection of historic parks and gardens will be discussed further in Chapter 5, this chapter explores the reasons behind the eventual emergence of this first provision, and the wider interest in parks and gardens which prompted it, to identify exactly what was thought to be significant about parks and gardens (and which warranted their protection), and the degree to which that

---

<sup>11</sup> As set out in Schedule 4 of the *National Heritage Act 1983* (itself brought into force by Section 33(3)), the effect of which was to amend the 1953 *Historic Buildings and Ancient Monuments Act 1953*.

#### 4 The Significance of Historic Parks and Gardens

---

understanding of the interests they embody has been reflected in the *National Heritage Act* provision and subsequent measures for their protection.

Accordingly, this section seeks evidence of those interests within conservation legislation. Whilst there is a growing literature on values and interests within conservation and planning (as discussed in Chapter 3), and a number of comprehensive sources on the evolution of conservation legislation, very little research has been done on the detailed evolution of interests within conservation legislation. Sources of direct relevance to this study include Delafons' 1994 paper on the planning and conservation legislation between 1909 and 1932, and Cocks' 1998 paper on the *Housing, &c. Act 1923*, but empirical work was needed to address the existing gap in the literature. The following analysis is therefore drawn primarily from an assessment of individual pieces of planning, conservation, landscape and open space legislation from the 1840s to the present day (listed in full in Appendix III); additional sources used in identifying the relevant legislation were Mynors, 2011 and 2006; Selman and Swanwick, 2010; Duxbury, 2009; Lockhart-Mummery and Elvin, 2009; Delafons, 1997; Cherry, 1982 and 1972; and Cochrane, 1892. In total, 80 potentially relevant Acts of Parliament (and the related Bills and the parliamentary discussion of those Bills, where needed) were examined for references to specific interests of relevance to conservation; those in which such references were found are listed in Table 18, and discussed further below.



## 4 The Significance of Historic Parks and Gardens

ASSET TYPE	DATE	ACT	INTERESTS														
			LEVEL		TYPE		ARCHITECTURAL	HISTORIC	TRADITIONAL	ARTISTIC	ARCHAEOLOGICAL	SCENIC	AESTHETIC	SCIENTIFIC	ENGINEERING	NATURAL BEAUTY	
			O	S	P	£											
<b>O</b>	1876	COMMONS	-	-	-	-	-	✓	-	-	-	-	-	-	-	-	✓
<b>M</b>	1892	ANCIENT MONUMENTS PROTECTION (IRELAND)	-	-	✓	✓	-	(✓)	(✓)	(✓)	-	-	-	-	-	-	-
<b>M</b>	1900	ANCIENT MONUMENTS PROTECTION	-	-	✓	✓	✓	✓	(✓)	(✓)	-	-	-	-	-	-	-
<b>L/B</b>	1907	NATIONAL TRUST	-	-	✓	-	-	✓	-	-	-	-	-	-	-	-	✓
<b>O</b>	1909	HOUSING, TOWN PLANNING	-	-	-	-	-	✓	-	-	-	-	-	-	-	-	✓
<b>M</b>	1913	ANCIENT MONUMENTS CONSOLIDATION AND AMENDMENT	-	-	✓	-	✓	✓	✓	✓	✓	-	-	-	-	-	-
<b>E</b>	1919	HOUSING, TOWN PLANNING	-	-	✓	-	✓	✓	-	✓	-	-	-	-	-	-	-
<b>A</b>	1923	HOUSING	-	✓	✓	-	✓	✓	-	✓	-	-	-	-	-	-	-
<b>B</b>	1925	HOUSING	-	-	✓	-	✓	✓	-	✓	-	-	-	-	-	-	✓
<b>M/B</b>	1931	ANCIENT MONUMENTS	-	-	✓	-	✓	✓	✓	✓	✓	-	-	-	-	-	-
<b>B</b>	1932	TOWN AND COUNTRY PLANNING	-	✓	✓	-	✓	✓	-	-	-	-	-	-	-	-	✓
<b>B</b>	1944	TOWN AND COUNTRY PLANNING	-	✓	✓	-	✓	✓	-	-	-	-	-	-	-	-	-
<b>B</b>	1947	TOWN AND COUNTRY PLANNING	-	✓	✓	-	✓	✓	-	-	-	-	-	-	-	-	-
<b>L</b>	1949	NATIONAL PARKS AND ACCESS TO THE COUNTRYSIDE	-	-	✓	-	-	-	-	-	-	-	-	-	-	-	✓
<b>M</b>	1953	HISTORIC BUILDINGS AND ANCIENT MONUMENTS	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>B</b>		✓	-	-	✓	✓	✓	-	-	-	-	-	-	-	-	-	-
<b>B/G</b>	1962	LOCAL AUTHORITIES (HISTORIC BUILDINGS)	-	✓	-	✓	✓	✓	-	-	-	-	-	-	-	-	-
<b>B</b>	1962	TOWN AND COUNTRY PLANNING	-	✓	✓	-	✓	✓	-	-	-	-	-	-	-	-	-
<b>A</b>	1967	CIVIC AMENITIES	-	✓	✓	-	✓	✓	-	-	-	-	-	-	-	-	-
<b>B</b>	1968	TOWN AND COUNTRY PLANNING	-	✓	✓	-	✓	✓	-	-	-	-	-	-	-	-	-
<b>L</b>	1968	COUNTRYSIDE	-	-	✓	-	-	-	-	-	-	-	-	-	-	-	✓
<b>B</b>	1971	TOWN AND COUNTRY PLANNING	-	✓	✓	-	✓	✓	-	-	-	-	-	-	-	-	-

## 4 The Significance of Historic Parks and Gardens

ASSET TYPE	DATE	ACT	INTERESTS														
			LEVEL		TYPE		ARCHITECTURAL	HISTORIC	TRADITIONAL	ARTISTIC	ARCHAEOLOGICAL	SCENIC	AESTHETIC	SCIENTIFIC	ENGINEERING	NATURAL BEAUTY	
			O	S	P	£											
A	1972	TOWN AND COUNTRY PLANNING (AMENDMENT)	✓	-	-	✓	✓	✓	-	-	-	-	-	-	-	-	
A/B	1974	TOWN AND COUNTRY AMENITIES	-	✓	✓	-	✓	✓	-	-	-	-	-	-	-	-	
G			✓	-	-	✓	-	✓	-	-	-	-	-	-	-	-	
M	1979	ANCIENT MONUMENTS AND ARCHAEOLOGICAL AREAS	-	-	-	✓	✓	✓	✓	✓	-	-	-	-	-	-	
L/B/S	1980	NATIONAL HERITAGE	✓	-	-	✓	✓	✓	-	-	-	✓	✓	✓	-	-	
O			✓	-	-	✓	-	✓	-	✓	-	-	-	✓	-	-	
B	1980	LOCAL GOVERNMENT, PLANNING AND LAND	-	-	-	✓	✓	✓	-	-	-	-	-	-	-	-	
B	1981	LOCAL GOVERNMENT AND PLANNING (AMENDMENT)	-	✓	✓	-	✓	✓	-	-	-	-	-	-	-	-	
M/A/G	1983	NATIONAL HERITAGE	-	-	-	-	✓	✓	✓	✓	✓	-	-	-	-	-	
B			-	-	-	-	✓	✓	-	-	-	-	-	-	-	-	-
B			✓	-	-	✓	✓	✓	-	-	-	-	-	-	-	-	-
G			✓	-	-	✓	-	✓	-	-	-	-	-	-	-	-	-
G			-	✓	✓	-	-	✓	-	-	-	-	-	-	-	-	-
B/A	1990	PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS)	-	✓	✓	-	✓	✓	-	-	-	-	-	-	-	-	
B/A			-	✓	-	✓	✓	✓	-	-	-	-	-	-	-	-	
B/S	1995	ENVIRONMENT	-	-	✓	-	✓	✓	-	-	✓	-	-	-	✓	✓	
B	2013	ENTERPRISE & REGULATORY REFORM	-	✓	✓	-	✓	✓	-	-	-	-	-	-	-	-	

**ASSET TYPE:** A = area; B = building; E = erection; G = garden; L = land; M = monument; O = object; S = structure

**LEVEL:** O = outstanding; S = special

**TYPE:** P = protection; £ = financial

**INTERESTS:** (✓) = relating to guardianship rather than protection

*Table 18: The Evolution of Interests Within Legislation*

### 4.2.2 *The Emergence of Generic Conservation Interests*

Conservation legislation has generally emerged from public responses to issues of concern (Ross, 1991). The Society for the Protection of Ancient Buildings (SPAB) itself emerged from concerns at damage being done in the name of ‘restoration’, and its manifesto included the first specific mention of conservation interests, in a reference to protecting ‘anything which can be looked on as artistic, picturesque, historical, antique, or substantial: any work, in short, over which educated, artistic people would think it worth while to argue at all’ (SPAB, 1877).

As is apparent from Table 18, their influence may be seen throughout much successive legislation, although not without exceptions. There were no references to interests in the first piece of conservation legislation, the *Ancient Monuments Protection Act*, 1882, but, by the *Ancient Monuments Consolidation and Amendment Act* of 1913, the five interests at the core of subsequent conservation legislation – architectural, historic, traditional, artistic and archaeological – were already in place. The selection and meaning of these particular interests do not appear to have been debated during the passing of the legislation, but the choices seem to have been deliberate.

A further influence on subsequent legislation emerged in the *National Trust Act*, 1907. It explicitly combined historic conservation and the conservation of amenity for the first time, by ‘[making] effective, and [strengthening], that public opinion, which demands with growing force the preservation of the

#### 4 The Significance of Historic Parks and Gardens

---

places of interest and beauty with which this country abounds' (Hunter, 1907, n. pag.).<sup>12</sup>

The 1909 *Housing, Town Planning, &c. Act* again combined historic interest and natural beauty. As a piece of planning legislation with a conservation element, and not a measure specific to ancient monuments, the absence of interests other than the historic is of note: the enduring distinctions between planning/conservation and ancient monuments legislation, and between the interests assigned to buildings and to monuments, began here. All subsequent statutes relating to ancient monuments (the Acts of 1913, 1931, 1953 (albeit implicitly) and 1979) refer to architectural, historic, traditional, artistic and archaeological interest, whilst, from 1932, planning and conservation legislation drew solely on a more limited palette of architectural and historic interests. The reduced emphasis on natural beauty, particularly, was to have a future impact on the conservation of historic parks and gardens.

The 1923 Act marked the first occasion on which interests were qualified as needing to be *special*, and this was to prove another enduring characteristic of conservation provisions within planning legislation. From 1953, however, any financial provision would generally require the demonstration of *outstanding* architectural or historic interest (a term Dobby (1978) identifies as first having been used in the terms of reference for the 1948 Gowers Committee).

The detailed provisions relating to parks and gardens are discussed below, but one final observation from Table 18 relates to the seemingly anomalous

---

<sup>12</sup> Passing reference had however been made to 'objects of historic interest' and 'adding to the beauty of the common' in the *Commons Act, 1876* (39 & 40 Vict., c. 56).

#### 4 The Significance of Historic Parks and Gardens

---

financial provisions set out in the *National Heritage Act*, 1980, which enabled grants and loans to be made in respect of land, buildings or structures of ‘outstanding scenic, historic, aesthetic, architectural or scientific interest’ (Great Britain. *National Heritage Act 1980*, s. 3(1)). These were deemed to provide ‘a definition, in effect, of the national heritage .... That is a pretty massive definition, and ... I defy hon. Members ... to find what is missing in it’ (Hansard, Parl. Debs. (series 5): HC Deb 03 December 1979 vol. 975 c. 112).

In fact, in relation to the historic environment, it is clearly missing archaeological interest (as noted by other speakers at the time), and arguably traditional and artistic interest, too. The related debate demonstrated the potential for flexible interpretation of most of these interests where deemed necessary to deliver a particular goal, such as an assumption that gardens could be regarded as being of either scientific or scenic interest; even so, the inclusion of ‘horticultural’ interest was still sought (*ibid.*, c. 120).

As discussed further in the next section, the parliamentary debates on emerging conservation legislation did include reference to parks and gardens, and demonstrated a clear understanding of their qualities (albeit often within the parameters of an inherited range of terms and assumptions) which was not directly translated to the resulting legislation. This research seeks to reintroduce the precision in language which was originally sought, and also to assess the degree to which the reduced palette of terms in legislation has constrained the development of appropriate protection for parks and gardens.

## 4 The Significance of Historic Parks and Gardens
























---

### *4.2.3 The Emergence of Park and Garden Conservation Interests*

To gain a detailed understanding of the interests assigned to parks and gardens, and the reasons why these did or did not subsequently manifest themselves in legislation, a particularly detailed examination was undertaken of relevant parliamentary activity between the 1944 and 1983 Acts (i.e. from the point at which conservation legislation was first extended beyond monuments, until the point at which parks and gardens were formally accorded some recognition with a view to their protection in the planning process). The sources used were the Acts themselves, their Bills, Hansard records of debates in Parliament, and transcripts of Standing Committee discussions, and, for the seminal 1983 Act only, the various amendments proposed at each parliamentary stage. ‘Relevant’ parliamentary activity was defined as that in which parks and gardens might reasonably be thought to have been considered, namely Acts relating to planning, conservation or heritage. As a major influence on conservation legislation, the Gowers Committee report (Great Britain. Parliament. House of Commons, 1950) was also considered.

The extent to which garden-related issues were discussed – and implemented – in the formulation of legislation between 1944 and 1983 is summarised in Table 19. An immediate distinction is apparent between gardens as adjuncts to buildings (‘setting’), and gardens regarded as historic assets in their own right; in the former capacity, parks and gardens were considered in Parliament as early as 1944. In either capacity, they were not a consistent theme, being mentioned on most but not all potentially appropriate parliamentary occasions.

## 4 The Significance of Historic Parks and Gardens

DATE	ACT	BILL PROPOSER	INITIAL REF. TO P&G IN BILL		FINAL REF. TO P&G IN ACT		P&G DISCUSSED?	NATURE OF DISCUSSION	TYPE OF PROVISION IMPLEMENTED
									
1944	Town and Country Planning Act	Govt	x	x	(✓)	x	x	-	(£)
1947	Town and Country Planning Act	Govt	(✓)	x	(✓)	x	x	£	(£)
1953	Historic Buildings and Ancient Monuments Act	Govt	(✓)	x	(✓)	x	✓		(£)
1962	Local Authorities (Historic Buildings) Act	PMB	x	x	✓	x	✓	£ 	£
1962	Town & Country Planning Act	Govt	-	-	(✓)	x	x	-	(£)
1967	Civic Amenities Act	PMB	(✓)	(✓)	(✓)	(✓)	✓	  £	(  )
1968	Town & Country Planning Act	Govt	(✓)	x	(✓)	x	✓	£ 	£ (  )
1971	Town & Country Planning Act	Govt	-	-	(✓)	x	x	-	(  )
1972	Town & Country Planning (Amendment) Act	Govt	-	-	(✓)	(✓)	x	-	(£)
1974	Town & Country Amenities Act	PMB	(✓)	✓	(✓)	✓	✓	£  	£ (  )
1979	Ancient Monuments & Archaeological Areas Act	Govt	-	-	(✓)	(✓)	✓	 	(  )
1980	National Heritage Act	Govt	✓	✓	✓	✓	✓	£ 	£
1983	National Heritage Act	Govt	✓	✓	✓	✓	✓	£  	£  






	Garden addressed as land adjoining a building	£	Financial provision
	Garden addressed in own right		Register
( )	Provision which benefits P&G indirectly (i.e. does not refer to P&G per se)		General discussion about/ recognition of gardens
PMB	Private Member's Bill		Protection measure

Table 19: Legislation of Potential Relevance to Parks and Gardens, 1944-83

Source: As listed in Appendix III

#### 4 The Significance of Historic Parks and Gardens

---

It is also apparent that financial provisions (such as grants or loans) preceded any attempt at introducing protection; the first to be directly targeted at (adjunct) gardens was enacted in 1962. The first reference to *protecting* parks and gardens was made in debate in 1967, and there was a marked upsurge in such debates from 1974, which was the first occasion on which a measure of direct relevance to gardens in their own right was included in a Bill from the outset.

This all took place at a time when conservation was gaining an increasing profile (Goodchild, 1984). With regard to conservation generally, the Venice Charter had been adopted in 1964, and conservation area legislation in 1967. With regard to parks and gardens specifically, the Garden History Society (GHS) had been formed in 1965, the General Assembly of the International Federation of Landscape Architects formed its Committee of Gardens and Historic Sites in 1968, the International Committee on Gardens and Historic Sites was formed in 1970, and the UK ICOMOS Historic Gardens Committee in 1976. All had their influence on the emergence of legislation, although the direct influence of the Garden History Society can perhaps be seen most clearly, in the terminology used ('historic interest' and 'register'), and the debate on, and final format of, the 1974 Act (GHS, 1969a; Batey, 1974b). Nevertheless, the first measure with any direct intention to *protect* parks and gardens did not appear until the 1983 Act.

The discrepancies shown in Table 19 between what was discussed, and what was subsequently enacted, warrant further exploration: it is in the parliamentary debates, rather than the statutes, that the rationale behind garden



## 4 The Significance of Historic Parks and Gardens

protection is to be found, and the particular interests associated with parks and gardens by those espousing – and resisting – protection. A detailed assessment of the emerging legislation and associated debates reveals parliamentary discussion of a wide range of interests specifically associated with parks and gardens some years before the emergence of the 1983 legislation (Table 20).

INTEREST	ACTS OF PARLIAMENT									
	1953	1962*	1967	1968	1971	1972	1974	1979	1980**	1983
<b>Aesthetic</b>		✓							✓	✓
<b>Arboricultural</b>									✓	✓
<b>Archaeological</b>										
<b>Architectural</b>	✓	✓	✓	✓	✓	✓	✓		✓	✓
<b>Artistic</b>		✓								✓
<b>Historic</b>	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
<b>Horticultural</b>		✓							✓	✓
<b>Scenic</b>									✓	
<b>Scientific</b>									✓	✓
<b>Silvicultural</b>										✓
<b>Traditional</b>										✓

\* Local Authorities (Historic Buildings) Act 1962

\*\* National Heritage Act 1980

*Table 20: References to Interests Associated with Parks and Gardens*

Source: As listed in Appendix III

Whilst attempts at definitions were given in only a few cases, the suggestions themselves demonstrate the qualities which the proponents of garden protection measures valued and sought to protect through legislation. Architectural interest was consistently assumed to be of relevance, as was historic interest. Horticultural interest was first proposed in 1962, and its relevance to the evaluation of what is important about historic parks and gardens might be thought to be self-evident. The widest range of interests was discussed during the passage of the 1983 Act, at which time it was acknowledged that ‘there are many more interests which are of value’ (Hansard, Parl. Debs. (series 5): HL Deb 21 December 1982 vol. 437 c. 960); an amendment (*ibid.*, c. 973: Amendment 104C) proposing the preparation of

## 4 The Significance of Historic Parks and Gardens

---

‘lists of gardens’ suggested selection on the basis of five types of special interest (architectural, historic, artistic, silvicultural or horticultural), but the proposer, Lord Digby, advised that he had prepared another amendment in which ‘the interests have been reduced to historic, architectural and artistic; that is the very important one, artistic’ (*ibid.*, c. 974).

All, bar historic interest, were however omitted from the enacted proposal to introduce the *Register*. Historic interest is a central concept in the conservation of the historic environment, but not necessarily the most powerful in practice. Hobson has identified historic interest as being at the bottom of a hierarchy of conservation interests, and ‘ineffective independently’, for the reasons listed in Table 21 (2004, p. 255). It may be, however, that a greater emphasis on community participation in the definition of significance may serve to offset this disadvantage, due to a perceived community preference for ‘the connection with history’ (*ibid.*, p. 260).

REASON	EXPLANATION
<b>LESS QUANTIFIABLE</b>	Every feature reflects the influence of historically unique factors
<b>MORE POLITICAL</b>	Greater degree of selection required in identifying features as particular reflections of past socio-economic circumstances
<b>MORE RESEARCH</b>	Great effort required in terms of research and access: historical importance is not necessarily as evident as architectural interest
<b>MORE EXTRINSIC</b>	Historic interest is regarded as less intrinsic, within a material-dominated field

*Table 21: Reasons for the Low Status of Historic Interest in Conservation*

Source: Hobson, 2004, p. 255

After such extensive and informed debates, why was it that only historic interest came to be applied to the protection of parks and gardens in

## 4 The Significance of Historic Parks and Gardens

---

legislation, and that the protection offered to parks and gardens was so limited?

Analysis of these debates identifies a number of themes which go some way to answering these questions, the first of which was the view that parks and gardens were primarily adjuncts to buildings. This had been acknowledged from the outset, in the Gowers Report:

*We have treated the word 'house' as including gardens, parks, woods and lakes—in fact so much of the surrounding countryside as serves to set off the building. We shall call this the 'amenity land.' It usually consists of the park and gardens in the vicinity of the house, but sometimes comprises land some distance away which can be seen from the house or its approaches, or which forms a vista or part of its setting.... When we speak of preserving a 'house' we include also the preservation of all the land and buildings which can be said to form part of the composition of which the house is the central feature.*

Great Britain. Parliament. House of Commons, 1950, pp. 1-2

Whilst well-intentioned, this sentiment did much to ensure the secondary status of parks and gardens in the conservation hierarchy: as 'setting', they were not regarded as assets in need of protection in their own right, and subsequent legislative provisions often reflected this.<sup>13</sup>

A second theme was the protection (and sometimes promotion) of private property rights, as represented by this Ministerial statement in relation to the *Historic Buildings and Ancient Monuments Act, 1953*: '[t]here are no new compulsory powers in the Bill. Everything we do will be in agreement with the

---

<sup>13</sup> An opportunity was also missed to afford some early protection to parks and gardens (albeit only those associated with listed buildings): had the Committee's recommendation to amend the definition of 'building of special architectural or historic interest' to include the 'amenity land' of that building been implemented, parks and gardens would have been protected under listed building provisions in 1953 (*ibid.*, p. 78).

#### 4 The Significance of Historic Parks and Gardens

---

owners concerned' (Hansard, Parl. Debs. (series 5): HC Deb 03 July 1953 vol. 517 c. 755).

Woudstra notes the influence of a range of post-war challenges to country house estate management on a reluctance to 'even further limit personal freedom' (2004, p. 259); that the prospective legislation was often debated most vigorously in the House of Lords, where many peers were themselves experienced in the management of parks and gardens, and less aware of the problems faced elsewhere, was perhaps another facet of this debate (English Heritage Senior Landscape Advisor interview, 2014).

A third theme, resistance, was demonstrated most disingenuously during the passage of the *Ancient Monuments and Archaeological Areas Act*, 1979. In response to a proposal to enable parks and gardens to be scheduled, the Government spokeswoman advised that '[w]e are not quite sure why the noble Lord thinks we need to do more about historic gardens and landscapes, because the means are there now to help them' (Hansard, Parl. Debs. (series 5): HL Deb 20 February 1979 vol. 398 c. 1782).

The objections raised to a register included this alleged lack of need, a desire to avoid a proliferation of designations, the scale of the task, practical difficulties (the Department of the Environment had previously advised that a 'list' was 'impossible to do and there was no way of doing it' (Hansard, Parl. Debs. (series 5): HL Deb 21 December 1982 vol. 437 c. 974)), a lack of resources, and, later, a wish to avoid overburdening the new English Heritage. When even proponents of garden protection were opposing statutory controls, it is perhaps not surprising that Government resistance prevailed.

#### 4 The Significance of Historic Parks and Gardens

---

A fourth theme, which proved influential in obtaining such concessions as there were, was a desire for consistency in the handling of parks and gardens and buildings. A typical example was the debate on the emerging *Local Authorities (Historic Buildings) Act*, 1962, which sought to extend some of the grant-giving powers of the 1953 Act to local authorities. Whilst the Bill was initially limited in its application to buildings, arguments which cited the importance of gardens generally, and the precedent established by the 1953 Act in respect of grants for land associated with houses, prevailed. Whilst overall parity was not achieved between gardens and buildings, a number of supporting (largely financial) measures were implemented in support of parks and gardens in this manner.

A final theme may perhaps be discerned: inertia. It was in the financial provisions of the 1974 *Town and Country Amenities Act* that garden-related measures had first been associated solely with historic interest, and this was to remain the sole interest associated with the legislative protection of parks and gardens.

Acknowledgement of, and pride in, the nation's parks and gardens pervades all the parliamentary debates discussed above (arguably constituting a meta-theme): '[w]e take great pride in our gardens in this country, and they are known worldwide' (Hansard, Parl. Debs. (series 5): HL Deb 21 December 1982 vol. 437 c. 974). This was however not sufficient to counter the overall perception that parks and gardens were just not as important as other elements of the historic environment, and certainly not important enough to counter the various practical and political obstacles which had been identified.

### *4.2.4 Other Perspectives on the Significance of Historic Parks and Gardens*

#### *Introduction*

Insight into the perceived qualities of historic parks and gardens is not only to be gained from the evolution of English legislation: other authoritative perspectives include those contained within the *Florence Charter*, English Heritage's designation criteria, and work by ICOMOS UK, the Garden History Society, and Pendlebury (1996); it is from these sources that a more detailed understanding of the relationship between particular interests and the component parts of gardens may be obtained.

#### *ICOMOS UK*

One of a number of early lists, or registers, was produced by the UK ICOMOS Historic Gardens Committee in 1979: *A Preliminary and Interim List of Gardens and Parks of Outstanding Historic Interest* (Dingwall and Lambert, 1997).<sup>14</sup> The UK ICOMOS list divided its entries into three categories (Table 22), which reveal a greater emphasis on both botanical and built content than the subsequent *Register* criteria.

---

<sup>14</sup> The first list was proposed by the Garden History Society: having been founded with the object to 'compile and maintain an index of historic or notable gardens' (*The Times*, 1965, p. 16), in 1969 the Society announced the 'formation of a Register of Gardens' (Garden History Society, 1969a, p. 9), a proposal which was resurrected as an 'interim list of gardens and parks of historic or design interest in England and Wales' in 1974, 'in order to demonstrate the feasibility of producing a list' (Jacques, 1986, p. 14).

## 4 The Significance of Historic Parks and Gardens

PARKS AND GARDENS CATEGORIES IN THE UK ICOMOS LIST	
1	Those that provide examples of aspects of the history of gardens and parks, of their design and of gardening, including those which have plant collections of historic significance
2	Those that provided a setting which is an integral part of the historic character of a building that is of historic interest
3	Those that are of interest for their association with particular people or events

Table 22: Categories in the UK ICOMOS List, 1979

Source: *Ibid.*, p. 3

### *English Heritage*

The criterion set within the legislation for parks and gardens to be eligible for addition to the *Register* is ‘special historic interest’. Although no more detailed criteria were initially defined (Jordan, 1994), guidance produced by English Heritage in 1998 made it clear that this required sites to be ‘sufficiently special and important to merit national recognition’ (English Heritage, 1998, p. 7). The threshold for this has been defined by nine evolving designation criteria (English Heritage 2010c; 1998; 1992); these criteria are set out in Table 23. A high degree of consistency can be discerned in these criteria, albeit with a shift from an emphasis on ‘aesthetic merit’, and some revision of the cut-off dates.

The most recent English Heritage guidance has further stated that ‘[t]he special historic interest of a site amounts to its significance as outlined in [national planning policy]’ (English Heritage, 2010c, p. 3). This is not consistent with the policy on significance set out in the NPPF, but highlights the tension caused by a disparity between designation and protection criteria. For the purposes of the current discussion, though, it emphasises the pre-eminence of historic interest in the identification of significant parks and gardens in English practice.

## 4 The Significance of Historic Parks and Gardens

	1992 CRITERIA	1998 CRITERIA	2010 CRITERIA
<b>AGE AND RARITY</b>	Parks and gardens formed before 1750 where the original layout is still in evidence	Sites with a main phase of development before 1750 where at least a proportion of the layout of this date is still evident, even perhaps only as an earthwork	Sites formed before 1750 where at least a proportion of the original layout is still in evidence
	Most parks and gardens laid out between 1750 and 1820 if they still reflect the intentions of the original layout	Sites with a main phase of development laid out between 1750 and 1820 where enough of this landscaping survives to reflect the original design	Sites laid out between 1750 and 1840 where enough of the layout survives to reflect the original design
	The best parks and gardens laid out between 1820 and 1880 which are in good or fair condition and of aesthetic merit	Sites with a main phase of development between 1820 and 1880 which is of importance and survives intact or relatively intact	Sites with a main phase of development post-1840 which are of special interest and relatively intact, the degree of required special interest rising as the site becomes closer in time
	The best parks and gardens laid out between 1880 and 30 years ago which are in good condition and of aesthetic merit	Sites with a main phase of development between 1880 and 1939 where this is of high importance and survives intact	
			Particularly careful selection is required for sites from the period after 1945
			Sites of less than 30 years old are normally registered only if they are of outstanding quality and under threat
<b>OTHER CRITERIA</b>	Parks and gardens which were influential in the development of taste, whether through reputation or reference in literature	Sites which were influential in the development of taste whether through reputation or references in literature	Sites which were influential in the development of taste, whether through reputation or reference in literature
	Parks and gardens which are early or representative examples of a genre of layout or of the work of a designer of national stature	Sites which are early or representative examples of a style of layout, or a type of site, or the work of a designer (amateur or professional) of national importance	Sites which are early or representative examples of a style of layout or a type of site, or the work of a designer (amateur or professional) of national importance
	Parks and gardens having an association with significant historical events or persons	Sites having an association with significant persons or historical events	Sites having an association with significant persons or historic events
	Parks and gardens with group value, especially as an integral part of the layout surrounding a major house or as part of a town planning scheme	Sites with strong group value	Sites with a strong group value with other heritage assets

*Table 23: Selection Criteria for Registered Parks and Gardens*

Source: English Heritage, 2010c; 1998; 1992



## 4 The Significance of Historic Parks and Gardens

---

With regard to particular elements within historic parks and gardens, English Heritage has been consistent in confirming that the focus is on permanence and design rather than ‘planting or botanical importance’ (*ibid.*, p. 1):

*... English Heritage, while appreciative of good gardening, when compiling the Register looks at the more permanent elements in a landscape such as landform, built structures, walks and rides, water features, structural shrubberies, hedges and trees, and not at the ephemeral, shorter-lived plantings of herbaceous perennials, annuals, roses, and most shrubs.*

English Heritage, 1998, p. 14

### *Florence Charter*

The Charter’s definition of historic parks and gardens (as cited in Chapter 1) makes explicit reference to architectural, horticultural, historical and artistic interests (Article 1). Article 5 then refers to what may be identified as cultural and spiritual interests, as well as the ‘cosmic significance’ of historic parks and gardens:

*As the expression of the direct affinity between civilisation and nature, and as a place of enjoyment suited to meditation or repose, the garden thus acquires the cosmic significance of an idealised image of the world, a “paradise” in the etymological sense of the term, and yet a testimony to a culture, a style, an age, and often to the originality of a creative artist.*

ICOMOS, 1982

The key elements of a historic garden, which define its authenticity, are then recognised as relating to its ‘design and scale ... decorative features and ... choice of plant or inorganic materials’ (Article 9); Article 4 includes all these elements within its interpretation of a garden’s ‘architectural composition’, as well as its topography, and structural and water features. The preservation of gardens ‘unchanged’ is acknowledged to require the replacement of plant material (Article 11), thereby recognising the essential mutability of this form

## 4 The Significance of Historic Parks and Gardens

of heritage asset. This is an important provision, and represents ‘the first time heritage conservation specialists were being guided not to preserve historic fabric’ (Araoz, 2011, p. 57).

### *Work by Pendlebury and the Garden History Society*

Later work by Pendlebury and the Garden History Society drew further distinctions between the various elements of a historic garden identified in the *Florence Charter*. Work by the Garden History Society’s ‘Working Party on Statutory Protection for Historic Parks and Gardens’ first drew out the terms ‘structural’ and ‘decorative’ used in the Charter, and proposed to use the distinction between these as the basis for a dedicated parks and gardens protection mechanism within English planning (Pendlebury, 1996; GHS, 1993). This was a key conceptualisation of the ‘particular issues which relate to historic parks and gardens’ (Pendlebury, 1996, p. 20). The GHS defined the terms as shown in Table 24.

STRUCTURE	DECORATION
The structure includes the land form itself, the main blocks of woodland and other tree planting (e.g. avenues), the open grassland, large bodies of water, the boundary, and principal views....	The decoration comprises the short-term elements such as flower and shrub planting; elements which require frequent maintenance and replacement, and moveable features such as statuary. While it is integral to the site’s nature, changes to the decoration do not involve irreversible change.

*Table 24: Definition of Structure and Decoration*

Source: Pendlebury, 1996, p. 21

The GHS distinction is drawn primarily on the basis of permanence. Whilst (as in the *Florence Charter*) both structure and decoration were recognised as ‘integral to the site’s nature’, it was only the structural which was deemed appropriate as the basis for the proposed ‘Registered Park and Garden

#### 4 The Significance of Historic Parks and Gardens

---

Consent' regime, itself modelled largely on the listed building consent regime (GHS, 1993; Jacques, 1993). This would have enabled control to be targeted at major changes with the greatest potential impact on the park or garden, such as:

*[N]ew buildings or roadways; demolition or alteration of unlisted buildings; development that is normally permitted ...; felling or wilful damage to trees; and works or operations affecting the hydrological regime.*

Jacques, 1993, n. pag.

It would not have controlled maintenance, minor works, and gardening.

Pendlebury applied this approach to a number of case studies, and concluded that the distinction between structural and decorative elements was not necessarily fixed, and could be influenced by a number of factors, including the scale and function of the park or garden in question: 'a particular landscape element might act as major structure, minor structure or decoration in different circumstances' (1996, pp. 39-40). He proposed a more responsive protection mechanism to address the issue of variation, 'Registered Garden Permission'. No such regime has however been introduced, and historic parks and gardens continue to rely primarily for their protection on the planning system.

Even though no dedicated consent regime has been implemented, the debate about the form it might have taken still serves to inform assessments of the importance of the various features within historic parks and gardens, in particular in suggesting the way in which park and garden features such as flowers should be addressed if powers or inclination allow. Whilst trees and other larger plant elements, such as hedges, are clearly definable as structural, flowers are evidently more decorative. Where the flowers themselves do not

#### 4 The Significance of Historic Parks and Gardens

---

have the horticultural interest outlined in the *Florence Charter*, they may be regarded as purely decorative, and removed or replaced without inappropriate impact on the overall significance of a garden; where the plant material does possess horticultural or botanical interest, as may be the case with a national collection of a particular plant, or a species of direct importance to an element of the garden's design (such as roses in a 'Rose Garden'), that plant is important to the garden's significance, and should be retained (and directly replaced on its eventual decline to retain the garden's authenticity, as per Article 11 of the *Florence Charter*).

For the most part, the interest associated with planting will relate more to the size, shape and placement of the (structural) flowerbed in which the flowers are contained than to the (decorative) flowers themselves, i.e. it will be related to the overall design of the park or garden, and constitute architectural or aesthetic interest. This is well illustrated in Fig. 17, in which the ongoing significance of the floral clock to Stanley Park, Blackpool is evident, notwithstanding the regular changes in its planting.

## 4 The Significance of Historic Parks and Gardens



POSTED 1937

*'Real Photograph' postcard. No publisher shown*

*'Real Photo-Reproduction' postcard. Published by D. Constance Ltd., London*

LATE 1930S ONWARDS

**IMAGE REMOVED FROM DIGITAL COPY OF THESIS FOR COPYRIGHT REASONS**

**IMAGE REMOVED FROM DIGITAL COPY OF THESIS FOR COPYRIGHT REASONS**

POSTED 1971

*Postcard. No publisher shown*

*Postcard 'reproduced from a colour photograph'. Published by Bamforth & Co., Ltd. Holmfirth*

POSTED 1975

**IMAGE REMOVED FROM DIGITAL COPY OF THESIS FOR COPYRIGHT REASONS**



2012

*Photograph (September, 2012)*

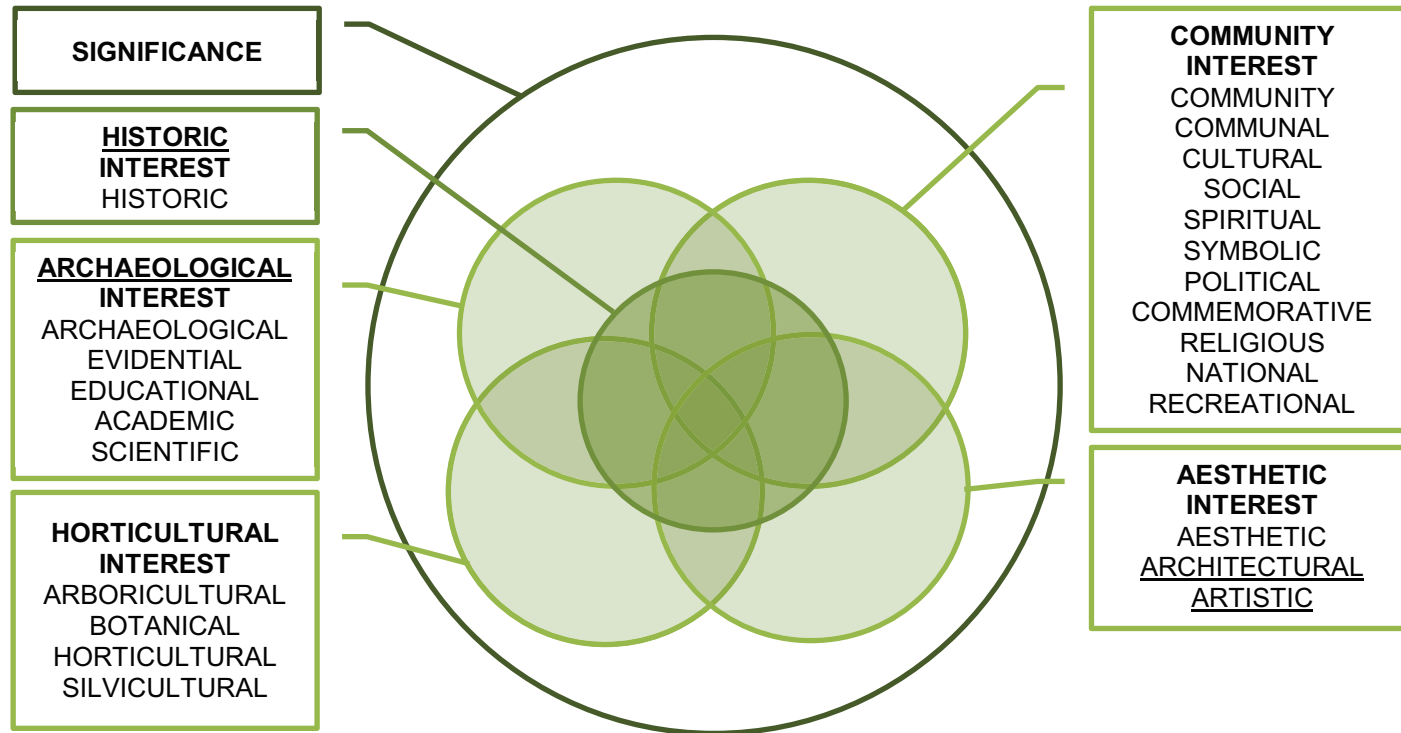
*Fig. 17: Structure and Decoration: Floral Clock, Stanley Park, Blackpool*

### *4.2.5 A Typology of Interest for Parks and Gardens*

Whilst historic interest remains the only quality recognised in statute, the many other interests discussed in parliamentary debates, the *Florence Charter*, and the work by those outlined above provide a strong basis for the development of a revised typology of interests of specific relevance to parks and gardens. Analysis of the parliamentary debates has revealed repeated references to arboricultural, horticultural, and silvicultural interests, in recognition of the living qualities of historic parks and gardens. As acknowledged in the *Florence Charter* and elsewhere, it is the natural aspect of parks and gardens, and their resulting mutability, that makes them different to other historic assets, and in need of a more nuanced definition of their qualities than is currently supported in planning practice.

This research therefore proposes a typology specific to historic parks and gardens. In the revised typology proposed below, arboricultural, botanical, horticultural, and silvicultural interests are added to the generic typology of significance originally proposed in Chapter 3, under the heading ‘horticultural interest’ (Fig. 18). Horticultural interest may be defined as an interest deriving from the cultivation of plants in a decorative or botanical context. Together, the interests in this typology embody what is significant about historic parks and gardens, and what should be protected.

## 4 The Significance of Historic Parks and Gardens



*Fig. 18: Typology of Interests for Parks and Gardens  
(with NPPF interests underlined)*

#### 4 The Significance of Historic Parks and Gardens






---

The typology shows the central importance of historic interest, and the degree of overlap that exists between each of the interests identified. The same parks and gardens or individual features may represent multiple interests, for example, a display of specimen trees by a famous collector, strategically located within a design, could embody historic, horticultural and aesthetic interest. Some of the park and garden features to which these interests might relate are illustrated in Table 25.

In the production of the typology, the emphasis has been on maximising the connections to the NPPF where possible, to increase consistency and policy weight. Horticultural interest has no such link to the NPPF, but its inclusion is justified on the basis of its direct relevance to the significance of historic parks and gardens, as discussed earlier in this chapter. A key proposition in this research is that the conservation of parks and gardens is disadvantaged by their significance not being fully recognised, and the inclusion of horticultural interest in the typology is intended to address this. The application of NPPF policy does not preclude the consideration of horticultural interest, but it must be accepted that it may be regarded as having less weight than the interests which the NPPF itself articulates. The typology offers a solution to this, however: as historic interest is central to significance, and as there is overlap between historic interest and all other interests, horticultural interest could be considered as a constituent part of historic interest if a strict application of policy were to be required.



## 4 The Significance of Historic Parks and Gardens

	FEATURES IN WHICH INTERESTS MAY BE EMBODIED	EXAMPLES	
AESTHETIC	<ul style="list-style-type: none"> <li>• Buildings (e.g. gazebos, lodges)</li> <li>• Setting to buildings</li> <li>• Structures (e.g. bridges, fountains)</li> <li>• Statuary</li> <li>• Landscape design</li> <li>• Garden features (e.g. flowerbeds, lakes, paths, groves)</li> </ul>		<i>Hampton Court</i>
ARCHAEOLOGICAL	<ul style="list-style-type: none"> <li>• Remnant built features (e.g. ruins, walls)</li> <li>• Remnant garden features (e.g. fishponds, prospect mounds)</li> <li>• Evidence of technological innovation (e.g. water supply to fountains)</li> <li>• Evidence of previous layouts and planting</li> <li>• Potential for evidence of previous layouts and planting</li> </ul>		<i>Hardwick Hall</i>
COMMUNITY	<ul style="list-style-type: none"> <li>• Open spaces</li> <li>• Monuments</li> <li>• Recreational spaces</li> <li>• Spiritual spaces</li> </ul>		<i>Victoria Park, Portsmouth</i>
HISTORIC	<ul style="list-style-type: none"> <li>• <i>Underpins, and represented alongside, all other interests</i></li> <li>• Evidence of a designer's work</li> <li>• Evidence of a particular style</li> <li>• Evidence of an association with a historical figure</li> <li>• Location of a particular event</li> </ul>		<i>Petworth House</i>
HORTICULTURAL	<ul style="list-style-type: none"> <li>• Specimen plants/trees</li> <li>• Representative plant types</li> <li>• Representative planting styles</li> </ul>		<i>Tresco Abbey Gardens</i>

*Table 25: Defining the Interests of Parks and Gardens*

### 4.3 Initial Mechanisms for the Protection of Historic Parks and Gardens

#### 4.3.1 Introduction

This section considers the degree to which historic parks and gardens were protected between the 1983 legislation and the introduction of the concept of significance in 2010, and to which there were weaknesses in their protection. It begins with an assessment of the tools which were in place.

#### 4.3.2 The 1983 National Heritage Act Provisions

As already noted, the only legislative measure for the direct protection of parks and gardens was (and remains) that in the *1983 National Heritage Act*, enabling the production of the *Register*. This measure was not in the original Government Bill, but was proposed and discussed on a number of occasions during the Bill's passage through Parliament. A comparison of the original proposal (introduced at Committee stage) and that which was enacted reveals considerable (and regrettable) dilution, not least in respect of the degree of compulsion, and the range of interests the *Register* was to reflect (Table 26).

## 4 The Significance of Historic Parks and Gardens

PROVISION	COMMITTEE (AMEND- MENT 104C)	REPORT (AMEND- MENT 124)	THIRD READING (AMEND- MENT 38)	COMMONS AMEND- MENTS (ENACTED)
<b>Requirement</b>	Shall prepare	Shall compile	May compile	<b>[May] compile</b>
<b>Designation</b>	List	Register	Register	<b>Register</b>
<b>Plans</b>	Yes	Yes	No	<b>No</b>
<b>Coverage</b>	Gardens	Gardens	Gardens	<b>Gardens</b>
	Parks	Parks	-	-
	Designed landscapes	Designed landscapes	-	-
	Other lands	Other lands	Other land	<b>Other land</b>
<b>Quality</b>	Special	Special	Special	<b>Special</b>
<b>Interests</b>	Architectural	-	-	-
	Historic	Historic	Historic	<b>Historic</b>
	Artistic	Artistic	-	-
	Silvicultural	-	-	-
	Horticultural	-	-	-
<b>Consultation</b>	No	Yes	No	<b>No</b>
<b>Grades</b>	Yes	Yes	No	<b>No</b>
<b>Published</b>	Yes	Yes	Yes	<b>No</b>
<b>Notification</b>	-	Owner	Owner	<b>Owner</b>
	-	-	Occupier	<b>Occupier</b>
	-	Local auths.	Local auth.	<b>CPA</b>
	-	-	-	<b>DPA</b>
	-	-	-	<b>SoS</b>
<b>Purpose</b>	Identification for the guidance of:	Better info./ guidance of:	Better info./ guidance of:	-
	-	<i>Govt. depts.</i>	<i>Govt. depts.</i>	-
	<i>Local auths.</i>	<i>Local auths</i>	-	-
	<i>Other persons/ bodies</i>	<i>Other bodies proposing dev't.</i>	<i>Other bodies/ persons</i>	-
	Protection from dev't. damage	-	-	-
<b>EH to be notified and consulted in respect of</b>	-	Dev't. by any Govt. dept.	-	-
	-	Dev't. by any local authority	-	-
	-	Planning applications	-	-
<b>EH to be consulted by</b>	-	Secretary of State	-	-
<b>Area covered</b>	Designated areas	Designated areas	Designated areas	<b>Designated areas</b>
	-	'Near'	-	-
	Settings	Setting	-	-

CPA County planning authority  
DPA District planning authority

EH Commission/English Heritage  
SoS Secretary of State

*Table 26: Register-related Amendments During the Passage of the 1983 Act*

Source: As listed (Appendix III)

#### 4 The Significance of Historic Parks and Gardens

---

Whilst not as far-reaching a measure as it could have been, the provision enabling the *Register* was also not the only measure of some relevance to gardens in the final legislation, as the pro-gardens lobby had succeeded in influencing the final form of the 1983 Act in other ways. Table 27 summarises all these measures, and identifies the point at which they were added to the Bill during its passage through Parliament. It reveals that only a small proportion of the measures relevant to parks and gardens had been included in the original Bill, with many being introduced at the eleventh hour. The majority of the measures were again financial, but others related to English Heritage's general responsibilities (English Heritage being 'the Commission'), including preservation, promotion and research.

The net legislative position in respect of parks and gardens (in their own right) on commencement of the 1983 Act is then summarised in Table 28: it clearly demonstrates that the 1983 Act substantially increased the provisions of relevance. Only one earlier provision was superseded in the process, namely the power introduced by the 1974 Act for the Government to make grants towards the upkeep of gardens or other land of outstanding historic interest (1 & 2 Eliz. II, c. 49, s. 4(1)): this power was effectively transferred to English Heritage in 1983.



## 4 The Significance of Historic Parks and Gardens

ENTITY			PROVISION	ASSET TYPE		SOURCE OF PROVISION	LEVEL OF INTEREST	TYPE OF INTEREST									
EH	SoS	NHMF		BUILDINGS	GARDENS			ACT	SECTION	OUTSTANDING	SPECIAL	HISTORIC	ARCHITECT.	TRADITIONAL	ARTISTIC	ARCHAEOLOG.	SCENIC
✓			Secure preservation	✓	✓	1983	33(1)(a)	-	-	✓	✓	✓	✓	✓	-	-	-
✓			Promote enjoyment/ advance knowledge	✓	✓	1983	33(1)(c)	-	-	✓	✓	✓	✓	✓	-	-	-
✓			Education/ Information	✓	✓	1983	33(2)(a)	-	-	✓	✓	✓	✓	✓	-	-	-
✓			Advice	✓	✓	1983	33(2)(b)	-	-	✓	✓	✓	✓	✓	-	-	-
✓			Research	✓	✓	1983	33(2)(c)	-	-	✓	✓	✓	✓	✓	-	-	-
✓			Make/maintain records	✓	✓	1983	33(2)(d)	-	-	✓	✓	✓	✓	✓	-	-	-
✓			Exercise SoS's management powers	✓	✓	1983	34	-	-	✓	✓	✓	✓	✓	-	-	-
✓			Commercial activity	✓	✓	1983	35	-	-	✓	✓	✓	✓	✓	-	-	-
✓			Powers of entry: records	✓	✓	1983	36	-	-	✓	✓	✓	✓	✓	-	-	-
	✓		Assign functions to EH (monuments partly in England)	✓	✓	1983	37	-	-	-	-	-	-	-	-	-	-
✓			Grants/loans: upkeep	✓	✓	1953*	3A	✓	-	✓	-	-	-	-	-	-	-
		✓	Grants/loans for acquisition/ maintenance/ preservation	✓	✓	1980	3	✓	-	✓	✓	-	-	-	✓	✓	✓
	✓		Acquisition	✓	×	1953	5	-	-	-	-	-	-	-	-	-	-
✓			Acquisition	✓	✓	1953*	5A	✓	-	✓	-	-	-	-	-	-	-
		✓	Use of funds for acquisition/ maintenance/ preservation	✓	✓	1980	4	✓	-	✓	✓	-	-	-	✓	✓	✓
✓			LA grants: acquisition	✓	×	1953*	5B(1)	-	-	-	-	-	-	-	-	-	-
✓			NT grants: acquisition	✓	✓	1953*	5B(2)	✓	-	✓	-	-	-	-	-	-	-
	✓		Accept endowments towards upkeep	✓	×	1953	8	-	-	-	-	-	-	-	-	-	-
✓			Accept endowments towards upkeep	✓	✓	1953*	8B	✓	-	✓	-	-	-	-	-	-	-
✓			Compile a Register	+	✓	1953	8C	-	✓	✓	-	-	-	-	-	-	-

<b>EH</b>	English Heritage	<b>SoS</b>	Secretary of State
<b>LA</b>	Local Authority	<b>1953*</b>	As amended by 1983 Act
<b>NHMF</b>	National Heritage Memorial Fund	<b>+</b>	Parallel provisions exist in respect of buildings, c/o Government
<b>NT</b>	National Trust		

*Table 28: The Relevant Provisions at the Commencement of the 1983 Act*

Source: As listed (Appendix III)

#### 4 The Significance of Historic Parks and Gardens

---

Much of the focus of the legislation was on arrangements for grants, loans, acquisition and endowments. For the most part, these provisions extended existing powers for buildings to parks and gardens, and transferred them from the Government to the Commission.

Those provisions in the new Act which did not relate to financial matters introduced some interesting, but inconsistent, provisions in respect of parks and gardens. The inconsistency relates primarily to the wide range of interests which the new Commission was required to acknowledge whilst undertaking different tasks, namely the conservation and promotion of ‘any ... site, garden or area ... of historic, architectural, traditional, artistic or archaeological interest’ (Great Britain. *National Heritage Act 1983*, ss. 33(1)(a) and 33(8)). Whilst this was the same duty as for ‘structures’ and ‘works’, the degree of parity with buildings and monuments that this suggested was not subsequently reflected in practice or budgets. It did however ensure that English Heritage had the powers to address parks and gardens in their endeavours.

One such endeavour is the general ability to catalogue parks and gardens: English Heritage is enabled to ‘make and maintain records’, and, in so doing, has a power of entry to ‘any land ... for the purpose of inspecting it with a view to obtaining information for inclusion in the Commission’s records’, where ‘they know or have reason to believe there is’ a ‘site, garden or area ... of historic, architectural, traditional, artistic or archaeological interest’ (*ibid.*, s. 33(2)(d); s. 36(1) and (3); s. 33(8)). The subsequent reference to the *Register* supplements this general power with the more specific (but permissive) ability to ‘compile a register of gardens and other land situated in England and

#### 4 The Significance of Historic Parks and Gardens

---

appearing to them to be of special historic interest' (1 & 2 Eliz. II, c. 49, s. 8C).

Taken together, the range of interests in operation for financial and other provisions in respect of parks and gardens at the time of the commencement of the 1983 Act is surprisingly complex, as shown in Fig. 19. Within this, the quality thresholds introduce an element of discrimination: only 'outstanding' parks and gardens will be eligible for financial support, and only 'special' ones will be eligible for inclusion in the *Register*, on which subsequent protection measures are based. In this respect, the provisions mirror those for listed buildings, but the criteria for designation and protection via the *Register* are limited to just historic interest, and only historic interest is common to all parks and gardens provisions, suggesting a definitive quality for this interest in practice which does not reflect wider assessments of the value of historic parks and gardens discussed during Parliamentary debates.



## 4 The Significance of Historic Parks and Gardens

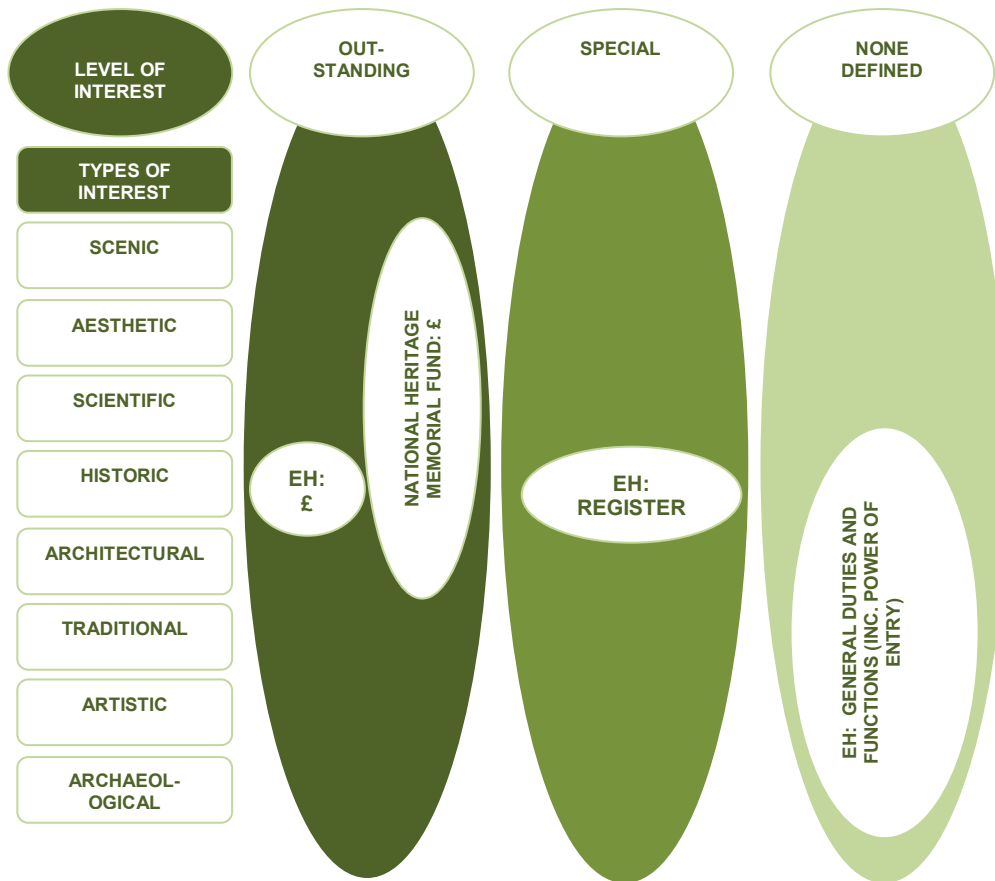


Fig. 19: *Quality and Range of Interests in Park and Garden Legislation*

### 4.3.3 Subsequent Provisions

Whilst there was no further primary legislation of relevance to parks and gardens after 1983 (in contrast to listed buildings and conservation areas, which benefited from a dedicated piece of legislation in 1990), parks and gardens have benefited from a number of developments in planning policy, secondary legislation, and specialist guidance.

#### *Material Considerations*

Any coverage of supplementary provisions, and, indeed, of the operation of the planning system, requires a discussion of the term ‘material considerations’, which has been used in planning legislation since 1947, but

#### 4 The Significance of Historic Parks and Gardens

---

never defined in statute (Moore and Purdue, 2012; Williams and Gatenby, 1992; Layfield, 1990). The widely accepted meaning however remains that provided in a 1971 judgement, in which it was stated that ‘any consideration which relates to the use and development of land is capable of being a planning consideration’, and that whether ‘a particular consideration falling within that broad class is material in any given case will depend on the circumstances’ (*Stringer v. Minister of Housing and Local Government* 1971, cited in Layfield, 1990, p. 7). Within this, precisely what constitutes a material consideration is ‘a question of law’, whilst the weight which should then be attached to any material consideration is ‘entirely a matter for the planning authority’ (*Tesco Stores Ltd. v. Secretary of State for the Environment*, 1995, cited in Moore and Purdue, 2012, p. 200). Statements of national policy (themselves material considerations) may however ‘indicate the weight that should be given to relevant considerations’ (ODPM, 2005, cited in Cullingworth and Nadin, 2006, p. 192). Variations in the statutory use of the term, and in the policy relating to it, have had some implications for the consideration of planning proposals affecting historic parks and gardens, and these are discussed further below within the discussion of emerging policy between 1983 and 2010.

##### *Policy*

The requirement for LPAs, when dealing with planning applications, to ‘have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations’ (Great Britain. *Town and Country Planning Act 1971*, s. 29) had been undermined by

#### 4 The Significance of Historic Parks and Gardens

---

statements of Government policy by the time the *Register* emerged in 1983. The development plan was assigned relatively little weight in the decision-making process (Purdue, 1994), and ‘there was a presumption in favour of development ... planning permission should always be granted unless ... particular proposals would cause demonstrable harm to interests of acknowledged importance’ (Williams and Gatenby, 1992, p. 111).

It was in this climate that *Circular 8/87: Historic Buildings and Conservation Areas - Policy and Procedure* was issued, the first policy statement relating to parks and gardens to be produced after the introduction of the *Register* in 1983. Its relevant content was limited but it did state the purpose of the *Register*:

*The register, which has no statutory force, lists and grades gardens which still retain their special historic interest. Its purpose is to record their existence so that highway and planning authorities, and developers, know that they should try to safeguard them when planning new road schemes and new development generally.*

DoE, 1987, p. 5

With regard to the implications for the protection of historic parks and gardens, the Circular was itself material, but so ambivalently phrased as to provide little protection against the presumption in favour of development: the demonstration of ‘harm to interests of acknowledged importance’ would prove difficult in the absence of strong national and local policy (the latter being weak both as a result of the relatively low status of the development plan, and of the low levels of relevant policy coverage in local plans (Stacey, 1992)). The fact that the *Register* enabled the ‘acknowledged importance’ of parks and gardens to be demonstrated was welcome, but

## 4 The Significance of Historic Parks and Gardens

---

work to register such sites would not be completed for some time. The overall impact on parks and gardens of policy at this time is discussed further in Section 4.4, but Fig. 21 shows one of the outcomes: executive housing within the walled garden at Compton Verney.

Government policy introduced in 1988 retained the presumption in favour of development (Purdue, 1991), but assigned more weight to the development plan (Williams and Gatenby, 1992), a shift in emphasis which was then confirmed in the new statutory requirement that '[w]here, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise' (Great Britain. *Town and Country Planning Act 1990*, s. 54a). This introduced the plan-led system, in which 'applications for development should be allowed, having regard to the development plan and other material considerations, unless the proposed development would cause harm to interests of acknowledged importance' (DoE, 1992, cited in MacGregor and Ross, 1995).

*Circular 8/87* was superseded in 1994 by PPG15, which was both more extensive in its coverage of parks and gardens, and more positive in tone:

*English Heritage compiles registers of parks and gardens of special historic interest, and of historic battlefields. Once identified in these ways, the historic environment may be protected through the planning system....*

DoE, 1994, pp. 25-26, as amended by DCLG, 2007, p. 2

It should be noted that it is this statement which first formally linked the production of the *Register* to the planning system (although the *Register* constituted a material consideration if invoked, the removal of the reference to

#### 4 The Significance of Historic Parks and Gardens

---

the *Register*'s purpose during the emergence of the Act (Table 26) made this less apparent). It was supplemented by clarification that 'the effect of proposed development on a registered park or garden ... is a material consideration' (DoE, 1994. p. 6): this explicit statement of materiality represented an important strengthening of national policy. Protection could also now be meaningfully supplemented by development plan policy, actively encouraged in PPG15 in the clear statement that LPAs 'should protect registered parks and gardens in preparing development plans and in determining planning applications' (*ibid.*). Local plan policy coverage remained limited, however, as noted above.

With regard to the impact on practice, a useful review of planning decisions at this time identified 'an erratic awareness of historic parks and gardens and their status' (Shacklock and Lambert, 1995, p. 565). This same review also identified 'character' as a key issue in contemporary case law, and one suited to the 'intangible' issues associated with parks and gardens (*ibid.*). The analysis of cases did not explicitly explore issues of 'harm', and touched only lightly on 'impact', but it is clear that the application of relevant development plan policies, and a determination of adverse impact on character, particularly, were sufficient to resist development proposals in a number of cases, such as a housing proposal with an impact on the setting of Claremont Gardens, in Surrey.

Returning to the guidance in PPG15, other key policy additions were an explanation of the grading system used in the *Register* (Grades I, II\* and II), and the suggestion that conservation area designation may be suitable for

## 4 The Significance of Historic Parks and Gardens

---

historic parks or gardens, which case law suggested was ‘the most effective step which can be taken to control potentially harmful development’ (*ibid.*, p. 573). PPG15 also made specific reference to the protection of trees: another weapon in the armoury for the defence of historic parks and gardens.

### *Procedural Provisions*

Twelve years after the introduction of the *Register*, further notable developments were the requirements introduced in 1995 for statutory consultation on planning applications for ‘development likely to affect’ registered parks and gardens (Table 29).<sup>15</sup> . The immediate trigger appears to have been requests from the GHS and others to the National Heritage Committee, which subsequently recommended accordingly (Great Britain. National Heritage Committee, 1994, p. xxi).

GRADE			CONSULTEE	PROPOSAL
I	II*	II		
✓	✓	-	English Heritage	Development affecting
✓	✓	✓	Garden History Society	Development affecting

*Table 29: Notification Requirements in Respect of Parks and Gardens*

Source: *The Town and Country Planning (Development Management Procedure) (England) Order 2010*; DoE, 1995, p. 30

The distinction drawn between the consultation of English Heritage (on Grades I and II\*) and of the GHS (on all Grades) is worthy of note, and is only

---

<sup>15</sup> The consultation requirement in respect of the GHS was first made in a DoE circular letter dated 28 April 1995 covering the *Town and Country Planning (Consultation with the Garden History Society) Direction 1995*; the Direction was then reissued in *Circular 9/95: General Development Order Consolidation 1995* (DoE, 1995), and subsequently reissued in standalone format in 2014. Circular 9/95 also explained the English Heritage consultation requirement, itself introduced via the *Town and Country Planning (General Development Procedure) Order 1995* (SI 1995/419), and later included in the *Town and Country Planning (Development Management Procedure) (England) Order 2010* (SI 2010/2184).

#### 4 The Significance of Historic Parks and Gardens

---

partially explained in *Circular 9/95*, where it is advised that consulting the GHS ‘will ensure that local planning authorities in England receive the specialised advice necessary for informed decision-making’ (DoE, 1995, p. 25); no mention is made of the value of consulting English Heritage (although the focus on Grades I and II\* reflected existing practice, according to Jordan (1994)). The requirement to consult English Heritage at all is nevertheless telling: described as the ‘main change made by the Order’ (*Town and Country Planning (General Development Procedure) Order 1995*, p. 44), it brought notification requirements broadly into line with those for listed buildings. It should also be noted that development ‘affecting’ a historic park or garden ‘may be situated some distance beyond its boundaries’ (Dingwall and Lambert, 1997, p. 10).

##### *Guidance Produced by the GHS*

The GHS produced its own guidance, intended ‘to advise those wishing to determine the impact upon historic designed landscape of specific proposals for change’ (GHS, n.d.-a, n. pag.). This took the form of a series of ‘Planning Conservation Advice Notes’ (PCANs), the last of which was issued in 2009 (GHS, 2009a; n.d.-a-p). They remain extant, and constitute material considerations in the planning process.

The majority of the PCANs address recurring types of development proposal, ranging from hotel and leisure development to telecommunications masts, and ‘seek to inform on necessary background information and good conservation practice while at the same time encouraging critical evaluation of the likely type and extent of potential impact’ (GHS, n.d.-a, n. pag.). This aid to

#### 4 The Significance of Historic Parks and Gardens

---

informed conservation was delivered through the provision in each case of relevant contextual information, and guidance on evaluation of the proposals, using a checklist- or questionnaire-based approach.

Two of the PCANs (13 and 14) ‘describe documentation required to evaluate and support proposals for ... change’, including statements of significance (*ibid.*). PCAN 14 is discussed further in Section 5.5, but did provide a means by which the significance of parks and gardens, and the impact of proposals on that significance, could have been considered as material within the planning process at a relatively early date. Whilst available online, and undoubtedly a valuable resource, the PCANs appear not to have had a high profile outside the GHS, however: no LPAs referred to them in responses to the questionnaire survey conducted for this research, and nor were they mentioned by any participants in the case studies, or cited in formal responses to the case study planning applications (including those by the GHS and County Gardens Trusts).

The *Planning Inquiry Digest*, produced by the GHS in 2009, does however provide a useful insight into the way in which planning cases were being handled in the period from 1996 to 2009, during which the statutory and policy sources in respect of material considerations changed again. Section 38(6) of the 2004 *Planning and Compulsory Purchase Act* further confirmed the planned system, and its application was clarified through Government policy, which stated that ‘[w]here the development plan contains relevant policies, applications for planning permission should be determined in line with the plan, unless material considerations indicate otherwise’ (ODPM, 2005, p. 3).



#### 4 The Significance of Historic Parks and Gardens

---

A case in which the issues outlined above were thoroughly debated was the 2005 decision in respect of a proposal for extensive residential enabling development at the Grade II Combermere Abbey. In a clear articulation of the relevant considerations, influenced by English Heritage and GHS arguments regarding the value and legibility of the landscape, the original Inspector stated that a new lodge and access drive ‘would materially detract from the historic landscape interest of the [estate], and would materially harm its setting’ (GHS, 2009b, p. 27); the Secretary of State agreed. Overall, the harm to the parkland, along with concerns about accessibility, countryside protection, and wider housing strategy, was considered ‘too high a price to pay’ (*ibid.*, p. 29).

##### *English Heritage Guidance*

English Heritage’s *Conservation Principles*, issued in 2008, constituted another material consideration in the planning process (albeit another without the weight of Government policy), and, if used, enabled significance to itself be regarded as material in decision-making.

English Heritage stated that the principles espoused were ‘primarily intended to help us to ensure consistency of approach in carrying out our role’, but added that ‘[w]e hope ... that [they] will also be read and used by local authorities, property owners, developers, and their advisers’ (2008b, p. 13). A small-scale survey of planning applications affecting registered parks and gardens from 2009 (the year after the publication of *Conservation Principles*, and the year before the introduction of significance-based policy by Government) suggests that the document actually had a low profile in practice, being rarely referred to by participants, including (explicitly at least) English

## 4 The Significance of Historic Parks and Gardens

---

Heritage (the results of the survey are presented in Appendix XVIII). Where the English Heritage policy was utilised, as in the application affecting Croome Park, it promoted a greater understanding of the site, and a more precise articulation of the nature of the impact that the proposal would have, that is, it enabled a more nuanced discussion of the important qualities of the site than was prompted at the time under PPG15 or local policy. This did not influence the assessment of the proposal by English Heritage and the LPA, however, whose own responses remained confined to more traditional concerns around aesthetic impact.

Overall, there appears to have been limited early use of this material guidance: significance would not generally be discussed until the advent of PPS5, and, as demonstrated in Chapters 7-9, not always then. The responses to the questionnaire survey conducted for this research (Appendices IX-X) suggest, however, that awareness of the *Conservation Principles* approach itself increased once significance as a concept was further legitimated by its inclusion in national policy.

### 4.3.4 Overview

The evolution of legislative conservation provisions for parks and gardens reveals a degree of ambivalence from legislators in seeking their effective protection, as illustrated in the comment by the otherwise active supporter of a register, Lord Digby, that:

*Of course, it is quite true that there would be no teeth with this register.... The object of the register is not to introduce a new set of controls, but to bring forcefully to the attention of planners and public bodies ... the value of these gardens and landscapes.... [C]ontrols [such as those relating to listed*

## 4 The Significance of Historic Parks and Gardens

---

*buildings] would be quite inappropriate to gardens. The object of this register is to protect gardens and landscapes, rather than to control their development.*

Hansard, Parl. Debs. (series 5): HL Deb 31 January 1983 vol. 438 c. 630

Even the protection from outside forces which appears to be the intent behind this statement is not provided merely by the creation of a register. The desire to avoid controls on gardens actually led to minimal protection from any form of development, and Lord Montagu of Beaulieu's optimism that 'once developers know where an important garden exists they will more readily avoid it' proved to be misplaced (Douglas-Scott-Montagu, 1984, p. 2).

Recognised initially for their role as settings for historic buildings, the intrinsic value of historic parks and gardens was itself recognised as early as 1953, but subsequent debates did not push for true parity of conservation with buildings (in the form of both a list and dedicated consent regime), and even the culmination of the legislative campaign resulted in a much-diluted permissive power, itself based solely on 'historic' interest rather than the full range of interests identified above as pertinent (and even considered as relevant to the inclusion of gardens on the *Register* when it was first proposed); that permissive power was supported by similarly passive policy statements. The overall effectiveness of these cumulative parks and gardens mechanisms is discussed in the next section.

### 4.4 The Effectiveness of Initial Protection Mechanisms

#### 4.4.1 *The Extent of the Problem*

A disjunction has been identified between the interests associated with historic parks and gardens, and the planning mechanisms in place before 2010 to

## 4 The Significance of Historic Parks and Gardens

---

protect those interests, but did this have an effect in practice? There has been little work done to determine the overall impact on or loss of historic parks and gardens, but a number of sources may be consulted to give an impression of the ability of the planning system (before PPS5) to protect these assets.

### *The Literature*

There appears to be a general consensus within the literature on the protection of historic parks and gardens that harm has been caused as a result of inadequate planning mechanisms, as shown below, although this has not been quantified.

The Garden History Society perceived the threats to parks and gardens to be both neglect and development (Batey, 1974a and b; 1991), with actions to address these including the promotion of a register (GHS, 1969a) and direct engagement in fighting development proposals such as the route of the M6 (Stearn, 1976). In 1977, Bodfan Gruffydd noted that he had been ‘increasingly concerned to see the amount of damage being done to our gardens and parks’ by development (1977, p. 7), whilst in 1983 Lord Montagu of Beaulieu stated that historic parks and gardens were ‘disappearing at an alarming rate’ (Hansard, Parl. Debs. (series 5): HL Deb 21 December 1982 vol. 437 c. 974).

After the arrival of the *Register*, but before the introduction of PPG15 or the statutory consultation requirements, Stacey noted that ‘historic parks and gardens are perceived as being under threat and not satisfactorily protected by the planning system’, and also that the *Register* ‘highlights the need for their protection’, but needed supplementing by more proactive measures (1992, p. 8; p. 20). Noting that ‘many of the great landscape parks ... have been lost

## 4 The Significance of Historic Parks and Gardens

---

almost beyond recovery over the last forty years’, the Garden History Society provided the 1986/87 Environment Committee (Historic Buildings and Ancient Monuments) with a list of ‘examples of developments and development proposals affecting historic gardens and parks’ over the preceding twenty years, as set out in Table 30 (Great Britain. Parliament. House of Commons, 1987, p. 539), and further noted that ‘disastrous developments can be proposed and permitted ... because the *Register*’s status in planning terms is low’ (GHS, 1993, p. 6).

PARK OR GARDEN	COUNTY	GRADE	NATURE OF PROPOSAL
Benham Valence	Berks	II	Offices
Chillington	Staffs	II*	M54
Copt Hall	Essex	-	M11
Farnborough Hall	Oxon	I	M40
Highclere	Hants	I	New A34
Killerton	Devon	II*	M5
Leasowes	Dudley	I	Housing on skyline
Nuneham Courtenay	Oxon	I	Power lines/gravel working
Oatlands	Surrey	II	Housing
Painshill	Surrey	I	Power lines/A3 widening
Petworth	Sussex	I	New A272
Prior Park	Avon	I	Housing
Richings	Bucks	-	M4

*Table 30: Development Proposals Affecting Parks and Gardens*

Source: Great Britain. Parliament. House of Commons, 1987, p. 539

After the implementation of PPG15 in 1994 and the consultation requirements in 1995, English Heritage commissioned a review of the effectiveness of the consultation procedures, which looked into wider aspects of practice (David Tyldesley & Associates, 1998). Many of the findings reflected those reported by Stacey in 1992, such as widespread support for the introduction of statutory protection for parks and gardens (endorsed by the report authors), and creative use of alternative planning tools. Others presaged the findings of the 2012 questionnaire survey undertaken for this research, such as the failure rates in

#### 4 The Significance of Historic Parks and Gardens

---

implementing consultation as required, and the lack of in-house local authority expertise. The review also identified ‘an implication that English Heritage is not always responding to Grade I and II\* ... consultations unless Listed Building, Conservation Area or Scheduled Monument consents are also involved’, and that there was ‘some evidence of “sacrifice” and inadequate consideration being given to the Historic Park or Garden [by English Heritage] in order to achieve objectives’ for these other assets (*ibid.*, pp. 4-5).

The impact of development was also still regarded as a problem. Shacklock and Lambert (1995) undertook an important (but unquantified) assessment of the issues raised in the consideration of the development proposals, and Pendlebury stated that there was ‘evidence of catastrophic change taking place’ (1996, p. 74). Dingwall and Lambert observed that:

*The majority of [threats] come from commercial and transport development, some from neglect resulting from a lack of resources, and some from a simple lack of awareness among owners and others of the historic significance of a site.*

1997, p. 16

By 2006, and noting some park and garden protection successes in the 1980s and 1990s, despite the emergence in the late 1990s of enabling development as ‘the most pernicious threat’, Lambert and Lovie stated that ‘the tide of big and damaging leisure proposals is rising again’, along with new threats stemming from energy generation proposals and the development of brownfield sites (p. 97; p. 83).

Overall, whilst peaks and troughs have clearly been identified in the number and nature of threats to parks and gardens, these have not been directly linked to changes in protection. They do however demonstrate a perceived ongoing

#### 4 The Significance of Historic Parks and Gardens

---

threat which had not been satisfactorily addressed by the available tools during this period, all of which led the AGT and GHS to conclude in 2006 that '[w]ithin the present planning system the environmental value of historic parks and gardens is often overlooked or regarded as less important than buildings and archaeological monuments' (AGT and GHS, 2006, n. pag.).

##### *Questionnaire Survey of English Local Planning Authorities*

The experience of practitioners provides another insight into the perceived extent of the problem in protecting historic parks and gardens. A questionnaire survey of English local planning authorities was undertaken for this research in November/December 2012 (and is reported more fully in Chapters 5-6 and Appendices IX-X). Only 34% of LPA respondents thought that registered parks and gardens are satisfactorily protected in the planning system, and 82% thought that they should be given statutory protection similar to that which exists for listed buildings. Creative use is made of the available tools, but the overall impression (very similar to that reported by Stacey in 1992) is one of frustration at the disparity between the importance of parks and gardens and the mechanisms available to protect them.

##### *Heritage at Risk*

National assessments of assets 'at risk' provide a further illustration of the effectiveness of protection mechanisms. In 2008, English Heritage produced its first *Heritage at Risk Register* (2008c; 2008d), which extended its nationwide assessment of 'buildings at risk' to cover all types of heritage asset, and provides an insight into the state of conservation of parks and gardens at that point.

## 4 The Significance of Historic Parks and Gardens

---

After a preliminary survey, 7% of registered parks and gardens were identified as being at high risk, 26% at medium risk, and 67% at low risk. Whilst neglect was one of the main sources of risk (65% of registered sites showing some indication of it), this was not itself a direct reflection of the efficacy of the planning system. Development (a threat within the remit of planning controls) was however the ‘single most significant factor’ affecting parks and gardens: 60% of the 1,596 registered sites in 2008 had been the subject of planning applications over the previous five years, 35% of which proposed ‘a major change to the site’ (English Heritage, 2008c, p. 6; p. 24). Table 31 shows the main threats identified to the full range of heritage assets: parks and gardens (along with battlefields) were shown to be particularly vulnerable to development proposals.

HERITAGE ASSET	MAIN THREAT(S)
<b>Listed Buildings</b>	Neglect/Cost of repairs
	Functional redundancy
<b>Scheduled Monuments</b>	Natural processes
<b>Registered Parks and Gardens</b>	Development
<b>Registered Battlefields</b>	Development

*Table 31: Threats to Heritage Assets (Heritage at Risk, 2008)*

English Heritage, 2008c

The 2009 and 2010 assessments (2009 being the baseline for the full inclusion of parks and gardens in the *Heritage at Risk Register*) reported a similar situation (English Heritage, 2009a; 2009b; 2010a).

### *De-Registration*

Whilst parks and gardens are removed from the *Heritage at Risk Register* once improvement is underway (English Heritage, 2013b), irrevocable harm can lead to the site being de-designated, and removed from the *Register of Parks*



#### 4 The Significance of Historic Parks and Gardens

---

*and Gardens of Special Historic Interest in England*. This had only occurred once by mid-2014, when the Harlow Water Gardens site (registered Grade II in 2001) was redeveloped in 2003; although the gardens were subsequently recreated, their registered status is now lost (English Heritage Senior Landscape Advisor interview, 2014). The original site is illustrated in Fig. 20.

**IMAGE REMOVED FROM DIGITAL  
COPY OF THESIS FOR  
COPYRIGHT REASONS**

*Harlow Water Gardens and Town Hall c. 1965 (Neg. H22086)*

**IMAGE REMOVED FROM DIGITAL  
COPY OF THESIS FOR  
COPYRIGHT REASONS**

*Harlow, Water Gardens c. 1965 (Neg. H22121)*

**IMAGE REMOVED FROM DIGITAL  
COPY OF THESIS FOR  
COPYRIGHT REASONS**

*Harlow, Water Gardens c. 1965 (Neg. H22091)*

All images copyright The Francis Frith Collection

*Fig. 20: Harlow Water Gardens, c. 1965*

Source: Reproduced by kind permission of the Francis Frith Collection  
(Francis Frith Collection 1965a-c)

## 4 The Significance of Historic Parks and Gardens

---

The infrequency of de-registration (when there are approximately 1,600 registered parks and gardens, and 100 at risk) might suggest a limited problem, but it does reflect a total failure of protection.

### *Public Park Assessment*

A partial assessment of the state of historic parks and gardens was undertaken in 2001 (Urban Parks Forum, 2001).<sup>16</sup> Focusing on local authority-owned parks, and with reference to historic parks in particular, the study determined that parks of historic interest constituted 9% of the total number of local authority-owned open spaces, or 32% of the total area of public open space. Historic parks had however suffered ‘disproportionately’ from decreases in revenue funding over the preceding two decades (*ibid.*, p. 1-11).

The proportion of historic parks found to be in ‘good’ condition was higher than the overall proportion for local authority-owned parks (*ibid.*, p. 4-53), but around 32% of historic parks were found to be in decline. Particularly pronounced was the loss of individual park features, with losses to public use of 50-70% for features such as bandstands and fountains, and 25-50% for ornamental gates, shelters, and so on; the natural elements of parks, such as trees and grass, were in better condition.

The assessment also considered the impact of registered status on the health of historic parks and gardens, and found that current condition, condition trend, and the survival of individual features were ‘demonstrably better’ for Grade I

---

<sup>16</sup> A more recent assessment of parks was published in June 2014. The *State of UK Public Parks 2014* research report did not look specifically at historic parks, but did identify that, whilst public park condition has improved since 2001, it is expected to ‘decline significantly’ by 2017 as a result of funding cuts (HLF, 2014, p. 71).

## 4 The Significance of Historic Parks and Gardens

---

parks than other historic parks, and in fact that ‘Grade I designation is the only designation that provides some protection from decline’: Grade II\* and Grade II designations did not yield particular benefits (*ibid.*, p. 5-87).

The study provides a valuable demonstration of the condition of historic parks. Financial pressures and the resultant neglect are identified as a very clear cause of the majority of the problems identified, but the fact that registered parks had had a different experience, and Grade I parks within that, suggests that the existence of the *Register* has been of some importance.

### 4.4.2 *The Nature of the Problem*

The extent of the threat to historic parks and gardens may be difficult to quantify, but the ‘many and various’ forms that it takes are more readily illustrated (Dingwall and Lambert, 1997, p. 16). Table 32 classifies the various bases for these threats, each of which might impact on one or more of the interests of relevance to historic parks and gardens which were identified in Fig. 18. Table 32 also identifies the degree to which the planning system (including the *Register*) has a role in addressing these threats. The planning system may be of some relevance in most of the identified categories, albeit indirectly, such as in the use of planning powers ‘to require proper maintenance of land’ to address neglect.<sup>17</sup> More directly, the addition of a park or garden to the *Register* is itself an important means of increasing awareness and understanding.

---

<sup>17</sup> Section 215 of the *Town and Country Planning Act* 1990 (Elizabeth II. Chapter 8)

## 4 The Significance of Historic Parks and Gardens

BASIS FOR THREAT	DESCRIPTION	CONTROLS
<b>LACK OF UNDERSTANDING</b>	Failure to understand design or materials and their significance results in ill-informed (even if well-meaning) change, and particularly as management needs or philosophies change; parks and gardens may not be appreciated and defended (e.g. modern designed landscapes)	✓
<b>MATERIALS AND DESIGN</b>	Some materials (e.g. wood, concrete) are inherently vulnerable; some designs are particularly high-maintenance	-
<b>NEGLECT</b>	Wilful neglect, poor management, and neglect solely as a result of inadequate funds lead to deterioration and loss	(✓)
<b>CRIMINAL DAMAGE</b>	Vandalism, security problems, theft of features	(✓)
<b>ACCESS PRESSURES</b>	High visitor numbers can result in direct (wear and tear) and indirect (need for visitor facilities) damage	(✓)
<b>FUNDING/ FINANCE</b>	Includes need for commercial returns (e.g. tree felling, inappropriate tree planting, commercial leisure in parks), and lack of funding for essential maintenance and/or restoration works, resulting in neglect or removal of 'expensive' features such as planting and vulnerable buildings	(✓)
<b>LOSS OF SPIRIT OF PLACE</b>	Loss of parent building (e.g. country house) or overall change of use increases pressure on park or garden, and likelihood of neglect and/or subdivision; also results in loss of coherence, purpose, associations, and identity (Wood, 2013)	(✓)
<b>DEVELOPMENT</b>	Housing, golf courses, and infrastructure; also supporting facilities for changes of use (car parks, extra residential or office blocks); development pressures increased by subdivision	✓
<b>CHANGE OF USE</b>	Increases development pressure and neglect, reduces unity (see also loss of spirit of place, above)	✓
<b>SUBDIVISION</b>	Subdivision of larger properties increases development pressures, and reduces coherence and unity	(✓)
<b>DEVELOPMENT AFFECTING SETTING</b>	Impact of distant development on views into or out of the historic park or garden may not be fully assessed.	✓
<b>LEGISLATION</b>	Inadequacies in notification and protection mechanisms, and conflict with other regimes (e.g. reservoirs legislation)	-

**KEY**

- ✓ Planning system and/or *Register* have direct impact (on cause)
- (✓) Planning system and/or *Register* have indirect impact (on effect)

*Table 32: The Nature of the Threats to Historic Parks and Gardens*

Source: Wood, 2013; English Heritage, 2010a ; 2009a; 2009b; 2008c; 2008d; Haenraets and Ebohon, 2008; Urban Parks Forum, 2001; Dingwall and Lambert, 1997; Pendlebury, 1996; Conway and Lambert, 1993; Jacques, 1993; Stacey, 1992

#### **4 The Significance of Historic Parks and Gardens**

---

The planning system has most direct influence, however, in response to development-related threats, that is, threats which stem from proposals which need planning permission. Whilst only three of the threats identified in Table 32 relate directly to development, many of the others increase the likelihood of development (the table also demonstrates that the relationships between the various sources of threat may be complex, some being both a cause and an effect, and that they are likely to work in combination; some of these combinations are illustrated in Fig. 21). When these direct and indirect development threats are considered cumulatively, the view articulated by both the Garden History Society and English Heritage that development constitutes the major threat to parks and gardens is more readily understood. As this is the threat with which the planning system is most able to engage, it becomes even more important to understand the degree to which the planning system is fit for purpose in this regard. This section has outlined the evaluations of its performance between 1983 and 2010; Chapter 5 will evaluate performance since the introduction of significance-based policy, and, particularly, the degree to which the interests defined in the planning system address the particular interests which historic parks and gardens embody.

## 4 The Significance of Historic Parks and Gardens



NEGLECT &  
FUNDING/FINANCE

The Water Gardens in Hemel Hempstead (Grade II) were added to the *Heritage at Risk Register* in 2013 primarily as a result of maintenance-related problems, notably in respect of the concrete structures and the planting. A Heritage Lottery Fund grant was awarded in July 2014 (Dacorum Borough Council, 2014).



DEVELOPMENT &  
FUNDING/FINANCE

Planning permission was granted in 1992 for a large commercial leisure development in Stanley Park, Blackpool (Grade II\*), on the site of the former park nursery. The impact of the sports centre on the park's design and character is compounded by the fact that it is outward-facing.



DEVELOPMENT &  
SUBDIVISION

The Compton Verney estate (Grade II\*) was divided into development parcels in the 1980s: houses were constructed in the walled garden. English Heritage's 'Conserving walled gardens and structures' project has confirmed the particular vulnerability of these gardens, with 'a large majority ... lost to redevelopment' (English Heritage, 2013h); neglect is also a possibility.

**IMAGE REMOVED FROM DIGITAL  
COPY OF THESIS FOR  
COPYRIGHT REASONS**

DEVELOPMENT &  
LEGISLATION

The Repton gardens at Wentworth Woodhouse were requisitioned for post-war opencast coal mining (image dated 1947). The then Minister of Town and Country Planning confined the workings to 'areas in which the damage ... could be remedied without serious impairment', and advised that, after restoration, the 'general character and beauty of the park and gardens will be substantially unaffected' (Silkin, 1946). The gardens (including restored elements) were registered Grade II\* in 1984.

Aerofilms, 1947  
(<http://www.britainfromabove.org.uk/image/EAW005599>, copyright English Heritage)

*Fig. 21: The Interplay of Threats to Parks and Gardens on the Register*

### 4.5 Conclusions

Drawing on the analysis above, this section seeks to answer the specific research questions posed at the beginning of the chapter.

#### *4.5.1 The Specific Interests Associated with Historic Parks and Gardens*

The first research question sought to identify the specific interests associated with historic parks and gardens. Until the introduction of PPS5 in 2010, only historic interest was formally associated with parks and gardens (in relation to their protection at least). With the introduction of significance-based policy in PPS5, archaeological, architectural and artistic interests are also recognised and protected, although, despite a more wide-ranging initial proposal during parliamentary debates, parks and gardens remain able to be designated solely on the basis of their historic interest. The review in Section 4.2 of the evolution of interest in parks and gardens, and of the associated legislation, determined that the significance of historic parks and gardens is actually much more widely understood, and it is this wider understanding that has informed the development of a specific typology of interest for parks and gardens, comprising aesthetic, archaeological, community, historic and horticultural interest (and their component sub-interests) within the understanding of their significance.

Whilst there is certainly a strong overlap between the interests in this typology and the ‘formal’ interests enshrined in current English legislation and policy, the key omissions are horticultural interest (relating to perhaps the most obvious and determinative quality of parks and gardens) and community interest: English policy and practice both severely underestimate the

## 4 The Significance of Historic Parks and Gardens

---

importance of community engagement and associations in determining the value of parks and gardens.

### *4.5.2 Effectiveness of Pre-Significance Measures*

The second research question sought to determine how effective measures have been in the past for the protection of historic parks and gardens. The impact of the failure to recognise the particular interests associated with historic parks and gardens proved difficult to determine definitively. Whilst there is general consensus in the literature that there has been a problem, and that there has been (and, to varying degrees, remains) a need for enhanced protection, the data to conclusively demonstrate that do not exist. An overall picture can be pieced together from the sources that do exist, however, and this conveys a strong impression of inadequacy in the mechanisms available for protection; taken in conjunction with the disparities between the qualities they embody and the qualities which are recognised and protected, between the strength of measures for the protection of parks and gardens and for listed buildings and scheduled monuments (discussed further in Chapter 4), and between the catalogue of threats facing them and the tools available to meet those threats, it is clear that parks and gardens are not well protected historic assets.

This chapter has developed a more detailed understanding of the problems facing parks and gardens, as well as the qualities they embody and which need protecting. The focus has been largely historical, that is, on the period up to the introduction of a significance-based policy in 2010. The next chapter focuses on the current system, by outlining and evaluating the protection mechanisms



## **4 The Significance of Historic Parks and Gardens**

---

now in place for historic parks and gardens, before proposing a refinement of the model presented in Chapter 3 for the assessment of significance of historic parks and gardens.

### CHAPTER 5: PLANNING AND THE PROTECTION OF HISTORIC PARKS AND GARDENS

In terms of planning, gardens have fallen between the two stools of the built environment and the natural scenery protection policies.

*Batey, 1984, p. 7*

#### 5.1 Introduction

Chapter 3 explored concepts of significance and interest, and Chapter 4 developed that discussion with particular reference to the conservation of historic parks and gardens. This chapter examines these concepts within the primary mechanism for delivering that conservation, namely the planning system, with a view to better understanding its effectiveness in the protection of historic parks and gardens.

Where Chapter 4 explored the origins of measures for the protection of parks and gardens, Chapter 5 uses an empirical assessment of the legislation and policy to outline the current mechanisms available within the planning system for their protection, and reviews their effectiveness through further empirical work. It then draws on a review of the existing literature to inform the development of a method for the assessment of significance of historic parks and gardens, itself a development of the model presented in Chapter 3 (Fig. 14).

The specific research questions addressed are:

## **5 Planning and the Protection of Historic Parks and Gardens**

---

- 1) How do the provisions for the conservation of historic parks and gardens compare to those for other historic assets, in terms of the nature and strength of the protection offered?
- 2) How effective are the current provisions for the protection of historic parks and gardens?
- 3) How might significance be defined in relation to historic parks and gardens, conceptually and methodologically?

### **5.2 The Relative Status of Parks and Gardens**

#### ***5.2.1 Introduction***

The first research question to be answered in this chapter relates to the relative status of provisions for the protection of historic parks and gardens in comparison with those for other heritage assets. The provisions within the planning system for the protection of historic parks and gardens are noticeably different to those for most other types of historic asset, in such a way that parks and gardens may be perceived as disadvantaged. The operation of the planning system itself (with specific reference to the broad policy and legislative tools available for use in conservation in England) is summarised in Thomson, 2014 (attached at Appendix IV); the relative protection afforded to the different types of heritage asset is discussed below.

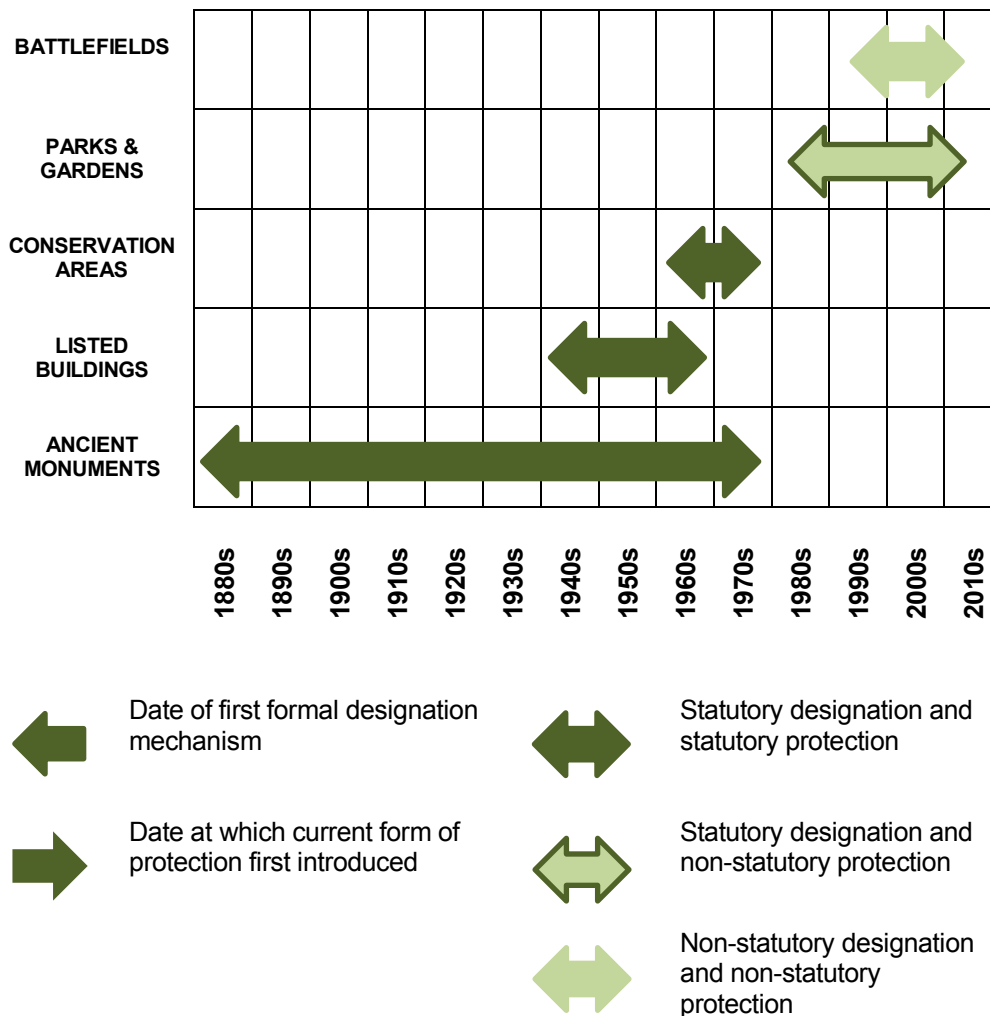
### 5.2.2 *The Protection of Historic Parks and Gardens*

#### *Chronological Overview of the Development of Conservation Provisions*

Chapter 4 outlined the gradual emergence of measures for the protection of historic parks and gardens prior to the introduction of significance-based policy in 2010, with a view to demonstrating both their nature and effectiveness. That same chronology also demonstrates parallels with the development of legislation in respect of ancient monuments and listed buildings, in that the protection of parks and gardens was originally resisted as an unnecessary imposition on the private property rights of landowners, but ultimately accepted (Stacey, 1992). Key differences in the evolution of the various Acts relate to the time needed for that acceptance to develop, and the extent of it. The degree to which provision for parks and gardens took longer to emerge in the first place, and remained weaker than provisions for other types of heritage asset, is illustrated in Fig. 22.

The specific differences in the extent to which controls on different heritage assets were accepted are not otherwise visible in Fig. 22, but may be ascertained from an examination of the evolution of protection mechanisms for different asset types, and consideration of what evolution (or failure to evolve) signifies.

## 5 Planning and the Protection of Historic Parks and Gardens



*Fig. 22: Timeline of Conservation Protection Mechanisms*

Whilst the protection mechanisms did evolve for monuments, buildings and areas, culminating in specific consent regimes, the legislative provisions in respect of parks and gardens did not develop beyond designation: there are no statutory controls protecting parks and gardens, and certainly not a dedicated consent regime. As noted in Chapter 4, there has been pressure for a consent regime, notably from the Garden History Society, but this has historically encountered both practical and political difficulties, as shown in Table 33.

## 5 Planning and the Protection of Historic Parks and Gardens

PRACTICAL	POLITICAL
<ul style="list-style-type: none"> <li>• Inherent difficulty in defining and controlling a dynamic environment</li> </ul>	<ul style="list-style-type: none"> <li>• Limited political will</li> </ul>
<ul style="list-style-type: none"> <li>• Classifying the full range of potentially harmful actions</li> </ul>	<ul style="list-style-type: none"> <li>• Concern about interference with private land ownership</li> </ul>
<ul style="list-style-type: none"> <li>• Administration of consent regime</li> </ul>	<ul style="list-style-type: none"> <li>• General climate of deregulation</li> </ul>
<ul style="list-style-type: none"> <li>• Lack of appropriate skills within the sector</li> </ul>	<ul style="list-style-type: none"> <li>• Resistance to the introduction of controls some time after the <i>Register</i> to which to they would relate</li> </ul>
<ul style="list-style-type: none"> <li>• Additional work for local authorities and English Heritage</li> </ul>	

*Table 33: Obstacles to the Implementation of a Parks and Gardens Consent Regime*

Source: Pendlebury, 1996; GHS, 1993; Stacey, 1992;  
Parliamentary material as listed in Appendix III

Political difficulties have been of particular relevance. The ‘steadfast resistance of powerful landed interests’ (Dobby, 1978, p. 17) had been the cause of the delay and dilution of the first monuments legislation, and also in the protracted interval before buildings received a similar form of protection; it is significant that buildings were finally addressed alongside the introduction of the modern planning system in the 1944 and 1947 Acts, which themselves represented ‘a high point in public intervention in the shaping of an urban environment’ (Cherry, 1972, p. 212); parks and gardens missed this window of opportunity.

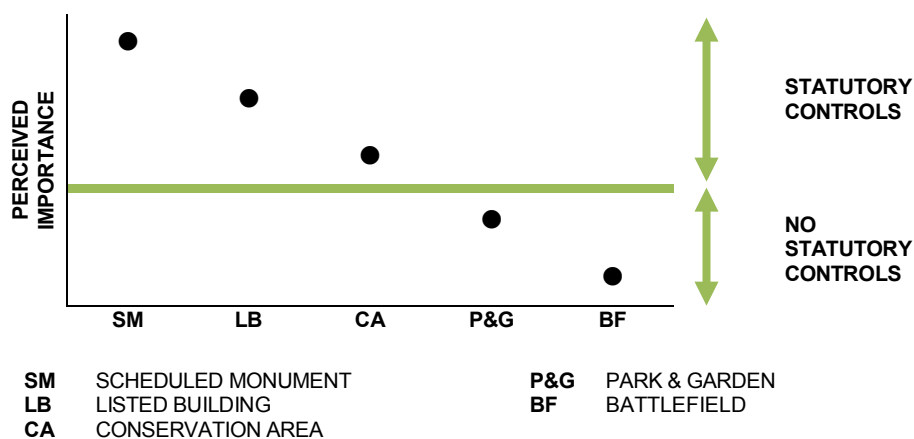
The temporal proximity of listed building and conservation area measures in Fig. 22 may be explained by a related thematic proximity: mindful of the use of the terms ‘special architectural or historic interest’ in the legislation for each, Dobby asserts that:

*... the terms [of the definition of conservation areas] reveal very clearly that conservation areas were considered as listed buildings or buildings of ‘group value’ writ large.*

1978, p. 38

## 5 Planning and the Protection of Historic Parks and Gardens

As such, their acceptance is understandable, and, indeed, the *Civic Amenities Bill* (which introduced conservation areas) received cross-party support. But the proposals to protect historic parks and gardens resurrected concerns about interference with private property, suggesting that these concerns had never abated, but had merely been temporarily assuaged by the focus of earlier proposals on buildings. As the existing controls on designated monuments, buildings and areas were greater than those for gardens, it was not the degree of restriction or compulsion per se that was at issue, nor changes in the wider climate for conservation, as the controls for listed buildings and conservation areas were reaffirmed in 1990, *after* similar provisions for parks and gardens had been resisted. Instead, it must be assumed to relate more to the perceived importance of parks and gardens themselves; the relationship between perceived importance and the strength of protection mechanisms may be illustrated as shown in Fig. 23.



*Fig. 23: The Perceived Importance of Assets and their Protection*

Stacey suggests that ‘parks and gardens arouse a particularly emotional response’ (1992, p. 37), and that is evident in some of the parliamentary

## 5 Planning and the Protection of Historic Parks and Gardens

discussions. That response has not itself been sufficient to raise the perceived importance of parks and gardens, however.

### *Relative Strength of Conservation Provisions*

This absence of a comparable degree of protection is another key difference in the evolution of the various pieces of conservation legislation and policy, and warrants closer scrutiny. Table 34 provides more detail as to the mechanisms in place for each type of heritage asset.

	SCHEDULED MONUMENTS	LISTED BUILDINGS	CONSERVATION AREAS	PARKS & GARDENS	BATTLE-FIELDS
<b>DATE OF FIRST DESIGNATION</b>	1882	1944	1967	1983	1995
<b>CURRENT FORM OF PROTECTION FIRST INTRODUCED</b>	1979	1968	1974	[2010]	[2010]
<b>'LIST' TYPE</b>	SCHEDULE	LIST	-	REGISTER	REGISTER
<b>DESIGNATED BY</b>	SoS	SoS	LPA	EH	EH
<b>SPECIFIC CONSENT REGIME</b>	SMC	LBC	PP	-	-
<b>CONSENT DECISION BY</b>	SoS	LPA	LPA	LPA	LPA
<b>CURRENT LEGISLATION</b>	1979 Ancient Monuments & Archaeological Areas Act	1990 Listed Buildings & Conservation Areas Act	1990 Listed Buildings & Conservation Areas Act	1983 National Heritage Act	-
<b>CURRENT DESIGNATION CRITERIA</b>	National importance	Special architectural/historic interest	Special architectural/historic interest	Special historic interest	Historic interest

**EH** English Heritage  
**LBC** Listed building consent  
**LPA** Local planning authority  
**PP** Planning permission  
**SMC** Scheduled monument consent  
**SoS** Secretary of State

*Table 34: Overview of the Conservation Mechanisms for Heritage Assets*

The table confirms that listed buildings and conservation areas share (with scheduled monuments) a statutory profile that has not been extended to subsequent historic assets: there has been a decline in the procedural weight accorded to historic assets which were first protected after 1967. Monuments,



## **5 Planning and the Protection of Historic Parks and Gardens**

---

listed buildings and conservation areas all have both statutory designation and statutory protection mechanisms (in the form of dedicated consent regimes), whilst parks and gardens are only statutory in their designation, and battlefields have no statutory basis at all.<sup>18</sup> Parks and gardens (and battlefields) are therefore entirely reliant on the application of planning policy when planning permission is needed and planning applications are being determined (a circumstance which represents a subset of all potentially damaging activities); in contrast, scheduled monument consent is required for ‘virtually all works affecting scheduled monuments’ (Mynors, 2006, p. 365). Furthermore, contraventions of the consent regimes for buildings, monuments and areas constitute criminal offences; failing to obtain planning permission does not.

The profile of the key stakeholders in each case also demonstrates a decline: decisions on the designation of monuments and buildings are taken by the Government, whilst decisions on conservation areas are an entirely local matter. Decisions on the designation of parks and gardens and battlefields are taken by English Heritage: a national body, but not one directly within planning’s decision-making hierarchy.

In terms of designation criteria, another decline or diminution may be observed: a shift in designation criteria from historic, architectural, artistic, traditional or archaeological interest (ancient monuments), to special architectural or historic interest (buildings and areas), to historic interest (parks

---

<sup>18</sup> From 1974 to 2013, demolition in conservation areas required what came to be known as ‘conservation area consent’; this has since been replaced with a requirement for planning permission that is the same in all but name.

## 5 Planning and the Protection of Historic Parks and Gardens

---

and gardens, and battlefields – although the requirement for parks and gardens is ‘special’ historic interest).

Is there a direct link between the interests deemed to justify designations and the degree of protection accorded to various assets? As discussed in Chapter 4, Hobson (2004) identifies historic interest as a low-ranking conservation interest, and certainly those assets with acknowledged architectural interest benefit from stronger provisions. It could be argued that the extension of heritage protection to a wider range of assets itself necessitates a dilution of protection. Whilst supportive of conservation areas, Lord Silkin did articulate a concern in 1967 that ‘We are doing a great deal already in the way of designation of areas.... we may find the whole country designated in one way or another’ (Hansard, Parl. Debs. (series 5): HL Deb 04 May 1967 vol. 282 c. 1086), and certainly the number of protected assets in the United Kingdom is ‘quite remarkable’ when compared to other European countries (Pickard, 2001, p. 319).

It could also be argued that the non-built heritage must be inherently less ‘architectural’, but parks and gardens *do* demonstrate architectural interest (as discussed in Chapter 4), and this was acknowledged when the 1983 Act was going through Parliament. Overall, the trend which can be seen in the shift from the conservation of monuments, to buildings, to areas, to non-built spaces, is one of decreasing commitment and administrative ‘weight’. As discussed above, the balance of evidence would seem to suggest that the order in which historic assets were made the subject of protective measures, and the legislative status assigned to each, does reflect the relative interest and priority

## **5 Planning and the Protection of Historic Parks and Gardens**

---

ascribed to them, and the interests associated with them. The nature of these interests in relation to historic parks and gardens, and the way in which they are addressed within the planning system, is explored in the next section. In the meantime, the answer to the research question is clear: the provisions for the conservation of historic parks and gardens are weaker than those for other historic assets.

### **5.3 Current Protection Mechanisms**

#### ***5.3.1 Introduction***

Chapter 4 outlined the provisions for the protection of parks and gardens which were in force before 2010, and evaluated their effectiveness, concluding that parks and gardens have not been strongly protected in the past. This section outlines the provisions which are currently in force, and thereby provides a context for the subsequent section, which addresses the second research question posed at the beginning of the chapter, namely, how effective are the current provisions for the protection of historic parks and gardens?

#### ***5.3.2 Permitted Development***

As discussed in Chapter 4, there is no dedicated consent regime specific to historic parks and gardens. As a result, there remain many forms of potentially damaging activity that might negatively impact upon a garden's significance which do not require any form of consent within the planning system. Activities which do not constitute 'development', or which are classed as 'permitted development', do not need an application for planning permission: '[h]istoric landscape can be quickly eroded by numerous small decisions

## 5 Planning and the Protection of Historic Parks and Gardens

which lie outside normal planning control’ (Jacques, 1991, n. pag.).<sup>19</sup> Table 35 gives examples of some of the activities which may be carried out in parks and gardens without planning permission being required (although it should be emphasised that exceptions exist relating to size, location, and designations such as listed buildings or conservation areas).

DEVELOPMENT STATUS	PROVISION	EXAMPLES OF ACTIVITIES ALLOWED
<p><b>NOT DEFINED AS DEVELOPMENT</b></p> <p><i>(under section 55(2) of the Town and Country Planning Act 1990, as amended)</i></p>	<ul style="list-style-type: none"> <li>• Use of any land for the purposes of agriculture or forestry</li> <li>• Use of any buildings or other land within the curtilage of a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse</li> </ul>	<ul style="list-style-type: none"> <li>• Tree planting (inc. afforestation)/ removal</li> <li>• Hedgerow planting or removal</li> <li>• Tree planting/removal</li> <li>• Creation or removal of flowerbeds</li> <li>• Removal of paths</li> <li>• Installation of play equipment</li> </ul>
<p><b>DEFINED AS DEVELOPMENT BUT AUTOMATICALLY PERMITTED</b></p> <p><i>(under the Town and Country Planning (General Permitted Development) Order 1995, as amended)</i></p>	<p><i>General:</i></p> <ul style="list-style-type: none"> <li>• Erection or alteration of gates/fences/walls less than 2 metres in height</li> </ul> <p><i>Residential:</i></p> <ul style="list-style-type: none"> <li>• Enlargement/improvement/alteration of dwellinghouse</li> <li>• Provision of building/swimming or other pool</li> <li>• Provision of hard surface within curtilage of a dwellinghouse</li> </ul> <p><i>Agricultural land:</i></p> <ul style="list-style-type: none"> <li>• Works for the erection, extension or alteration of a building for agriculture</li> </ul> <p><i>Local authority action on local authority land (e.g. parks):</i></p> <ul style="list-style-type: none"> <li>• Erection/construction of small ancillary buildings for local authority functions</li> <li>• Erection of specified structures required for the operation of a local authority public service</li> </ul>	<ul style="list-style-type: none"> <li>• New walls/fences/gates</li> <li>• House extensions</li> <li>• Addition of pond or swimming pool</li> <li>• Construction of outbuildings</li> <li>• Creation of patios, paths and drives</li> <li>• Agricultural buildings</li> <li>• Park buildings (e.g. storage huts)</li> <li>• Lighting, information kiosks, shelters, seats</li> </ul>

*Table 35: Activities Not Usually Requiring Planning Permission*

Source: As shown

<sup>19</sup> Development is defined as the ‘carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land’ (Great Britain. *Town and Country Planning Act 1990*, s. 55(1)).

### 5.3.3 Significance-Based Policy

#### *PPS5*

For those activities for which planning permission is required, the replacement of PPG15 with PPS5 in March 2010 formally introduced the significance-based approach to conservation to English planning policy. The new, streamlined PPS format moved some of the detailed references to parks and gardens and planning from policy to a supporting practice guide (DCLG, 2010b) – itself soon to be cancelled (English Heritage Government Advice Director interview, 2014) – but, crucially, increased the level of protection available for parks and gardens.

In policy terms, registered parks and gardens became subject to the same broad protection as world heritage sites and listed buildings, as ‘designated heritage assets’. In practice, this meant that:

*There should be a presumption in favour of the conservation of designated heritage assets and the more significant the designated heritage asset, the greater the presumption in favour of its conservation should be.... Substantial harm to or loss of a grade II ... park or garden should be exceptional. Substantial harm to or loss of ... grade I and II\* registered parks and gardens... should be wholly exceptional.*

DCLG, 2010a, p. 8

Further to the discussion in Section 4.3.3 of the presumption in favour of development, and then in favour of the development plan, the ‘presumption in favour of ... conservation’ may be seen to be of particular importance: this represented a very clear weighting within policy, and enhanced the status of conservation when considered alongside other material considerations.

## 5 Planning and the Protection of Historic Parks and Gardens

---

PPS5 also extended a degree of planning protection to non-registered parks and gardens for the first time: '[t]he effect of an application on the significance of [a non-designated] heritage asset or its setting is a material consideration in determining the application' (*ibid.*). For both designated and non-designated assets, PPS5 required that:

*In considering the impact of a proposal on any heritage asset, local planning authorities should take into account the particular nature of the significance of the heritage asset and the value that it holds for this and future generations. This understanding should be used by the local planning authority to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposals.*

*Ibid.*, p. 7

In all cases, the level of protection actually to be accorded depended on an asset's significance – 'the value of a heritage asset to this and future generations because of its heritage interest' (*ibid.*, p. 14) – with decisions resting on the nature of that interest, and its relative importance. The appearance of significance within national planning policy enabled the potential for more robust research and nuanced assessment – first rendered material within the English planning system by PCAN 14 and *Conservation Principles* – to be realised, subject of course to the effective application of the policy; the degree to which the policy was applied is explored further in Chapters 7-9.

As defined in PPS5, heritage interest could be 'archaeological, architectural, artistic or historic' (*ibid.*): the proportion of total garden interests explicitly subject to planning protection was increased (albeit, in the case of *registered* parks and gardens, applied to a subset of gardens selected solely because of their historic interest).

## 5 Planning and the Protection of Historic Parks and Gardens

---

PPS5 also made provision for the consideration of community views where ‘the evidence suggests that the heritage asset may have a special significance to a particular community’ (*ibid.*, p. 7), but, less positively, also introduced additional tensions into planning for the protection of historic parks and gardens.

Firstly, a tension between the actual interests associated with parks and gardens (as identified in Chapter 4), and those recognised within the planning system through which their protection is primarily delivered: there remains a discontinuity between the interests which the planning system now addresses, and the interests which informed, and continue to inform, the acknowledgement of the importance of parks and gardens.

Secondly, a tension between the four interests referred to in policy, and the single interest used for designation. The assumption within PPS5 that these four interests together constituted heritage interest, and thus informed significance, implicitly acknowledged that all heritage assets may be capable of demonstrating any or all of these interests. Parks and gardens may only be registered (and thus made subject to the highest available level of protection for parks and gardens) on the basis of historic interest, however, as noted in the *Register Guidance Manual 2001*:

*A park or garden can be of interest for reasons other than its historic development.... [T]he existence of all such other interests needs to be taken into account when considering the broader issue of the conservation and management of historic sites. In terms of considering sites for the Register, such attributes are not relevant....*

Jordan and Rutherford, 2001, pp. 22-23

## 5 Planning and the Protection of Historic Parks and Gardens

---

Historic interest may therefore be assumed to be the primary operational interest in relation to parks and gardens, but this was not acknowledged within policy.

The availability and use of evidence became crucial in this new approach (as discussed in Chapter 3), as the need for appropriate information about assets underpinned the policy. It was in this way that parks and gardens remained – relatively – vulnerable, as:

*...some asset types are not currently well-recorded. For example, the Register of Parks and Gardens of Historic Interest in England is thought to represent around two thirds of sites potentially deserving inclusion.*

DCLG, 2010b, p. 12

Thus, whilst PPS5 ostensibly enhanced the available protection for parks and gardens, it increased the evidence burden required to implement it.

### *The NPPF*

PPS5 was itself superseded in March, 2012, by the NPPF, and this is the document currently in force. For the most part, the NPPF carried forward PPS5 policy verbatim, but a key change related to the wider planning context in which the conservation elements of policy operate, namely the introduction of an explicit presumption in favour of sustainable development (and the corresponding loss of the presumption in favour of the conservation of designated heritage assets that had been contained in PPS5). Whilst designated heritage assets are to some degree ‘ring-fenced’ within the presumption (DCLG, 2012, p. 4), and the NPPF’s strategic priorities include the conservation and enhancement of the historic environment, there remains a



## **5 Planning and the Protection of Historic Parks and Gardens**

---

need to reconcile environmental, social, and economic interests. Given the retention of the requirement in PPS5 to weigh proposals with ‘less than substantial harm’ to designated assets against public benefits (*ibid.*, p. 31), there remains a risk that economic factors may be deemed to ‘outweigh’ harm to significance, especially where evidence or existing local policy are regarded as out of date; the National Trust (2014) and the Heritage Alliance (2014) have both expressed concern about the balance of the economic, the environmental and the social in the implementation of the NPPF.

Other potential concerns relate to an increase in the level of subjectivity within the decision-making process: the key term ‘substantial’ is not defined, and significance is itself a broad concept open to varied interpretation, as discussed in Chapter 3.

Nevertheless, ‘the NPPF appears to be working reasonably well and, on balance, levels of protection appear to have been broadly maintained’ (English Heritage, 2013c, p. 22), a view confirmed by interviewees (English Heritage Government Advice Director interview, 2014; Chief Planner interview, 2014).

### ***5.3.4 Pre-Existing Provisions***

#### *Introduction*

Alongside the new significance-based policy, the majority of the existing provisions in respect of historic parks and gardens remain in place, some of direct relevance to the protection of historic parks and gardens, and some designed for other purposes which yet have relevance.

## 5 Planning and the Protection of Historic Parks and Gardens

---

### *Directly Relevant Provisions*

PPG15 (as discussed in Chapter 4) was superseded by PPS5 and the NPPF. The *Register* itself, and the requirement to consult English Heritage and the Garden History Society on relevant planning applications (also discussed in Chapter 4 as early mechanisms of relevance to parks and gardens protection), both remain in force. At the local authority level, development plan policies for the protection of historic parks and gardens may also be extant, and with the same role in the planning process, albeit under the aegis of revised national policy.

Other surviving mechanisms, which may appear initially not to be of direct relevance to parks and gardens, are discussed below.

### *Alternative Mechanisms*

The weaknesses in the protection mechanisms for parks and gardens have not left them wholly defenceless, but have necessitated a dependence on tools designed primarily for other (often architectural) purposes (Thomson, 2014; Jones and Larkham, 1993; Stacey, 1992).

#### *i) Alternative Conservation Mechanisms*

Where features within a park or garden justify it, alternative conservation designations may provide a valuable additional means of protection, particularly where the designation brings rigorous control over changes, as is the case with scheduling or listing. This may not be a generally applicable solution, however, as a site must contain features of the relevant type, interest,

## 5 Planning and the Protection of Historic Parks and Gardens

---

and quality (an example of a garden which is both scheduled and registered is shown in Fig. 24).



*Fig. 24: A Scheduled Registered Garden: Godolphin, Cornwall (June, 2011)*

Using Pendlebury's 1996 typology of garden features, Table 36 illustrates the degree to which scheduling, listing, and conservation area designations may be used directly to protect specific elements of parks and gardens, subject to quality and the interest demonstrated.<sup>20</sup>

---

<sup>20</sup> Depending on the extent of the designation, and its setting, additional protection may also accrue to other components of the site as a result of these, e.g. a structure within the curtilage of a listed garden building may itself benefit from listed building controls.

## 5 Planning and the Protection of Historic Parks and Gardens

FEATURE	SCHEDULE	LIST	CONSERVATION AREA
Shrubberies	-	-	-
Tree belts	-	-	✓
Tree clumps	-	-	✓
Specimen trees	-	-	✓
Tree avenues	-	-	✓
Hedge lines	-	-	-
Walls	✓	✓	✓
Gates	✓	✓	✓
Fences	-	-	-
Landscape features	✓	-	-
Buildings	✓	✓	✓
Shelters	✓	✓	✓
Monuments	✓	✓	✓
Drives/paths	✓	✓	-
Seating	✓	✓	-
Bedding-out areas	-	-	-
Bedding displays	-	-	-
Other flower planting	-	-	-
Topography	-	-	-
Grassland	-	-	-
Agricultural land	-	-	-
Woodland	-	-	✓
Play provision	-	-	-
Formal games areas	-	-	-

<b>INTEREST PROTECTED</b>	[ARCHAEOLOGICAL]	ARCHITECTURAL HISTORIC	ARCHITECTURAL HISTORIC
<b>QUALITY REQUIRED</b>	NATIONAL IMPORTANCE	SPECIAL	SPECIAL
<b>DEDICATED CONSENT</b>	YES	YES	YES [DEMOLITION/TREES]

*Table 36: Conservation Mechanisms of Potential Relevance to Park and Garden Features*

The table shows that built features may be protected in a number of ways, and that conservation area designation also provides some measure of protection for trees, but that the majority of garden features remain unprotected except – subject to issues around permitted development – by generic planning controls as outlined above. Even where protection may be available in principle for a particular feature type, the interest it is deemed to embody may not be the interest that the mechanism can protect (e.g. listing will protect architectural

## **5 Planning and the Protection of Historic Parks and Gardens**

---

and historic interest but not archaeological), and even if it is, it may not be of the required standard (e.g. ‘national importance’, or ‘special’). Nevertheless, additional – or alternative – designations for parks and gardens are encouraged in guidance (English Heritage, 2012d; 2007b).

Overall, whilst creative use of alternative conservation mechanisms (where available) may provide some degree of protection for elements of parks and gardens, it cannot provide comprehensive protection for the whole registered area, and nor, due to the different rationales for each protection mechanism, can the particular qualities of parks and gardens necessarily be addressed. Instead, coverage will be patchy, and relevant interests may not be addressed at all: no available mechanism specifically protects horticultural interest, for instance. Interests may indeed be injured: ‘protection of a park or garden as a site of archaeological interest may be at odds with horticultural or landscape management’ (Dingwall and Lambert, 1997, p. 15). In the absence of anything more pertinent, alternative mechanisms may still be the best available option, however, whether in the form of conservation or planning mechanisms.

### *ii) Alternative Planning Mechanisms*

As may be seen from Table 37, below, other available planning designations or mechanisms of potential relevance to parks and gardens also vary in relation to the assets to which they apply, and their geographical coverage. Again, these will protect a defined quality rather than the full range of qualities which may be deemed to comprise a park or garden’s significance, and may actively undermine the conservation of historic interest.

## 5 Planning and the Protection of Historic Parks and Gardens

DESIGNATION/ MECHANISM	NOTIFICATION/ SPECIAL CONSENT	ASSETS PROTECTED	QUALIFICATION
<b>Tree Preservation Order</b>	✓	Trees	Protects amenity
<b>Hedgerows Regulations</b>	✓	Hedgerows	Where on common/ agricultural land
<b>Inclosure Acts</b>	-	Hedgerows	Where planted under Inclosure Acts
<b>National Park</b>	-	Landscape areas	Natural beauty
<b>Area of Outstanding Natural Beauty</b>	-	Landscape areas	Natural beauty
<b>Sites of Special Scientific Interest</b>	✓	Wildlife Geology	Special interest

*Table 37: Protection Afforded to Park and Garden Features by Planning Mechanisms*

Source: Mynors, 2011; DETR, 1997;  
Great Britain. Town and Country Planning Act 1990

The need to take a park or garden's registered status and significance into account within planning decision-making has already been noted, but other aspects of planning policy (both local and national) relating to the protection of the non-built environment may also be invoked to protect parks and gardens. National policies (with which local policy must accord) are summarised in Table 38. The application of these policies may reveal the tensions between different areas of policy. Those outlined below, for instance, are protective policies, whereas much other planning policy relates to the promotion of appropriate development to meet community needs. Policy tensions are now to be reconciled within the overarching presumption in favour of sustainable development, in which:

*... economic, social and environmental gains should be sought jointly and simultaneously through the planning system..*

DCLG, 2012, p. 3

## 5 Planning and the Protection of Historic Parks and Gardens

POLICY AREA	POLICY CONTEXT
<b>Landscape</b>	'Valued landscapes' should be protected and enhanced, with 'great weight' given to 'conserving landscape and scenic beauty' in National Parks, the Broads and Areas of Outstanding Natural Beauty, where development not permitted 'except in exceptional circumstances'
<b>Green Belt</b>	'Inappropriate development' restricted except in 'very special circumstances'
<b>Countryside</b>	Development should 'respect the character of the countryside'
<b>Agricultural Land</b>	'Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land' [and] 'seek to use areas of poorer quality land in preference to that of a higher quality'
<b>Open Space</b>	'All open space of public value' offering 'important opportunities for sport and recreation' or 'visual amenity' protected unless being replaced or surplus to requirements
<b>Local Green Space</b>	'Green areas of particular importance to [local communities] meeting proximity, size and quality criteria (e.g. 'historic significance') protected except in 'very special circumstances'
<b>Biodiversity</b>	'Impacts on biodiversity' (including designated sites and protected habitats) to be minimised and 'net gains' provided; development having an 'adverse effect' on a Site of Special Scientific Interest 'should not normally be permitted'; veteran trees/areas of ancient woodland protected 'unless the need for, and benefits of, the development... clearly outweigh the loss'
<b>Geology</b>	'Geological conservation interests' should be protected and enhanced
<b>Amenity</b>	Effects of proposed development on 'general amenity' should be 'taken into account', and plans 'should allocate land with the least environmental or amenity value'

*Table 38: National Planning Policy of Potential Relevance to the Protection of Parks and Gardens*

Source: DCLG, 2012

They are expected to be resolved to some degree in the formulation of local development plan policy, but, even where development plan policy is clear and up-to-date, it can still be outweighed by 'other material considerations': different planning objectives are likely to be articulated and juxtaposed at a number of points in the planning process, by a wide range of stakeholders (as discussed in Chapter 2), with direct implications for the outcome on the ground. The application of competing policy areas will be illustrated further in the cases studied in Chapters 7-9.

### 5.4 Effectiveness of Current Protection Mechanisms

The effectiveness of the pre-2010 mechanisms for the protection of parks and gardens, prior to PPS5 and the NPPF, was assessed in Chapter 4. Drawing on a range of evidence, the conclusion was that parks and gardens were not adequately protected in practice, and that development proposals posed the greatest threat. This section provides an initial assessment of the effectiveness of the current protection mechanisms, as outlined above, and draws on some of the same evidence, including the *Heritage at Risk Register*, and the questionnaire survey of local planning authorities undertaken for this research, to provide an impression of effectiveness based on triangulated sources. A detailed evaluation of the effectiveness of current planning provisions, however, also requires assessments of their impact on the significance of parks and gardens; this will be the focus of the case studies, and will involve the application of the assessment tool proposed in Chapter 3, and developed further in this chapter.

#### 5.4.1 *Heritage at Risk*

##### *Context*

The first few years of coverage by the *Heritage at Risk Register* of parks and gardens were reviewed in Chapter 4, i.e. from the preliminary survey in 2008, through to the official baseline survey in 2009, and on to 2010, the year during which PPS5 emerged. This section examines the subsequent findings of the *Heritage at Risk Register* during the years which wholly reflect PPS5 and NPPF practice (2011-2013), and compares them with the pre-significance



## 5 Planning and the Protection of Historic Parks and Gardens

---

findings to seek to deduce the effectiveness of current policy from the evidence of parks and gardens at risk.

Firstly, though, an example of a garden at risk is provided. Added to the *Heritage at Risk Register* in 2013, the Water Gardens at Hemel Hempstead were designed by Sir Geoffrey Jellicoe in the 1950s, and registered at Grade II in 2010. The *Heritage at Risk Register* entry described their condition as ‘generally unsatisfactory with major localised problems’ and ‘declining’, and their vulnerability as ‘high’ (English Heritage, 2013b, p. 29); the entry’s description of the site is quoted in Fig. 25, and the identified problems illustrated.

These problems had already been recognised by Dacorum Borough Council, who submitted an application for funding for restoration works to the Heritage Lottery Fund in 2012 which was approved in 2014 (Dacorum Borough Council, 2014). The Water Gardens face a number of problems stemming from both neglect and lack of funding, including the need to reinforce the original design, and to repair the original concrete structures; a lack of understanding has also contributed to the gardens’ decline.

## 5 Planning and the Protection of Historic Parks and Gardens



*Fig. 25: Annotated Heritage at Risk Register Entry (Water Gardens, Hemel Hempstead, November 2013)*

## 5 Planning and the Protection of Historic Parks and Gardens

---

### *Headline Findings*

Table 39 sets out the key findings for the period 2009-2013, and reveals a high level of consistency between years which provides no evidence of a change in the level of risk under significance-based policy. This is of course a crude indicator, as other factors are also relevant, and some threats to parks and gardens take longer to emerge than the two to three years covered by the post-significance *Heritage at Risk Registers*, but development-related threats are themselves swift to emerge and be recorded, so there remains some merit in comparing the findings.

YEAR	NUMBER OF REGISTERED PARKS AND GARDENS	NUMBER AT RISK	PERCENTAGE AT RISK
2009	1600	96	6.0%
2010	1606	99	6.2%
2011	1610	103	6.4%
2012	1617	99	6.1%
2013	1624	100	6.2%

*Table 39: Heritage at Risk Findings for Parks and Gardens 2009-2013*

Source: English Heritage, 2013a; 2012a; 2011b; 2010a; 2009a; 2009b

It is also worth comparing the findings for parks and gardens with those for other heritage assets (Table 40). The proportion of registered parks and gardens at risk has been consistently higher than that of listed buildings, but lower than that of scheduled monuments and battlefields. It is also tempting to note that the proportion of parks and gardens at risk has also frequently increased rather than decreased when the proportions of other assets at risk have decreased or remained static, although the difference in percentage for parks and gardens is not significant, so this is unlikely to demonstrate in itself

## 5 Planning and the Protection of Historic Parks and Gardens

a greater threat to parks and gardens or a greater priority to the rescue of listed buildings and scheduled monuments.

YEAR	PERCENTAGE AT RISK/TREND							
	LISTED BUILDINGS (I/II*)		SCHEDULED MONUMENTS		PARKS & GARDENS		BATTLEFIELDS	
2009	3.1%		18.0%		6.0%		16.0%	
2010	3.1%	↔	17.2%	↓	6.2%	↑	14.0%	↓
2011	3.0%	↓	16.9%	↓	6.4%	↑	14.0%	↔
2012	3.0%	↔	16.6%	↓	6.1%	↓	14.0%	↔
2013	4.1%	↑	16.5%	↓	6.2%	↑	14.0%	↔
<b>APPROXIMATE TOTAL DESIGNATIONS</b>	31,000		20,000		1,600		45	

*Table 40: Heritage at Risk Findings 2009-2013*

Source: English Heritage, 2013a; 2012a; 2011b; 2010a; 2009a; 2009b

### *Detailed Analysis*

A detailed analysis of the parks and gardens at risk in one year (2012) is perhaps more useful with regard to the effectiveness of particular protection mechanisms. The information provided for each entry in the *Heritage at Risk Register* for 2012 (English Heritage, 2012a) was collated (Appendix XI) and analysed, and descriptive statistics generated. The findings are discussed below.

#### *i) Analysis by Grade*

When the proportions of parks and gardens in each grade are compared between the *Register* and in the *Heritage at Risk Register* (at the time the latter was formulated), it suggests that Grade II\* parks and gardens are over-represented with regard to risk (Fig. 26). Given the greater likelihood of both Grade I and II\* receiving grants towards restoration, this is surprising.

## 5 Planning and the Protection of Historic Parks and Gardens



*Fig. 26: Proportions of Parks and Gardens in Each Grade (June 2012)*

Source: English Heritage, 2012a; 2012f

With regard to condition, 66% of Grade II parks and gardens at risk were in the worst two categories ('extensive significant problems' and 'generally unsatisfactory with major localised problems'), in contrast to 56% of Grade II\*s and 40% of Grade Is; the largest single proportion of Grade IIs were defined as being in the 'extensive significant problems' category, whilst the largest single proportions of Grade Is and Grade II\*s were both in the 'generally satisfactory but with significant localised problems' category (60% and 42%, respectively). Looking at vulnerability and overall trends, however, larger proportions of Grade I and Grade II\* parks and gardens at risk were in the 'high vulnerability' (60% and 61%, respectively, compared to 54% for Grade IIs) and 'declining' categories (60% and 66%, respectively, compared to 48% for Grade IIs): whilst Grade II parks and gardens at risk are generally in poorer condition, Grades I and II\* are more vulnerable, and getting worse.

## **5 Planning and the Protection of Historic Parks and Gardens**

---

The nature of the threats also varies by grade: neglect is the most common threat faced by Grade I and II\* parks and gardens at risk, and development for Grade IIs. In itself, this suggests that planning protection mechanisms might be having some effect in discouraging inappropriate development, as policy tests and consultation requirements follow this same distinction between grades (Grade I and II\* parks and gardens are recognised in the NPPF as being assets of the ‘highest significance’, and English Heritage is only consulted on applications affecting Grade I and II\* parks and gardens); this may also demonstrate the weakness of planning mechanisms in dealing with ‘non-planning’ issues. Overall, 64% of the parks and gardens at risk were facing multiple threats. The most frequent threats faced (singly or in combination) were neglect (cited in 71% of cases) and development (cited in 63% of cases), thereby reinforcing the impressions of the commentators cited in Chapter 4.

### *ii) Analysis by Designation*

The existence of other designations in a registered park or garden may enable other protection mechanisms to be invoked, as outlined above. The existence of these designations alone does not appear to have had a direct effect on the parks and gardens at risk in 2012, however: 98% included listed buildings (39% with this as the sole additional conservation designation), 47% were wholly or partly within conservation areas (35% with this as the sole additional conservation designation), and 23% included scheduled monuments, and both neglect and development consistently remained the main threats faced. Furthermore, the proportion of those parks and gardens which were classified as having ‘extensive significant problems’ (i.e. the worst

## **5 Planning and the Protection of Historic Parks and Gardens**

---

condition) were higher for the parks and gardens with the stronger designations: 32% of those parks and gardens with listed buildings, 32% of those with scheduled monuments, and 18% of those with conservation area designations.

### *iii) Analysis by Ownership*

Subdivision was identified as the sole threat for only 2% of the parks and gardens at risk, but was a contributory threat for 48%. The impact of subdivision, whilst less pronounced as a threat than neglect or development, is supported by an analysis of ownership types: 70% of the parks and gardens at risk had multiple ownership, and the most frequent scenario within this category was a mix of owner types (53% of all parks and gardens at risk): within these, 46% were classified as having ‘extensive significant problems’, and development was the most pronounced threat (being cited in relation to 79% of these parks and gardens). Examples include Brislington House, Bristol; Combe Bank, Sevenoaks; and Mentmore Towers, Buckinghamshire.

### *Conclusions*

The findings from this analysis are not conclusive, but are certainly suggestive, with regard to the threats posed by subdivision, neglect and development, and the overall condition of the parks and gardens at risk.

### *5.4.2 Questionnaire Survey of Local Planning Authorities*

A questionnaire survey of English local planning authorities (LPAs) was undertaken for this research in November/December 2012 (when significance-based policy had been in place for two-and-a-half years), specifically to address the effectiveness and use of planning tools in the protection of historic parks and gardens (Appendix IX). It represented the first examination of planning practice in respect of historic parks and gardens since the survey by Stacey in 1992, since which time the planning context has changed considerably.

A link to the online questionnaire survey was emailed to 335 LPAs in England, marked for the attention of the Conservation Officer, and a response rate of 40% was achieved (133 respondents). The survey sought to understand how LPAs undertake their activities in respect of (primarily registered) parks and gardens, and asked questions relating to park and garden identification, planning policy, other planning tools, the administration of applications, the concept of significance, and information handling.

The conduct of the survey is outlined in Chapter 6. The results are presented in Appendix X, and discussed more fully in Thomson, 2014 (Appendix IV), but the key findings in respect of both planning and procedural mechanisms are summarised in Tables 41 and 42, below.

#### *Planning Mechanisms*

The findings relating to the application of planning mechanisms are outlined in Table 41. Relevant development plan policy is regarded as the most effective



## 5 Planning and the Protection of Historic Parks and Gardens

---

protection tool (perhaps unsurprisingly given the weight accorded to the development plan within the planning system<sup>21</sup>), and, as two-thirds of authorities have policy which directly seeks to conserve historic parks and gardens (adopted or emerging), this is encouraging. NPPF policy is less well understood, however: significance remains a concept in need of clarification, and it is unlikely that it is being used to its full potential.

PLANNING MECHANISM	FINDINGS
<b>REGISTER</b>	<ul style="list-style-type: none"> <li>Awareness of registered parks and gardens was generally high: all respondents with registered parks and gardens knew they had them, but a fifth (22%) did not know precisely how many they had, suggesting that they could be overlooked in practice</li> </ul>
<b>CONSULTATION REQUIREMENTS</b>	<ul style="list-style-type: none"> <li>The statutory consultation requirements are not well understood: 34% of respondents appear to fail to undertake all the requisite consultations</li> </ul>
<b>NATIONAL POLICY: PARKS &amp; GARDENS</b>	<ul style="list-style-type: none"> <li>The NPPF was regarded as effective (the seventh most effective planning tool), but some respondents regarded it as ‘too soon to judge’</li> <li>Strong need identified for practice guidance on the definition of significance (75% in respect of the historic environment generally, and 84% in respect of historic parks and gardens specifically)</li> <li>Most local authorities are using both NPPF ‘interests’ and English Heritage’s ‘values’ to define significance</li> </ul>
<b>DEVELOPMENT PLAN POLICY: PARKS &amp; GARDENS</b>	<ul style="list-style-type: none"> <li>Development plan policy coverage in relation to historic parks and gardens is reasonably extensive (68% have an adopted and/or emerging policy specifically for their conservation)</li> <li>Regarded as the most effective planning tool</li> </ul>
<b>DEVELOPMENT PLAN POLICY: OTHER</b>	<ul style="list-style-type: none"> <li>The other development plan policies most likely to be used to conserve historic parks and gardens relate to design (67%), open space (65%), the natural environment (65%), recreation (42%) and Green Belt (33%)</li> <li>For those LPAs without a specific parks and gardens policy, the order of preference was slightly different: natural environment (72%), design (67%), open space (61%), and recreation (56%)</li> <li>‘Other’ development plan policy was regarded as the sixth most effective planning tool</li> </ul>
<b>OTHER LOCAL POLICY: PARKS &amp; GARDENS</b>	<ul style="list-style-type: none"> <li>Supplementary policy specific to historic parks and gardens (such as SPD) was much more limited (82% had none)</li> </ul>

---

<sup>21</sup> As discussed in Chapter 4, under Section 38(6) of the *Planning and Compulsory Purchase Act 2004* (which itself replaced Section 54a of the *Town and Country Planning Act 1990*), decisions should be made in accordance with the development plan unless material considerations dictate otherwise.

## 5 Planning and the Protection of Historic Parks and Gardens

PLANNING MECHANISM	FINDINGS
<b>LISTED BUILDINGS</b>	<ul style="list-style-type: none"> <li>• Listed building provisions are frequently used by local planning authorities, both proactively (third most frequently cited), and reactively (most frequently cited)</li> <li>• Regarded as the third most effective planning tool</li> </ul>
<b>SCHEDULED MONUMENTS</b>	<ul style="list-style-type: none"> <li>• Scheduled monument provisions are frequently used by local planning authorities, both proactively (fourth most frequently cited), and reactively (fourth most frequently cited)</li> <li>• Regarded as the fifth most effective planning tool</li> </ul>
<b>CONSERVATION AREAS</b>	<ul style="list-style-type: none"> <li>• Conservation area provisions are frequently used by local planning authorities, both proactively (most frequently cited), and reactively (third most frequently cited)</li> <li>• Regarded as the fourth most effective planning tool</li> </ul>
<b>TREE PRESERVATION ORDERS (TPOs)</b>	<ul style="list-style-type: none"> <li>• TPO provisions are frequently used by local planning authorities, both proactively (second most frequently cited), and reactively (second most frequently cited)</li> <li>• Regarded as the second most effective planning tool</li> </ul>
<b>OTHER DESIGNATIONS</b>	<ul style="list-style-type: none"> <li>• Natural environment provisions were the least frequently cited of the available options, but were utilised proactively and reactively, and regarded as effective (eighth most effective planning tool)</li> <li>• Local Green Space is not yet a well-used designation</li> </ul>

*Table 41: LPA Questionnaire Survey Findings in Respect of Planning Mechanisms*

Overall, the findings suggest that planning tools are being used, and used effectively, by resourceful local planning authority officers. The continued calls for enhanced protection for parks and gardens suggest, however, that this use represents an instance of satisficing, i.e. that the current tools are adequate merely to achieve a minimum – rather than optimal – level of protection (itself a pragmatist response to circumstances). Certainly respondents were well aware of the gaps in the protection currently available, as illustrated by the following comments:

*Where there are specific policies or conservation area appraisals that clearly state the significance of parks and gardens these provide direct influence over development decisions. Other measures e.g. listed buildings are proxy measures - their conservation intent is about individual components rather than the sum of all the parts. As a result the protection they offer can be patchy....*

National Park Authority respondent

## 5 Planning and the Protection of Historic Parks and Gardens

*The NPPF ... can be used effectively to protect historic parks and landscapes simply because these are heritage assets - BUT only where planning permission is required. Much development can be undertaken without the need for planning permission, via statutory undertakers, etc.*

Local Planning Authority Respondent

### *Administrative and Procedural Mechanisms*

The questionnaire survey also explored some of the administrative aspects of the handling of planning proposals relating to parks and gardens, and revealed that procedural mechanisms are also important in the effective operation of the planning system, alongside the planning tools designed explicitly for protection (Table 42).

PROCEDURAL MECHANISMS	FINDINGS
<b>EXPERTISE</b>	<ul style="list-style-type: none"> <li>• Dedicated internal staff resources are limited: around a quarter of authorities had no Officer with specific responsibility for historic park and garden matters (24%), and only 2% of responding authorities had Historic Parks and Gardens Officers. In 69% of authorities, parks and gardens were part of the wider workload of the Conservation Officer</li> <li>• Access to specialist external advice is also limited: 75% of authorities have no such access</li> </ul>
<b>INFORMATION AVAILABILITY &amp; USE</b>	<ul style="list-style-type: none"> <li>• Registered parks and gardens are well recorded in key systems (e.g. 77% note them on local plan proposals maps, and 87% on computerised systems linked to application-handling software)</li> <li>• Methods for identifying a need for consultation on applications <i>within</i> a registered park or garden are varied, but the most common (separately or in combination) are identification on a case-by-case basis by the Planning Technician (59%) or Case Officer (47%), or an automated process using application-handling software (30%)</li> <li>• Methods for identifying a need for consultation on applications <i>outside</i> but still 'affecting' a registered park or garden had a greater reliance on case-by-case judgements; 9% used a standard buffer zone to define the extent of the 'affected' area</li> <li>• Information gathered about historic parks and gardens through plan-making or development management is shared primarily through submission to the Historic Environment Record (55%), and/or publication on the council website (50%)</li> </ul>

## 5 Planning and the Protection of Historic Parks and Gardens

PROCEDURAL MECHANISMS	FINDINGS
<b>ASSESSMENT OF SIGNIFICANCE</b>	<ul style="list-style-type: none"> <li>• Most authorities have not produced/commissioned their own statements of significance for registered parks and gardens (76%); such statements are most frequently produced in response to planning applications, and by the applicant or consultees</li> <li>• Multiple information sources are used by authorities to inform assessments of significance (site visits, maps, photographs, archival sources, published works, and so on)</li> <li>• Most authorities (70%) require the submission of statements of significance before relevant applications can be validated; of these, the majority do not then check their adequacy before validation (57%)</li> <li>• The majority of authorities (80%) do not undertake specific engagement with the community in the definition of significance</li> <li>• Most authorities (62%) do not provide guidance to applicants on how to assess significance; of those that do, only 36% included specific advice in relation to historic parks and gardens</li> </ul>

*Table 42: LPA Questionnaire Survey Findings in Respect of Procedural Mechanisms*

These findings suggest that local authority conservation resources are limited (itself part of a wider trend (IHBC, EH and ALGAO, 2013)), and that, although information is well managed, the more resource-intensive elements of procedure (such as community engagement, proactive preparation of statements of significance, and quality assessment of statements of significance submitted by applicants) are less consistently pursued. This has the potential fundamentally to undermine the effectiveness of significance-based policy, if significance is not being robustly defined and considered, and the opportunity to provide meaningful protection for parks and gardens lost as a result.

### 5.5 The Assessment of Historic Parks and Gardens

The findings discussed above suggest that further guidance may be needed, to support the effective implementation of policy. The absence of existing

## 5 Planning and the Protection of Historic Parks and Gardens

---

guidance, and the need for it, is in fact confirmed by the results of the 2012 questionnaire survey referred to above.<sup>22</sup> The majority of respondents did not provide guidance to applicants on the assessment of significance (62%); of those providing such guidance, 64% did not provide guidance specific to historic parks and gardens. With regard to a need for higher-level practice guidance on the definition of significance (such as from Government or English Heritage), 75% of respondents believed that such guidance was needed in respect of the historic environment generally, and 84% in respect of historic parks and gardens specifically.

Chapter 3 proposed a model for the definition and application of significance in English conservation (Fig. 14). Given the identification of lack of understanding as a specific threat to historic parks and gardens, the importance of the planning system in addressing the major threat posed by development (a system now predicated on the concept of significance, itself based on understanding), and the lack of available guidance, a refinement of the ‘assessment of significance’ phase in this model is now proposed, for particular application to historic parks and gardens (Fig. 27). As previously, it is intended to support the creation of robust definitions of significance, both within this research and, subsequently, by practitioners.

---

<sup>22</sup> The absence of ‘authoritative published specialist guidance on Historic Parks and Gardens which Local Planning Authorities can use’ had also been confirmed as an issue in the pre-significance era (David Tyldesley & Associates, 1998, p. 1), and a call made for ‘separate guidance, firstly aimed at elected councillors, owners and developers, and secondly aimed at professionals’ (*ibid.*, p. 9); this call was echoed by the Association of Gardens Trusts and Garden History Society (2006).

## 5 Planning and the Protection of Historic Parks and Gardens

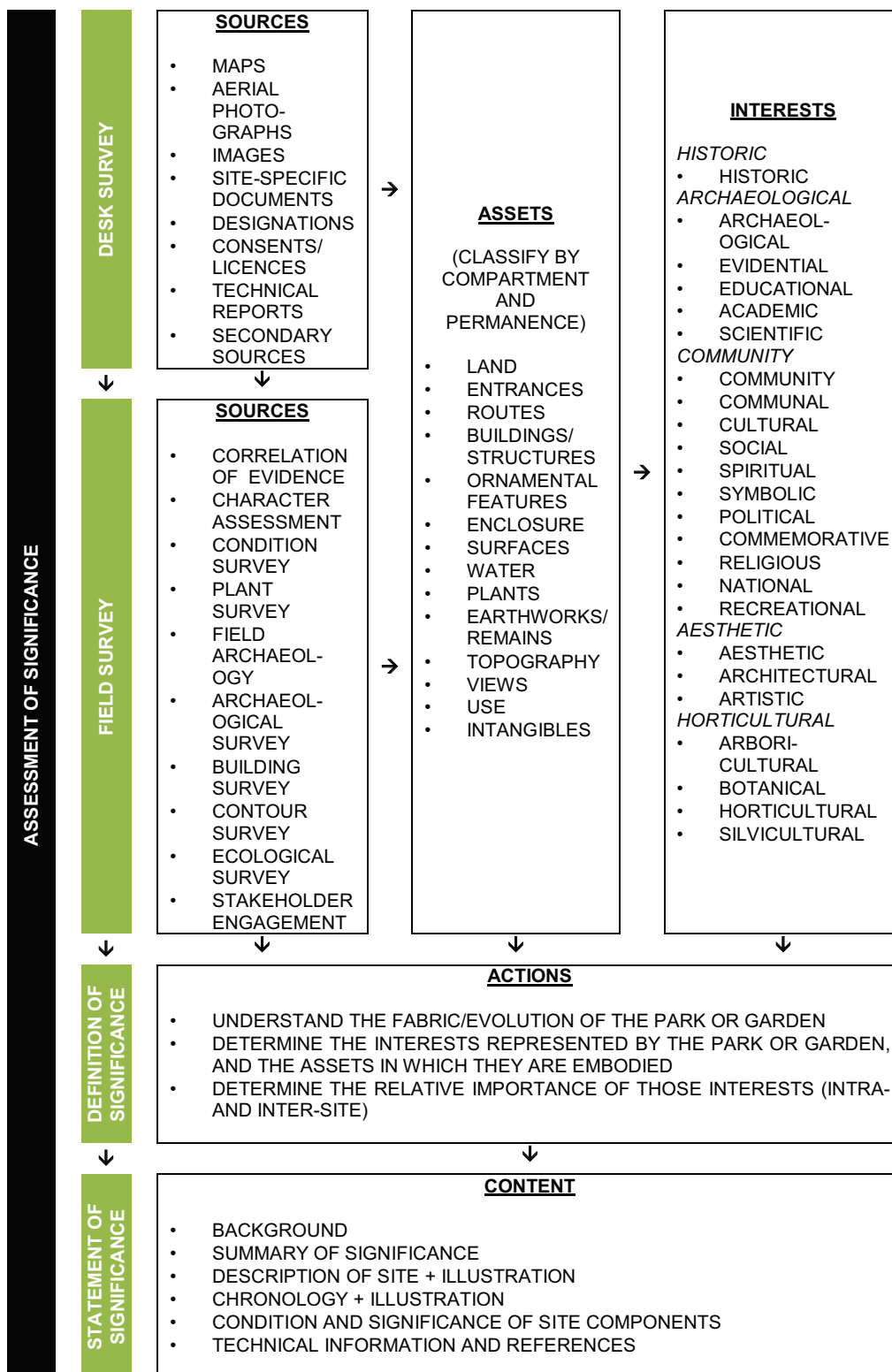


Fig. 27: Model for the Assessment of Significance of Parks and Gardens

Source: As listed in Appendix VII

## 5 Planning and the Protection of Historic Parks and Gardens

---

Building on the sources discussed in Chapter 3, the proposed approach also draws on the assessment in Chapter 4 of the particular interests which constitute the significance of parks and gardens, and a review of the literature and practice guidance with specific regard to the assessment of parks and gardens. Whilst there is considerable guidance on how to research historic parks and gardens (Lambert, 1991; Gallagher, 1984; Phibbs, 1983), and to identify their components (Symes, 2006; Pendlebury, 1996; Roberts, 1994), there has not yet been an attempt to link this directly to the determination of significance other than the emerging work to develop English Heritage's *Conservation Principles* for application to parks and gardens (English Heritage, 2011a), and PCAN 14, produced by the Garden History Society (n.d.-o). Both are valuable contributions, not least in the profile they give the subject, but the English Heritage focus is an outline of the key stages in determining significance, and the Garden History Society's publication, whilst considering interests and the use of the assessment, again provides more of an overview of the process.

PCAN 14 is however of considerable interest in respect of its early adoption of the concept and processes of significance, and, particularly, their application to the conservation of historic parks and gardens. The brief section on statements of significance (dated 2004, and therefore clearly predating PPS5 and English Heritage's *Conservation Principles*), presents a 'clear understanding of the significance of each period of a garden's or landscape's history' as being 'essential for any conservation plan' or 'decisions on conservation', significance itself being broadly defined as 'that which makes a place unique, distinctive, important or of special merit by comparison with other places',

## 5 Planning and the Protection of Historic Parks and Gardens

---

with specific reference to ‘aesthetic, social, cultural, educational, horticultural, biological and environmental characteristics’ (GHS, n.d.-o, n. pag.).

This breadth of interests, and the subsequent emphasis on rigorous research and analysis (including archival research and field survey), on the use of expert, stakeholder and community perspectives, and on the assessment of ‘the relative value of every aspect of the place’ (*ibid.*), suggests that PCAN 14 drew on both existing best practice in the field of park and garden conservation (as, for instance, espoused by Phibbs in 1983) and the definition of, and process for determining, significance introduced in the *Burra Charter*. Whilst it is to be regretted that this early association of significance and parks and gardens was not developed more fully after its initial introduction, and that it has not acquired a higher profile in practice, it remained a useful source in the production of the model for the assessment of significance of parks and gardens proposed in this research (and illustrated in Fig. 27; all the sources used are listed Appendix VII).

The approach proposed in Fig. 27 seeks to provide a greater degree of specificity regarding the work to be undertaken than is provided in the sources discussed above, to allow the model’s use by the layperson if needed. It also prompts the identification of particular interests from within the comprehensive and representative typology proposed in Chapter 4, to facilitate the application of the findings in a planning context. Establishing a more direct link between certain components of parks and gardens and the interest or interests they embodied was considered within the research, but proved to be neither possible nor appropriate, given the degree of variation in the



## **5 Planning and the Protection of Historic Parks and Gardens**

---

circumstances and associations of individual gardens, and the context-sensitive essence of significance as a concept: a fixed checklist runs counter to good practice. Instead, those undertaking the analysis are prompted to consider a list of potential features, and a list of potential interests, and to systematically consider the significance of the park or garden in light of these, drawing on a wide range of evidence sources, from survey work and archival analysis to community engagement.

The information gathered is intended to be used to understand the fabric and history of the park or garden in question, and to relate the identified interests to particular assets. A comparison of the relative importance of these interests within the site, and between the site and other comparable ones, helps to determine what is of most significance within the site, and how significant it is. The findings should then be written up in a statement of significance, so that both the evidence gathered and the weighing of that evidence are captured, and the process of defining becomes more transparent as a result.

The work may be carried out under the auspices of the planning process, e.g. with the community engagement element being undertaken as part of the planning consultation, or it may be orchestrated by the applicant before the planning process is fully underway. In either route, the conclusions on significance become evidence to be considered within the planning decision-making process, alongside other pertinent issues in the case, such as housing need, countryside protection, and so on.

This proposal for directly linking comprehensive and detailed garden research to the determination and application of significance is essential in the research

## **5 Planning and the Protection of Historic Parks and Gardens**

---

if the significance of historic parks and gardens is to be understood – and protected – within the planning system. It is in its synthesis of existing practice across a wide range of typologies, its practical detail, and its subsequent application to a planning context, that this model’s originality is embodied, and which is intended to have most potential value in the field. The model is therefore part of the research’s original contribution to knowledge (and one of its recommendations for practice), but is also used in the assessment of each of the case studies discussed in subsequent chapters, and its operation tested. The resulting definitions are considered against the assessments of significance by the applicants and local planning authorities, to facilitate an overall assessment of the significance of the case study sites, and the impact of the development proposals upon that significance (Chapters 7-9).

### **5.6 Conclusions**

#### ***5.6.1 Comparison with the Protection of Other Assets***

The first research question asked how the provisions for the conservation of historic parks and gardens compare to those for other historic assets (with particular reference to the nature and strength of the protection offered), and the comparison is not a favourable one for the protection of parks and gardens. Whilst there is at least some legislative provision for parks and gardens (in contrast to battlefields), it arrived relatively late, and introduced only a permissive designation power: the broadening in the concept of heritage was associated with a dilution in controls, in which non-archaeological and non-architectural interests did not receive the same level of protection as elements of the built heritage, which had been the first to be recognised and protected.

## **5 Planning and the Protection of Historic Parks and Gardens**

---

As a result, whilst gardens are now more formally acknowledged within the historic environment, they remain in the shadow of architectural conservation. Whilst the architectural interest of buildings appears to be sufficient to outweigh concerns about interference with private property rights, historic interest alone does not, and, as a result, parks and gardens (in common with other non-built categories of historic asset, such as battlefields) suffer from a more limited form of protection. There is no dedicated consent regime for parks and gardens, and their protection relies in large part on the creative use of other available mechanisms.

### ***5.6.2 Effectiveness of Current Provisions***

The second research question related to the effectiveness of the current provisions for the protection of historic parks and gardens. Inevitably, the lack of a dedicated protection regime has an impact on the planning system's effectiveness in ensuring the protection of historic parks and gardens. The evaluation of the necessarily creative tapestry of provisions now available for the protection of parks and gardens demonstrates a number of weaknesses in the planning system's ability to deliver effective conservation, which may be categorised as follows: the lower status accorded to garden provisions compared to other aspects of the historic environment; the diversity in and inherent inadequacies of the available protection mechanisms; and the inconsistency between the interests associated with gardens and the interests protected.

In combination, these factors generate considerable scope for uncertainty and a lack of precision in the determination and protection of relevant interests. The

## **5 Planning and the Protection of Historic Parks and Gardens**

---

overall implications of such a disjointed system are that some of the interests of most importance to parks and gardens may not be brought into decision-making, and that the absence of an adequately robust framework for consideration of the ‘whole’ park or garden, and its significance, may result in harm to these neglected elements of the historic environment; this is certainly suggested by the analysis of the *Heritage at Risk Register* and the questionnaire survey discussed in Section 5.4. The effectiveness of the controls available through the planning system is tested more comprehensively in the case studies, but a preliminary assessment can be hazarded on the basis of the assessment above: parks and gardens are vulnerable, and planning controls do not provide robust, comprehensive protection.

Significance-based policy does offer more potential for the protection of historic parks and gardens than existed previously (as long as the planning system is invoked through an application for planning permission), but it is important that the full potential of the policy is utilised. To do this, the headline conclusion on significance needs to be well-informed and robust, to ensure that it is appropriately weighed alongside the competing demands being considered in the decision-making process, and not marginalised. If significance is not adequately debated or defined, the potential of the policy is reduced, and parks and gardens less well protected as a result.

### ***5.6.3 Definition of Significance for Parks and Gardens***

The final research question for this chapter asked how significance might be defined in relation to historic parks and gardens. The relative weakness of the protection mechanisms for parks and gardens and the relative lack of research

## **5 Planning and the Protection of Historic Parks and Gardens**

---

into their protection are perhaps mutually reinforcing, and certainly compound the problem associated with their low profile in the wider field. As a very different form of historic asset to listed buildings, scheduled monuments and conservation areas, parks and gardens cannot rely solely on the same mechanisms and professional skills sets, but need a more dedicated approach with regard to both the definition of their significance, and the methods used to determine that significance.

The model proposed in Section 5.5 is intended to deliver this, drawing on the understanding of the significance of parks and gardens developed in Chapter 4. This approach is intended to build practitioners' confidence, and to increase the profile of these particular assets. It is also intended to promote the rigorous assessment of parks and gardens, and thereby provide the 'substantiation of a subjective judgement' which was discussed in Chapter 2; this is itself necessary to enable the largely subjective concept of significance to be considered appropriately and effectively within the more objective planning system.

The approach is also to be applied within this research. This will be explored in more detail in the case studies which follow, but, first, Chapter 6 outlines the methodology for those case studies, and for the wider research.

### CHAPTER 6: RESEARCH METHODOLOGY AND CASE STUDY SELECTION

[A] man who neglects what is actually done for what should be done learns the way to self-destruction.

*Machiavelli, cited by Flyvbjerg, 1998, p. 236*

#### 6.1 Introduction

As noted in Chapter 1, the research applies a ‘social science’ perspective to the study of town and country planning and historic conservation. The social sciences constitute a large and heterogeneous category of study unified merely by a shared focus on human society, but divided by an on-going philosophical and methodological debate (Bryman, 2008; Robson, 2002; Lincoln and Guba, 2000), relating to how far – if at all – the philosophy and methods of the natural sciences can usefully and legitimately be applied to social research. The resulting lack of consensus offers a range of philosophical standpoints within which to conduct the research, and, as the philosophical stance adopted in respect of a research project informs both the identification of an appropriate approach and methodological choices, and the definition and defence of the ‘intellectual authority’ and validity of the work once those choices have been made (Bryman, 2008), the decision on philosophical orientation is an important one if a robust and coherent research strategy is to be created.

This chapter starts by setting out the philosophical orientation of the research, and its implications for methodology, and then explains the research design adopted to address the study’s defined aims, before a discussion of issues of reliability and validity.

### 6.2 Philosophical Orientation

#### 6.2.1 Context

The philosophical stance adopted informs but does not necessarily determine methodological choices: philosophical positions and more practical research choices are not irrevocably linked. Whilst Dainty noted that they are certainly ‘intertwined’ (2008, p. 3), Bryman observed that ‘they represent tendencies rather than definitive points of correspondence’ (2008, p. 17). The decisions to be made are informed by a researcher’s personal preference, and/or the issue(s) being addressed (Creswell, 2007).

Methodologically, a positivist approach suggests a reliance on quantitative methods, empirical knowledge, and a deductive approach; interpretivist research is instead generally associated with qualitative methods (‘a range of methods to focus on the meanings and interpretation of social phenomena and social processes in the particular contexts in which they occur’ (Jupp, 2006, p. 249)), and an inductive approach.

The primacy of pragmatism in planning theory identified in Chapter 2 suggests a philosophical orientation for the conduct of this research, but, as noted above, established ontological and epistemological affiliations need not be determinative: an informed choice still needs to be made, and potentially competing approaches reconciled.

As discussed in Chapter 2, the planning system may certainly be viewed as an external reality that influences actors, and thus potentially suited to a positivist method of analysis, but the scope for individual interpretation of that system

(in terms of both legislation and policy) is such that an interpretivist approach cannot be dismissed, particularly in relation to the assessment of significance, which is inherently subjective. The number of variables at play in any planning scenario is such that a positivist approach might also be overly simplistic, and incapable of dealing with the complex relationships likely to inform the definition of significance. An interpretivist approach would enable the research to address complexity, and acknowledge the role of individual interpretation and values. Returning to the process-driven context of the planning system in which decisions on significance are made, however, an emphasis on both understanding *and* explanation is desirable, and thus the adoption of elements of both interpretivist and positivist approaches in this research.

### ***6.2.2 Positioning the Research***

#### *Reconciliation*

Accordingly, an approach has been sought which reconciles the two. At the philosophical level, there are a number of paradigms which seek to achieve this (Robson, 2002; Lincoln and Guba, 2000), such as postpositivism and critical realism. Both '[attempt] to use the methods and assumptions of natural science to study the social world' (Smith, 1998, p. 297), and accept an external reality, but critical realism also 'tries to take on board some of the insights of idealist and conventionalist criticisms of empiricist approaches' (*ibid.*).

Reconciliation is also apparent at the methodological level: Bryman concludes that '[r]esearch methods are more autonomous in relation to epistemological commitments than is often appreciated', and quantitative and qualitative methods may be found in interpretivist and positivist research, respectively



(2008, p. 600). Methodological reconciliation may be seen in ‘methodological pluralism’, ‘[a]n approach that advocates flexibility in the selection of social research methods, based on the principle of choosing the most suitable methods for the nature of the problem being researched’ (Jupp, 2006, p. 174).

In this respect, methodological pluralism can be seen to display some of the hallmarks of a pragmatist stance. Pragmatism may itself be regarded as either a philosophical or a methodological stance. In its use of mixed methods, it is particularly suited to built environment research, notably the ‘handling of problematic situations which require the effective linking of judgement and analysis’, as it provides a more ‘holistic’ approach which may yield ‘richer insights and a more complete understanding of social phenomena’ (Dainty, 2008, pp. 9-11). Its particular relevance to planning was discussed further in Chapter 2.

Lincoln and Guba conclude that the paradigm debate is far from resolved, and that ‘there will be no single “conventional” paradigm to which all social scientists might ascribe’ (2000, p. 185). In this context, and taking as a guide Robson’s precept that a research approach must be suited to the research focus, a pragmatist approach was adopted for this research (2002). The ‘four basic belief systems’ associated with pragmatism are summarised in Table 43 (Mertens, 2010, p. 10). Within this, the approach taken is largely deductive, as theory, developed from a literature review, is tested and revised.

## 6 Research Methodology and Case Study Selection

BELIEF SYSTEM	PRAGMATISM
<b>ONTOLOGY</b> <i>NATURE OF REALITY</i>	<ul style="list-style-type: none"><li>• Single external reality</li><li>• Individuals have their own interpretation of reality</li></ul>
<b>EPISTEMOLOGY</b> <i>NATURE OF KNOWLEDGE</i>	<ul style="list-style-type: none"><li>• Research led by researcher's preference/ judgement</li></ul>
<b>AXIOLOGY</b> <i>NATURE OF ETHICAL BEHAVIOUR</i>	<ul style="list-style-type: none"><li>• Knowledge sought in pursuit of specified ends</li><li>• Researcher's values fully acknowledged</li></ul>
<b>METHODOLOGY</b> <i>APPROACH TO SYSTEMATIC ENQUIRY</i>	<ul style="list-style-type: none"><li>• Mixed methods to suit requirements of research</li></ul>

*Table 43: The Philosophical Assumptions Associated with Pragmatism*

Source: After Mertens, 2010; Robson, 2002; and Lincoln & Guba, 2000

### 6.3 Research Design

#### 6.3.1 Overview

A case study approach is pursued, supported by a range of data collection and analysis methods, primarily but not exclusively qualitative in nature. These are summarised in Table 44, and discussed further below, within the framework for the research outlined in Chapter 1, namely the theoretical, exploratory, and review phases.

## 6 Research Methodology and Case Study Selection

	OBJECTIVE	METHOD	SOURCES	DATA	ANALYSIS	OUTPUT
<b>THEORETICAL PHASE</b>	<b>1 CONCEPTUAL FRAMEWORK</b>	Literature review Documentary analysis	Books/journals <b>International charters Planning legislation/policy Parliamentary debates</b>	Conceptual Theoretical Methodological Factual Contextual	Critical analysis Documentary and thematic analysis	Typology of interests Model of current practice
		Secondary analysis	<i><b>Heritage at Risk Register</b></i>	Descriptive statistics	Quantitative analysis	Contextual information: parks and gardens at risk
	<b>2 SITE SELECTION CRITERIA</b>	Literature review	Books/journals	Conceptual Theoretical Methodological	Critical analysis	Parameters for site selection
		Documentary analysis	<b>Planning legislation/ policy Technical guidance</b>	Factual Contextual	Documentary and thematic analysis	
	<b>3 RESEARCH METHODS</b>	Literature review	Books/journals	Conceptual Theoretical Methodological	Critical analysis	Identification of appropriate methods
		Documentary analysis	<b>Technical guidance</b>	Factual Contextual	Documentary and thematic analysis	Method for the assessment of the significance of parks and gardens

## 6 Research Methodology and Case Study Selection

	OBJECTIVE	METHOD	SOURCES	DATA	ANALYSIS	OUTPUT
EXPLORATORY PHASE	<b>4 APPLICATION OF METHODS TO CASE STUDIES</b>	Questionnaire survey	<b>Local Planning Authority Conservation Officer responses</b>	Commentary Descriptive statistics	Thematic analysis Quantitative analysis	Contextual information: planning practice
		Documentary and secondary analysis	<b>EH list of applications on which consulted Planning applications</b>	Factual Descriptive statistics	Documentary and thematic analysis	Case study selection
		Documentary analysis	<b>Planning applications Policy documents Register entries Maps &amp; archival material</b>	Factual/ Contextual	Documentary and thematic analysis Map regression Coding	Understanding of process and participation by key stakeholders  Assessment of significance
		Assessment using method	<b>Registered parks and gardens</b>	Photographs Survey data		
		Semi-structured interviews	<b>Key stakeholders (local)</b>	Interview transcripts/notes		
REVIEW PHASE	<b>5 RECOMMENDATIONS</b>	Semi-structured interviews	<b>Key stakeholders (national)</b>	Interview transcripts/notes	Documentary and thematic analysis	Contextual information Validation of findings
		Analysis of all findings				Decision-making model Recommendations for the definition and assessment of significance

*Table 44: Outline of Research Design  
(primary sources shown marked in bold)*

### 6.3.2 Theoretical Phase

#### *Literature Review*

A review of the relevant literature was the primary method used within the theoretical phase, for the purposes of developing the initial conceptual framework, scoping the extent of the research problem (namely the degree to which development appears to have had an impact on the significance of historic parks and gardens), defining the parameters for site selection, identifying appropriate research methods, and developing the conceptualisation of current practice. A narrative approach was taken to the literature review, as this was felt to be most suited to the largely qualitative approach of the research (Bryman, 2008). Analytical techniques applied to the literature review included critical analysis (e.g. in the assessment of competing theoretical interpretations) and thematic analysis (to identify key themes in the literature).

#### *Documentary Analysis*

Due to the paucity of literature in some areas, empirical work was also required to understand further the issues addressed in the research. This involved documentary analysis to support the development of the initial conceptual framework, conceptualisation of practice, and site selection criteria and the identification of appropriate research methods. The primary sources analysed included official papers (such as Acts of Parliament, statements of national planning policy, reports of Parliamentary debates and committees), technical guidance (e.g. material produced by English Heritage), planning applications, entries in the *Register of Historic Parks and Gardens of Special*

*Historic Interest in England*, contemporary and historic maps of parks and gardens, and other archival material.

### *Development of Method*

Thematic documentary analysis of technical guidance from related fields was used in the development of a method to enable significance – and specifically the significance of parks and gardens – to be defined, and thus enable the assessment of significance in particular cases, and the subsequent application of the concept to their protection. The method took the form of a flow diagram including checklists, intended for use in the case studies, and, if effective, as a practical output of the research.

### *Quantitative Analysis*

Given the lack of empirical investigation into the extent of the problem in protecting parks and gardens, quantitative secondary analysis was undertaken in relation to the entries in the 2012 *Heritage at Risk Register* (English Heritage, 2012a), themselves tabulated in Appendix XI. Descriptive statistics were produced to give a deeper understanding of the risks facing parks and gardens, and the circumstances of the affected sites.

### *Case Study Approach*

Creswell (2007) identifies five ‘qualitative’ approaches to enquiry (Table 45). Of these, the case study approach was identified as most appropriate for this research, defined as an ‘approach that uses in-depth investigation of one or more examples of a current social phenomenon, [utilising] a variety of sources of data’ (Keddie, 2006, p. 20).

## 6 Research Methodology and Case Study Selection

---

TYPE	DESCRIPTION
<b>Narrative</b>	The stories of individuals
<b>Phenomenological</b>	Meaning for several individuals of experience of a phenomenon
<b>Grounded Theory</b>	Generation of theory from data provided by participants in a shared experience
<b>Ethnographic</b>	Examination of shared patterns within a cultural group
<b>Case Study</b>	Study of a social phenomenon within its context

*Table 45: Typology of Qualitative Approaches to Enquiry*

Source: Creswell, 2007, pp. 53-84; Yin, 2003

Case studies offer an explanatory approach to understanding ‘complex social phenomena’ (Yin, 2003, p. 2) which are however bounded in some way, whether spatially or temporally (Proverbs and Gameson, 2008): they are appropriate to an in-depth analysis of policy implementation and the definitions of significance and values in practice. They are characterised by multiple sources of data (Creswell, 2007; Yin, 2003), triangulated to test both the data and a concept or theory (Proverbs and Gameson, 2008; Yin, 2003), and may therefore include both qualitative and quantitative techniques and data sources: they are therefore well suited to a pragmatist approach.

A criticism of the approach is that the potential depth of insight derived from case studies can be offset by difficulties of analysis (Swanborn, 2010), but analytical strategies are proposed by a number of authors to address this (Proverbs and Gameson, 2008; Yin, 2003; Stake, 2000). A further criticism is that case study findings are not sufficiently generalizable, although Bryman notes that the goal is not in fact generalisation, but rather ‘the quality of the theoretical reasoning’ developed from the findings (2008, p. 57). Yin notes that case studies support analytic rather than statistical generalisation: they are

## 6 Research Methodology and Case Study Selection

---

‘generalizable to theoretical propositions and not to populations or universes’ (2003, p. 10). This is a view accepted by Robson, who notes that generalisations from case studies could be used to develop theory which elucidates cases (2002, p. 177). This approach is also accepted by Flyvbjerg, who regards his own case-specific propositions as unable to be regarded as ‘general theory’; instead, they constituted ‘useful guidelines’ for related research, and for the testing of wider theory (Flyvbjerg, 1998, p. 226). This is a conclusion which sits comfortably within a largely deductive approach. Although referring to a desk-based sampling approach rather than a case study research design, Wood suggests that findings from smaller studies are ‘indicative’ rather than ‘definitive’ (2008, p. 25), whilst others endorse generalisation from case study findings if appropriate precautions are taken:

*... it is possible to identify common themes arising from specific events and from that point to infer a number of generalisations capable of application elsewhere, providing that care is exercised in the analysis and interpretation of the ... data in question.*

Kelly and Gilg, 2000, p. 339

In their review of empirical research in planning theory, Lauria and Wagner note the prevalence of the case study approach in planning theory research designs, but also that ‘these types of studies, when combined with a deductive research strategy and focused on planning processes, have thus far generated contradictory findings rather than clear outcomes that might help to resolve theoretical debates’ (2006, p. 375). Other obstacles to the resolution of these debates are also recognised, however - case studies not themselves being the sole problem or solution – and the benefit of case studies still acknowledged by the authors:



## 6 Research Methodology and Case Study Selection

---

*The increase in number of data sources, the use of triangulation, and the use of multiple methods of analysis bode well for the reliability and validity of the theoretical interpretations of what planners do.*

*Ibid.*, p. 367

Lauria and Wagner also advise that the value of a case study approach is increased when more than one case is researched, and when the work is closely related to the relevant literature, an approach which is reflected in this research.

In this study, an explanatory, multiple-case comparative approach has been adopted, using three representative cases. The number of cases was decided by a determination that the three cases chosen provided adequate thematic saturation for the research (discussed further in Section 6.3.3). Care was taken to avoid what Dyer and Wilkins have identified as a risk, namely the neglect of the context of cases in favour of the potential for comparisons (1991, discussed in Bryman, 2008): the pragmatist orientation of the research required a context-sensitive approach, and, although comparisons were drawn between the cases, their unique characteristics were carefully considered.

The units of analysis were planning applications for development proposed in registered parks and gardens. The methodology for these case studies, discussed in more detail below, involved site assessments, documentary research, and semi-structured interviews with the key stakeholders in the planning process, to explore the ways in which significance and interest were being defined, and by whom; to understand the degree to which the conceptualisation of the influences on planning decision-making proposed in

Chapter 2 was accurate in practice; and to explore the effectiveness of significance as a concept in the protection of historic parks and gardens.

### *6.3.3 Exploratory Phase*

#### *Case Study Selection*

As previously noted, the case study selection criteria were informed by the literature review and documentary analysis. The criteria are listed and explained in Table 46.

Selection was designed as a two-stage process. The stage one criteria were used to identify a sample of potential cases from the ‘population’ of planning applications notified to English Heritage between 23 March, 2010 (when significance-based policy was introduced in PPS5) and the end of 2011. As a statutory consultee for planning applications relating to development affecting Grade I and II\* registered parks and gardens, English Heritage holds valuable data on the applications received, and shared this in response to an information request. The information was provided in the form of spreadsheets by calendar year, containing the fields shown in Table 47.

## 6 Research Methodology and Case Study Selection

	CRITERIA	RATIONALE
<b>STAGE ONE</b>	<b>Registered parks and gardens in England</b>	<ul style="list-style-type: none"> <li>• Subject to English planning law and designation mechanisms</li> <li>• Formally recognised as having a high degree of significance by virtue of designation</li> <li>• Subject to specific statutory procedures which:               <ul style="list-style-type: none"> <li>• Facilitate identification</li> <li>• Increase the number of stakeholders involved</li> </ul> </li> </ul>
	<b>Grade I / II*</b>	<ul style="list-style-type: none"> <li>• Highest degree of significance</li> <li>• Maximises the number of stakeholders involved due to importance and statutory consultation requirements</li> </ul>
	<b>Planning application submitted</b>	<ul style="list-style-type: none"> <li>• Applications for planning permission used as indicators of development proposals</li> </ul>
	<b>Construction proposed within bounds of registered park or garden</b>	<ul style="list-style-type: none"> <li>• Major construction proposals required:               <ul style="list-style-type: none"> <li>• Represent most serious threat to significance due to scale/works</li> <li>• Most likely to generate input from consultees</li> </ul> </li> <li>• Impact of proposals in 'setting' rather than within P&amp;G itself raises different issues</li> </ul>
	<b>English Heritage made substantive response</b>	<ul style="list-style-type: none"> <li>• Significance more likely to be debated fully in more comprehensive comments by primary stakeholder</li> </ul>
	<b>Decision made on planning application</b>	<ul style="list-style-type: none"> <li>• Outcome known</li> <li>• All cases have reached same stage</li> </ul>
	<b>Decision made since March 2010</b>	<ul style="list-style-type: none"> <li>• Post-publication of PPS5 in March 2010 (when concept of 'significance' introduced)</li> </ul>
	<b>Planning application material available online</b>	<ul style="list-style-type: none"> <li>• Enables detailed desk-based sift</li> </ul>
	<b>Significance explicitly addressed within planning process</b>	<ul style="list-style-type: none"> <li>• Whilst PPS5/NPPF in force since March 2010, not all applications will have addressed the issue explicitly</li> </ul>
<b>STAGE TWO</b>	<b>Range of P&amp;G types (e.g. public park, country house estate)</b>	<ul style="list-style-type: none"> <li>• Maximises the types of significance embodied in the cases</li> <li>• Increases range of ownership/ management issues</li> <li>• Enables contrasts to be made</li> </ul>
	<b>Range of locations</b>	<ul style="list-style-type: none"> <li>• Locations within/adjoining an urban area likely to maximise development pressures and levels of interest in any proposals due to proximity of population; rural locations present different issues (e.g. lack of local community to involve)</li> <li>• Variety of regions and local planning authority areas desirable to obtain a wider understanding of approach</li> </ul>
	<b>Availability of data</b>	<ul style="list-style-type: none"> <li>• Stakeholders amenable to participation</li> <li>• Adequate records exist to enable detailed analysis</li> </ul>
	<b>Emergence of themes</b>	<ul style="list-style-type: none"> <li>• Identification of shared/differing issues for further investigation</li> </ul>

*Table 46: Case Study Selection Criteria*

## 6 Research Methodology and Case Study Selection

CATEGORY	DESCRIPTION
<b>Casework Reference</b>	English Heritage reference
<b>Region</b>	(Former) Government region in which case located
<b>Local Authority Name</b>	Local Planning Authority area in which case located
<b>External Reference</b>	Planning application reference
<b>Description of Works</b>	Nature of proposal for planning permission
<b>English Heritage Response</b>	Broad nature of English Heritage response to consultation (substantive comments, general advice, or non-intervention)
<b>Park &amp; Garden Name</b>	Name of registered park or garden
<b>Grade Description</b>	Grade of registered park or garden

*Table 47: Information Provided for Planning Applications on which English Heritage was consulted (2006-2011)*

Source: English Heritage 2012, pers. comm., 27 March 2012

Analysis of the data provided was sufficient to apply some of the stage one criteria (registered status, grade, submission of an application, substantive response made by English Heritage), but further research was necessary to address the remainder. A rapid desk-based assessment of each of the planning applications listed in the 2010 and 2011 spreadsheets was undertaken, using online planning records held on the websites of the relevant councils. This enabled judgements to be taken regarding the application of the criteria relating to the availability of data, location of development, decision status, decision date (for 2010 applications, to ensure that only cases considered by English Heritage in the light of PPS5 were to be included), and the degree to which significance had been addressed in the process (most crucially by English Heritage itself, but also by other participants: the absence of such debates was a frequent reason for potential cases being eliminated). Duplicate

## **6 Research Methodology and Case Study Selection**

---

entries caused by sites straddling administrative boundaries were also removed.

The application of the stage one criteria resulted in the identification of eighteen potential case studies, from an original population of 983 cases for 2010 and 2011. The shortlisted cases are set out in Table 48, and some of them illustrated in Figs. 28a-28b.

## 6 Research Methodology and Case Study Selection

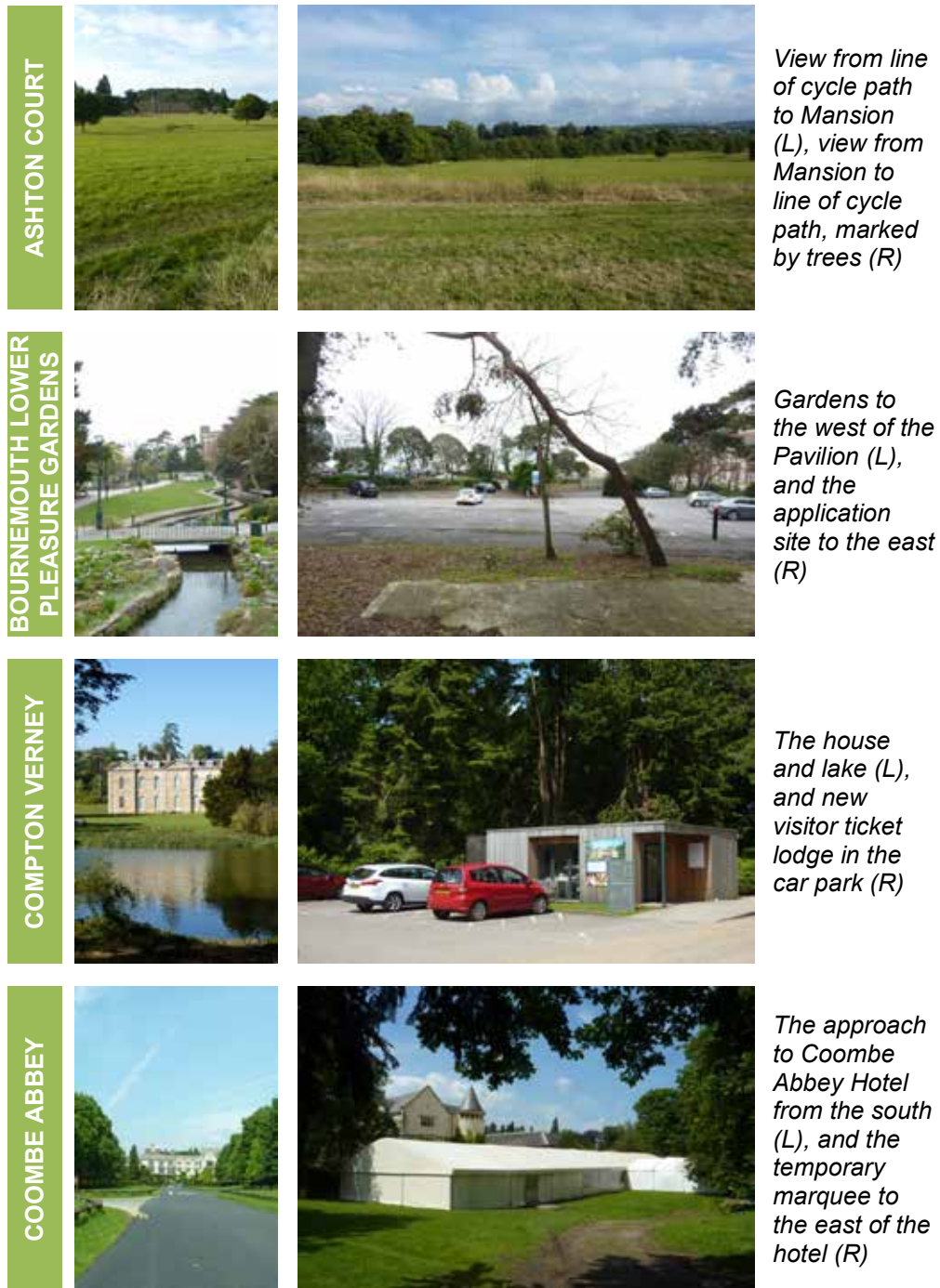
EH REF.	REGION	LPA	APP. REF.	DESCRIPTION	P&G	GRADE	P&G TYPE	OWNER/USE	URBAN/ RURAL
<b>P00088235</b>	SW	CITY OF BRISTOL [N. SOMERSET]	10/02182/FB	NEW PEDESTRIAN AND CYCLING FACILITY ALONG EASTERN BOUNDARY	ASHTON COURT	II*	ESTATE	COUNCIL/ PARK	RURAL
<b>P00090122</b>	SW	NORTH SOMERSET	10/P/0992/F	ALTERATIONS TO ENTRANCE & NEW PEDESTRIAN AND CYCLING FACILITY ALONG EASTERN BOUNDARY	ASHTON COURT	II*	ESTATE	COUNCIL/ PARK	RURAL
<b>P00088432</b>	E	BROADLAND	20100474	EDUCATION PAVILION, INCLUDING A WARDEN'S OFFICE AND ANCILLARY ACCOMMODATION	CATTON HALL	II*	ESTATE	PRIVATE/ FUNCTIONS	RURAL
<b>P00094781</b>	WM	STRATFORD-ON- AVON	10/01754/FUL	VISITOR TICKET LODGE, SECURITY FEATURES, SOUND SCULPTURE AND PLAY EQUIPMENT	COMPTON VERNEY	II*	ESTATE	TRUST/ ART GALLERY	RURAL
<b>P00117294</b>	YH	NORTH YORK MOORS [RYEDALE]	NYM/2011/0692/FL	INTERNATIONAL CENTRE FOR BIRDS OF PREY (AVIARIES, EDUCATION CENTRE, STAFF ACCOMMODATION)	DUNCOMBE PARK	I	ESTATE	PRIVATE/ ESTATE	RURAL
<b>P00100655</b>	SW	WILTSHIRE	W/11/00694/FUL	NEW TEMPORARY AMPHITHEATRE, AVIARIES AND STAFF BUILDING FOR BIRDS OF PREY DISPLAY AREA	LONGLEAT	I	ESTATE	PRIVATE/ OPEN	RURAL
<b>P00103699</b>	SW	WILTSHIRE	W/11/00553/FUL	DEMOLITION OF TWO ENTRANCE KIOSKS; FOUR NEW KIOSKS, SIGNAGE AND ROAD WIDENING	LONGLEAT	I	ESTATE	PRIVATE/ OPEN	RURAL
<b>P00101121</b>	SW	NORTH DORSET	2/2011/0316/PLNG	TWO RESIDENTIAL BOARDING HOUSES; EXTENSIONS TO EXISTING BUILDING AND COVERED WALK WAYS	MILTON ABBAY	II*	ESTATE	SCHOOL/ MIXED OWNERSHIP	RURAL
<b>P00099274</b>	EM	GEDLING	2011/0127	ERECT 3 BEDROOMED DWELLING	PAPPLE- WICK HALL	II*	ESTATE	PRIVATE/ MIXED OWNERSHIP	RURAL
<b>P00095989</b>	SW	BATH AND NORTH EAST SOMERSET	10/05094/FUL & 10/05095/CA	NEW SPORTS CENTRE; RECONFIGURATION OF CAR PARK AND LANDSCAPING SCHEME	PRIOR PARK	I	ESTATE	SCHOOL/ NT	RURAL
<b>P00090617</b> <b>P00093003</b>	NW	BLACKPOOL	10/0853 10/1151	BMX TRACK WITH STARTING RAMP AND SMALL EQUIPMENT STORAGE	STANLEY PARK	II*	PARK	MUNICIPAL PARK	URBAN

## 6 Research Methodology and Case Study Selection

EH REF.	REGION	LPA	APP. REF.	DESCRIPTION	P&G	GRADE	P&G TYPE	OWNER/USE	URBAN/ RURAL
<b>P00103306</b>	SE	AYLESBURY VALE	11/00712/APP	INSTALLATION OF 3 REPLICA STATUES ON NEW STONE PEDESTALS	STOWE	I	ESTATE	SCHOOL/ NT	RURAL
<b>P00105450</b>	SW	BOURNEMOUTH	7-2011-10308-G	ERECTION OF A BUILDING ON 6 LEVELS (CAR PARKING, CINEMA, RESTAURANTS, RETAIL/LEISURE)	PLEASURE GARDENS	II*	PARK	PARK	URBAN
<b>P00087386</b>	SW	COTSWOLD [ALSO WILTSHIRE]	10/01569/FUL	REPLACEMENT DWELLING AND CHANGE OF USE OF LAND TO RESIDENTIAL CURTILAGE	WESTON-BIRT	I	ESTATE	SCHOOL/ ARBORETUM	RURAL
<b>P00109920</b>	E	CENTRAL BEDFORDSHIRE	CB/11/02548/FULL	CONSTRUCTION OF NEW ACCESS DRIVE	WOBURN ABBEY	I	ESTATE	PRIVATE/ ESTATE	RURAL
<b>P00086085</b>	E	CENTRAL BEDFORDSHIRE	CB/10/01099/FULL CB/10/02783/FULL	VISITOR CENTRE IN WALLED GARDEN, CAR PARKING/ACCESS ALTERATIONS, DEMOLITION	WREST PARK	I	ESTATE	PRIVATE/ EH	RURAL
<b>P00100821</b>	E	CENTRAL BEDFORDSHIRE	CB/11/01042/FULL	INSTALLATION OF PLAY EQUIPMENT IN WALLED GARDEN	WREST PARK	I	ESTATE	PRIVATE/ EH	RURAL
<b>P00108850</b>	WM	RUGBY	R11/0418	ERECTION OF A TEMPORARY MARQUEE	CO(O)MBE ABBEY	II*	ESTATE	HOTEL/ COUNTRY PARK	RURAL

*Table 48: Shortlisted Cases  
(with those selected highlighted in green)*

Source: Analysis of data provided by English Heritage 2012, pers. comm., 27 March 2012 and obtained from planning application files



*Fig. 28a: Illustrations of Some of the Shortlisted Cases*





*Fig. 28b: Illustrations of Some of the Shortlisted Cases*

The stage two criteria were then applied to further refine this selection and identify relevant cases, i.e. those which enabled the investigation of the definition and protection of significance in respect of historic parks and gardens. Stage two required a more detailed scrutiny of online planning application information, and thematic analysis to identify the range of issues raised by the shortlisted applications. Given the similarities inherent in the cases after the stage one sift, providing a broadly comparable group of applications, the stage two selection sought to maximise the variety of parks and gardens selected in order to reflect a wider range of experience, and to enable contrasts to be made in subsequent analysis as well as comparisons. Thus the assessments of the shortlisted cases against the themes embodied, park and garden type, urban/rural location, region, local planning authority area and availability of data were balanced. Thematic saturation was sought, i.e. the inclusion of cases with the greatest cumulative reflection of the themes represented by the shortlist as a whole, albeit with greater weight being given to those themes most closely aligned with the conceptual framework to the research. Overall, a ‘best fit’ selection was made across the criteria. The performance of the three selected case studies against the stage two criteria is shown in Table 49.

## Chapter 6 – Research Methodology and Case Study Selection

CRITERIA		PRIOR PARK	STANLEY PARK	WOBURN ABBEY
<b>LOCAL PLANNING AUTHORITY</b>		BATH & NORTH EAST SOMERSET	BLACKPOOL	CENTRAL BEDFORDSHIRE
<b>GRADE</b>		I	II*	I
<b>REGION</b>		SW	NW	E
<b>PERMITTED</b>		✓	✓	✗
<b>IMPLEMENTED</b>		✗	✓	✗
<b>ADEQUACY OF RECORDS</b>		✓	✓	✓
<b>LOC- ATION</b>	URBAN		✓	
	RURAL	✓		✓
<b>TYPE</b>	<b>COUNTRY HOUSE ESTATE</b>	✓		✓
	<b>PARK</b>		✓	
	CEMETERY			
<b>THEMES IDENTIFIED</b>	SUSTAINABILITY VS. HERITAGE			
	<b>HIGH LEVEL DESIGNATIONS</b>	✓		✓
	<b>HERITAGE OPPOSITION</b>		✓	
	<b>EXTERNAL DRIVERS</b>		✓	
	AUTHENTICITY			
	<b>LITTLE COMMUNITY CONCERN</b>			✓
	ASSET TO ENHANCE DEVELOPMENT			
	<b>DIVIDED OWNERSHIP</b>	✓		
	<b>INSUFFICIENT JUSTIFICATION</b>		✓	
	<b>FEAR OF FUTURE PRESSURES</b>		✓	
	PREMATURITY			
	POLITICAL INFLUENCE			
	<b>FAILURE TO CONSULT GHS</b>	✓		
	VALIDATION DELAY			
	NATURAL ENVIRONMENT PRIORITY			
	<b>POOR SUBMISSION/ ASSESSMENT</b>	✓		
	TEMPORARY USE			
	<b>ECONOMIC CASE</b>			✓
	<b>P&amp;G BASIS FOR DECISION</b>			✓
	<b>MANAGEMENT PLAN KEY</b>			✓
	<b>SIGNIFICANCE DEBATED</b>	✓		✓
	<b>SPORT</b>	✓	✓	
<b>EXTRA CONSULTATION</b>	✓			
<b>OWNER AS DECISION-MAKER</b>		✓		
ENABLING DEVELOPMENT				
<b>CLEAR COMMUNITY OF INTEREST</b>		✓		

*Table 49: Characteristics of the Selected Case Studies  
(with those addressed by the case studies shown in bold)*

### *Questionnaire Survey*

During the analysis of planning applications to inform the application of the stage one and two site selection criteria, it became apparent that not only was significance not being debated as regularly or as fully as it should have been in the determination of planning applications, but that the statutory consultation requirement to consult the Garden History Society was also not being adhered to in all cases. Given the importance of these mechanisms in the application of the planning system to the protection of historic parks and gardens, further work was necessary to understand the degree to which these findings were a reflection of wider practice in England, and provide a nomothetic context to the idiographic case studies.

Primarily for reasons of efficiency in both data gathering and analysis, and the convenience of respondents, a questionnaire survey was chosen as the most appropriate method for understanding local planning authority practice. The population for the survey was all local planning authorities in England (including those National Park Authorities with day-to-day responsibility for handling planning applications in their area): this amounted to 335 potential respondents in total.

Whilst the initial prompt for the questionnaire related to the matters outlined above, the scope of the questionnaire was extended to address all facets of local planning authority practice in respect of historic parks and gardens, in order to provide useful contextual information for the remainder of the study. The questionnaire was intended to be sent to each authority's Conservation Officer or other person with responsibility for conservation matters, as the

most likely to be able to answer questions covering conservation, development control, and policy.

Given the available time and budget, and the high levels of internet access of the intended respondents (Fowler, 2002; de Vaus, 2002), an online format was adopted, using ‘SurveyMonkey’ software (the content of which is reproduced at Appendix IX). As a self-administered questionnaire, the questions were largely closed (Fowler, 2002), but frequent opportunities to comment were provided. Where consistent with the research aims of this project, the questions were made as similar as possible to those in the survey conducted in 1992 amongst a sample of local authorities (Stacey, 1992): that study is discussed further in Thomson, 2014 (Appendix IV). Overall, the questionnaire undertaken for this research contained thirty-five substantive questions over six sections (Table 50), a length believed to be consistent with the levels of interest and expertise of its intended specialist recipients (de Vaus, 2002).

SECTION NUMBER	SECTION TITLE
1	Identifying the historic parks and gardens within your area
2	Planning policy for protecting historic parks and gardens
3	Other protection for historic parks and gardens
4	Administration of applications in respect of historic parks and gardens
5	Significance
6	Information

*Table 50: Sections Within the Questionnaire Survey*

The questionnaire was piloted and amended in light of feedback received, and then distributed by email in mid-November 2012, using an email circulation list obtained from DCLG, and updated as necessary with reference to council websites. Six weeks were allowed for completion, with a single follow-up email sent to non-respondents. A response rate of 40% was achieved (133

respondents). A comparison of the characteristics of the responding authorities against the national profile demonstrated that the responses were largely representative in terms of regional distribution, total number of registered parks and gardens, and urban/rural classification.

The survey data were transferred to Excel spreadsheets, cleaned, and analysed quantitatively to produce descriptive statistics. Some thematic analysis was also undertaken on the comments made by respondents. The questionnaire findings were written up and published (Thomson, 2014: Appendix IV), and a summary note sent to those respondents wishing to be informed of the outcome of the questionnaire survey (Appendix X). The questionnaire survey findings did not suggest any need to amend the case study selection.

### *Case Study Pilot*

One of the planning applications shortlisted after the stage two sift was considered as a small pilot study: the installation of replica statues at Stowe, in Buckinghamshire (shown in Fig. 28b). The purpose of the pilot was to be the testing and refinement of the research methods, but, after the withdrawal of the identified interviewee, the formal pilot was abandoned. The site was still visited and assessed as previously planned, and the interview questions tested with a planner for relevance and ease of comprehension: after determining that the proposed approach worked satisfactorily, the research continued with the first case study.

### *Case Study Methods*

The methods selected for case study data collection included some of those identified by Mason (2002) as being particularly useful for the elicitation of values, and were therefore of direct relevance to the case studies' focus on the way in which significance is understood and constructed within the planning process. Specifically, the methods were used to determine the process adopted, the stakeholders involved, and the nature of their participation. They also informed an assessment of significance in each case, and the impact of the planning proposal upon it, using the method developed in the theoretical phase of this research; this assessment was subsequently used in the analysis as a benchmark for the consideration of the assessment of significance by the planners and stakeholders involved in the original planning application.

The subsequent triangulation of data also accorded with the approach proposed by Mason (and endorsed by many others, as discussed above): '[t]riangulation... should be at the core of an approach to eliciting and assessing heritage values' (*ibid.*, p. 16). Drawing on work by Gillham (2000) and Yin (2003), Proverbs and Gameson (2008) categorise various data sources: the number of these categories utilised in this research (Table 51) is deliberately intended to aid triangulation and the robustness and completeness of the findings (Swanborn, 2010, pp. 160-161).

CATEGORY	DATA SOURCES	USED IN THIS RESEARCH
<b>DOCUMENTS</b>	E.g. letters, minutes, reports	✓
<b>ARCHIVAL RECORDS</b>	E.g. historic information, maps	✓
<b>INTERVIEWS</b>	E.g. semi-structured	✓
<b>DETACHED/DIRECT OBSERVATIONS</b>	E.g. recording actions as an observer	
<b>PARTICIPANT OBSERVATION</b>	E.g. recording actions as a participant	
<b>PHYSICAL ARTEFACTS</b>	E.g. buildings, parks and gardens	✓

Table 51: Data Source Categories

Source: Proverbs and Gameson, 2008, pp. 102-103

*i) Documentary Analysis*

The first of the data collection techniques used in the case study assessment was the analysis of primary sources including maps and historical records relating to the park or garden itself, policy documents, and planning applications (described as a ‘rich’ source of data by Larkham (1996, p. 167)), supplemented by secondary sources as needed to provide contextual information. Documentary and thematic analysis was applied to all these data sources.

*ii) Semi-Structured Interviews*

Semi-structured interviews offer a means of obtaining rich data on the interviewees’ perspectives on issues and processes (Bryman, 2008), and are therefore of particular relevance to an investigation into the definition and application of concepts of significance by key stakeholders in the planning process. They enable an appropriate balance to be struck between ensuring adequate flexibility to gain the perspective of the interviewee, and retaining a



focus on the areas of research interest in such a way as to allow ‘cross-case comparability’ (*ibid.*, p. 440).

A purposive sampling approach was adopted to select the interviewees, i.e. sampling ‘on the basis of wanting to interview people who are relevant to the research questions’ (Bryman, 2008, p. 458). In selecting potential interviewees for each case study from the stakeholders involved in the planning applications being analysed, the aim was to include a representative for each of the key perspectives identified in Chapter 2. Thus, where applicable (and circumstances differed in each case), interviews were requested with the applicant, key council participants (the responsible Planning Officer (Case Officer), Conservation Officer, and relevant politician), statutory consultees and other technical participants, amenity and other special interest groups, and local residents and other respondents to the initial consultation on the planning application. All were identified from publicly available planning records.

Potential interviewees were contacted a month ahead of the proposed fieldwork, and provided with both an Information Sheet and an indicative Interview Guide (Appendix XII). The majority of interviews were conducted face-to-face, and, with the consent of the interviewees, were audio recorded for later transcription and analysis. A small number of respondents preferred to respond to the questions in the Interview Guide in writing. All were asked to complete a Consent Form (Appendix XII) to confirm the terms of their participation.

Interviews were generally scheduled for forty-five minutes, but finished earlier or later according to the wishes of the interviewee. Interviews were held in the

most convenient location for the interviewees, and included homes, offices, and park cafés. Interviewees were given the opportunity to amend the transcripts of the interviews afterwards.

The qualitative data from the interview transcripts were analysed inductively using coding, for which NVivo software was utilised.<sup>23</sup> The coding was an iterative process, informed by the literature review and conceptual framework, and by the emergence of ‘repetitive patterns of action and consistencies in human affairs as documented in the data’ (Saldaña, 2009, p. 5): codes were defined and applied, and redefined and reapplied as needed, in light of ongoing analysis of the data. The codes identified are listed in Appendix XIII.

### *iii) Site Assessments*

Following documentary analysis, each case study park or garden was visited at least twice, and analysed using the typology of interests developed in the research and the method proposed for the assessment of significance.

### *iv) Map Regression Analysis*

Map regression is the commonly used term for the comparison of maps of different ages (but the same geographical focus) to identify points of interest and to understand the way in which an area has changed over time. The evolution of the application site for each case study was analysed to inform an understanding of each site’s significance.

---

<sup>23</sup> NVivo is a form of Computer Assisted Qualitative Data Analysis Software (CAQDAS) software which supports the organisation and analysis of unstructured data.

**6.3.4 Review Phase**

The final stage of the research involved analysis of the evidence gathered and further literature review. A number of semi-structured interviews were conducted with high-level stakeholders in order to test the validity and coherence of the emerging findings (Table 52). These stakeholders were those involved at the national level in the formulation of relevant planning policy and the conservation of historic parks and gardens, and included representatives from English Heritage, the National Trust, the Garden History Society, and the Department for Communities and Local Government (DCLG). The procedure for the conduct and analysis of these interviews was the same for as the case study interviews described above.

STAKEHOLDER ORGANISATION	STAKEHOLDER ROLE
<b>DCLG</b>	Chief Planner
<b>English Heritage</b>	Landscape Architect
	Government Advice Director
	Senior Landscape Advisor
<b>Garden History Society</b>	Former GHS Honorary Secretary and President
	Chairman, GHS/AGT Joint Conservation Committee
<b>National Trust</b>	Head of Land Use Planning

*Table 52: High-Level Stakeholder Interviews*

**6.4 Reliability and Validity**

In making choices about the philosophical orientation of research, an important determining factor is the need for credibility, so that the knowledge produced by the research is accepted as such. Despite increasing challenge and debate within the social sciences, the ‘scientific’ approach espoused by positivism remains a benchmark for the reliability and validity of research.

Reliability is defined as the ‘extent to which a measuring instrument ... gives consistent results’, and validity as the ‘extent to which conclusions drawn from research provide an accurate description of what happened or a correct description of what happens and why’ (Jupp, 2006, p. 262; p. 310). These clearly positivist concepts can however be applied – or adapted – to an interpretivist approach, thereby providing more confidence in the likelihood of robust outcomes. With reference to work by Lincoln and Guba (1985), Seale (2004, pp. 72-83) outlines the way in which the (positivist) definition of validity can be modified for more interpretive research, with a shift of emphasis to ‘credibility’ (Table 53), thereby enabling both positivist and interpretivist approaches to be adopted and defended. This entirely accords with the pragmatist orientation adopted in this research, and is reinforced by adherence to the recommendations discussed above, such as multiple case studies, triangulation of data, and immersion in the literature.

INTERPRETIVIST TRADITION	LINCOLN & GUBA'S MODIFICATIONS	POSITIVIST TRADITION
Concept-indicator links		Measurement validity
	<b>Credibility</b>	Internal validity
Originality and discovery/theoretical generalization	<b>Transferability</b>	External validity
	<b>Dependability</b>	Reliability
	<b>Confirmability</b>	Objectivity
	<b>Authenticity</b>	

*Table 53: Approaches to Validity*

Source: Seale, 2004, pp. 72-83

### **6.5 Conclusion**

This chapter has outlined the justification for the adoption of a pragmatist approach to this research, and, within that, of a largely qualitative and mixed methods approach, within a case study research design supplemented by a

## **Chapter 6 – Research Methodology and Case Study Selection**

---

nationwide questionnaire survey. The case study selection process has been described, along with the data sources, research methods and analytical techniques.

The following chapters outline the application of these research methods to each of the selected case studies, and seek to identify the way in which the planning system was applied to the identification and protection of significance in three historic parks and gardens.

### CHAPTER 7: PRIOR PARK, BATH

Mr. Allen is contented with the Situation of his House and Gardens (and indeed well he may, for it is a very fine one) and, instead of forcing Nature by a great Expence to bend to Art, he pursues only what the natural Scite points out to him, and, by doing, will make it one of the cheapest, and at the same time one of the most beautiful Seats in *England*.

*Defoe, 1742, cited in Harney, 2007, p. 189 (emphasis in original)*

#### 7.1 Introduction

This chapter presents and analyses the first of the selected case studies, namely the 2010 planning application for the development of a new sports centre at Prior Park College, in Bath. The chapter examines the context for and nature of the proposal, before determining the significance of the proposal site and the impact of the proposal upon that significance. It then explores the way in which significance was defined in the planning process, and by whom, and how it was weighed against other factors.

The methods used to investigate the case are those described in Chapter 6, with particular reliance on primary sources (planning application files and archival material) for the documentary research (all case study-specific sources are listed in Appendix XIV), five interviews with key stakeholders in the planning application process (as listed in Table 54), conducted in September 2013, and site assessments also undertaken in September 2013. The data gathered were then analysed using the range of analytical tools outlined in previous chapters, enabling conclusions to be drawn regarding the degree to which the significance of Prior Park – and specifically of the application site – was defined and then protected as a result of the planning process.

## 7 Prior Park, Bath

STAKEHOLDER ORGANISATION	STAKEHOLDER ROLE	DATA SOURCES	
		INTERVIEW	REPORT/ REPRESENTATION
<b>Bath &amp; North East Somerset Council</b>	Case Officer	YES	YES
	Conservation		YES
	Archaeology		YES
	Landscape		YES
	Contaminated Land		YES
	Transport		YES
	Trees		YES
<b>Bath Preservation Trust</b>	Chief Executive	YES	
	Representative		YES
<b>English Heritage</b>	Heritage		YES
<b>National Trust</b>	General Manager	YES	
<b>Prior Park College</b>	Applicant	YES	
<b>Residents</b>	Local Resident	YES	YES
	Other Residents x 3		YES
<b>Sport England</b>	Sport		YES

Table 54: Stakeholder Roles, Organisations and Data Sources

### 7.2 Prior Park

#### 7.2.1 Context

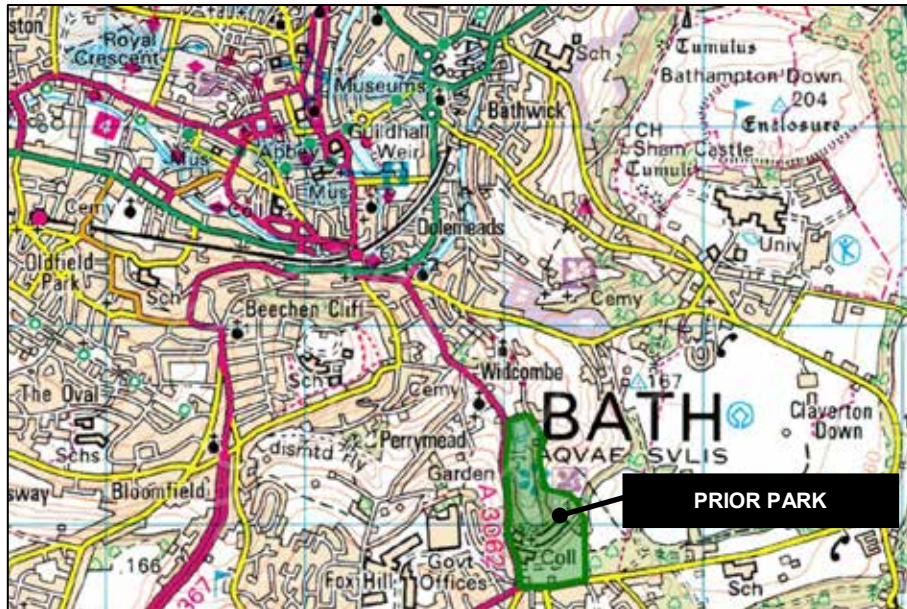
The location of the Prior Park estate within the city of Bath is shown in Fig. 29. The school occupies Prior Park Mansion (listed at Grade I), created by Ralph Allen in the 1730s as a showcase for the Bath stone produced in his quarries. Allen decided:

*... to exhibit [the stone] in a Seat which he had determined to build for himself near his Works, to much greater Advantage, and in much greater Variety of Uses than it had ever appeared in any other structure.*

John Wood, the elder, 1765, cited in Clarke, 1987, p. 11

Designed as a Palladian villa, the Mansion is regarded as the ‘grandest on English soil’ (Harney, 2007, p. 182). As well as the Mansion, the school also occupies the southern part of the associated landscape park (registered at Grade I); the northern portion of the registered landscape is owned by the National Trust.

## 7 Prior Park, Bath



*Fig. 29: Map of Bath, Showing Location of Prior Park*

Source: © Crown Copyright/database right 2014.  
An Ordnance Survey/EDINA supplied service

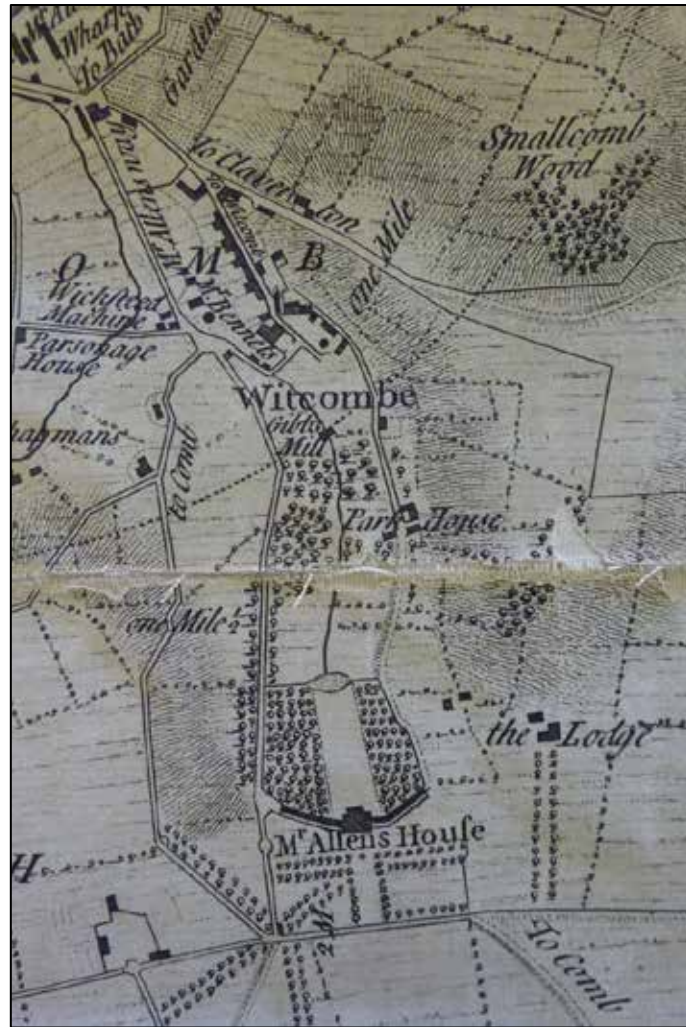
The importance of Prior Park stems from both the Mansion and its landscape, and from the relationship between them. The overall design is unusually cohesive for the time:

*At Prior Park the siting of the house and its relationship to the landscape is of particular significance. Whereas at other Palladian-style mansions the landscape is rarely referred to, at Prior Park it is an integral part of the design and layout.*

Clarke, 1987, pp. 26-7

This layout is illustrated in the 1742 Thorpe map (Fig. 30).





*Fig. 30: Prior Park in 1742 (extract from Thorpe's 'An Actual Survey of the City of Bath in the County of Somerset, and of Five Miles Around')*

Source: Thorpe, 1742 (Map photographed at the Bath Central Library)

Notwithstanding this relationship between house and garden, it is the landscape which is the particular focus of this research. The Prior Park estate represents an early example of the English landscape style (Harney, 2007), and is also 'one of the few gardens where Alexander Pope is known to have had some influence in the design' (Clarke, 1987, p. 7), as well as Lancelot 'Capability' Brown. It was specifically designed to have very strong visual linkages to and from the city of Bath (Fig. 31).



*Fig. 31: The View North Towards the Palladian Bridge and Bath  
(September 2013)*

Fig. 31 gives some impression of the topography of this ‘dramatic site’ (National Trust, 2002, p. 5). The house is located at the head of a valley running broadly north-south. The highest land is the former parkland to the south, behind the house, and includes the sports centre site, which lies at 155 metres above sea level; the house itself is at approximately 140 metres. The estate then slopes steeply downwards to the north, to a height of about 65 metres at the Palladian Bridge: from the sports centre site to the Palladian Bridge there is a difference in height of 90 metres, over a horizontal distance of just over 650 metres. A section based on Ordnance Survey contours would not adequately illustrate the profile of the site, due to the various terraces in the landscape. These terraces are however illustrated in Fig. 32: the sports centre site lies on the flat land behind the top of the slope in this image.



*Fig. 32: Postcard (Posted 1910) Showing Terraces and Mansion*

Source: Artist and publisher unknown, no date

### **7.2.2 Evolution**

The estate has its origins in a mediaeval deer park, subdivided between the then Bishop and Prior in the thirteenth century. The ‘Prior’s Park’ was subdivided further in the late sixteenth and seventeenth centuries (Hawkes, 2008a; 2008b), before being reassembled by Ralph Allen in the first half of the eighteenth century ‘with the intention of bringing the medieval park back under a single ownership, this time for ornamental purposes rather than for hunting’ (Chapman, 2008, p. 7).

The ‘serious planning, landscaping and building did not get under way until 1734’ (Clarke, 1987, p. 15), and work on both the gardens and the Mansion continued until Ralph Allen’s death in 1764, in three phases (Table 55). Despite subsequent alterations, Ralph Allen’s design remains remarkably intact.

## 7 Prior Park, Bath

PHASE	DATE	ACTIVITY	ARCHITECT	LANDSCAPE DESIGN	
I 1734-44	1726	Allen started to acquire land for quarries and house			
	1728	Plans for mansion started to be drawn up	Wood	Allen/Wood	
	1733/4	Landscaping and building underway			
	1734	Alexander Pope visited Bath	Jones	Allen/Pope	
	1735	Correspondence between Allen and Pope began			
	1736	Allen visited Pope			
	1737	Pope's first visit to Prior Park			
	1738	Wood dismissed			
	1739-40	Pope's longest visit to Prior Park			
	II 1744-1760	1740	Gardens largely complete		
		1741	Mansion ready for occupation		
		1742	Pope phase of gardens completed		
		1744	Pope died		Allen
1755		Palladian Bridge commissioned			
III 1760-64	1756/8	Palladian Bridge complete			
	c. 1760	Correspondence with Brown began		Allen/Brown	
	1764	Ralph Allen died			

*Table 55: Chronology of Events During Ralph Allen's Ownership*

Source: Chapman, 2008; Hawkes, 2008a and 2008b; Harney, 2007; National Trust, 2002; Clarke, 1987

After Ralph Allen's death, the estate changed hands repeatedly, with various private and institutional occupants, as well as periods of disuse and neglect. Notable amongst the periods of occupation, not least for the works undertaken by the occupants, were a seminary and college use between 1829 and 1856, and a Roman Catholic Grammar School between 1867 and 1904 (Clarke, 1987). Educational use resumed in 1924, as a Catholic boarding school, and has continued: Prior Park College has operated as a co-educational public school with a lay administration since the early 1980s.

## 7 Prior Park, Bath

---

The site is now split between Prior Park College and the National Trust, the latter acquiring the landscape gardens in 1993, by which time they ‘had a feel of romantic decay’ (Ward, 2009, p. 5). The National Trust produced a statement of significance for the landscape gardens in 1998, which informed the 2002 *Prior Park Landscape Garden Conservation Plan*, itself prepared to underpin an extensive restoration programme (National Trust, 2002). The *Conservation Plan* only covers the land in the National Trust’s ownership, albeit with acknowledgement of the need to liaise with the school as appropriate. It is due to be revised (National Trust interview, 2013).

The whole estate (including both the College and the National Trust holdings) was added to the *Register* at Grade I in 1987.

### 7.3 The Proposal and its Context

This section outlines the context to the development proposal, before discussing the details of the sports centre scheme.

#### 7.3.1 Planning

Prior Park is one of sixteen registered parks and gardens in the Bath and North East Somerset Council administrative area. Its registered status is far from being its only planning designation, however: as is shown by the list of designations in Table 56, the site is highly constrained in planning terms.

## 7 Prior Park, Bath

DESIGNATION	FOCUS	COVERAGE		
		WHOLE ESTATE	PARTIAL (INCL. SITE)	PARTIAL (EXCL. SITE)
<b>Area of Outstanding Natural Beauty (AONB)</b>	LANDSCAPE	✓		
<b>Green Belt</b>	CONTROL OF DEVELOPMENT	✓		
<b>Major Existing Developed Site</b>	CONTROL OF DEVELOPMENT		✓	
<b>Playing Field</b>	RECREATION		✓	
<b>World Heritage Site</b>	HERITAGE	✓		
<b>Listed Building</b>	HERITAGE		(✓)	✓
<b>Conservation Area</b>	HERITAGE	✓		
<b>Registered Park or Garden</b>	HERITAGE	✓		
<b>Scheduled Monument</b>	HERITAGE		(✓)	✓
<b>Site of Nature Conservation Interest</b>	NATURAL ENVIRONMENT			✓

*Table 56: Major Planning Constraints, Prior Park*

The portion of the site which has been the subject of the sports centre proposal lies within, but at the margins of, a number of designations which cover the whole site (the Prior Park registered garden, Bath Green Belt, the Cotswolds AONB, the City of Bath World Heritage Site, and the Bath Conservation Area), and two specific to the school's holdings (the Prior Park College Major Existing Developed Site, and a playing field). As shown in Fig. 33, it also lies within the setting of the Grade II gate piers and Top Lodge at the original south-west entrance to Prior Park, the Grade II listed cricket pavilion (first listed in 2011), the Grade II\* listed gymnasium, the Grade I Mansion and associated structures, and arguably also the setting of the Palladian Bridge, which is Grade I listed and also a scheduled monument (English Heritage, 2012). The wall to the rear of the sports centre site is almost certain to be curtilage listed.

## 7 Prior Park, Bath

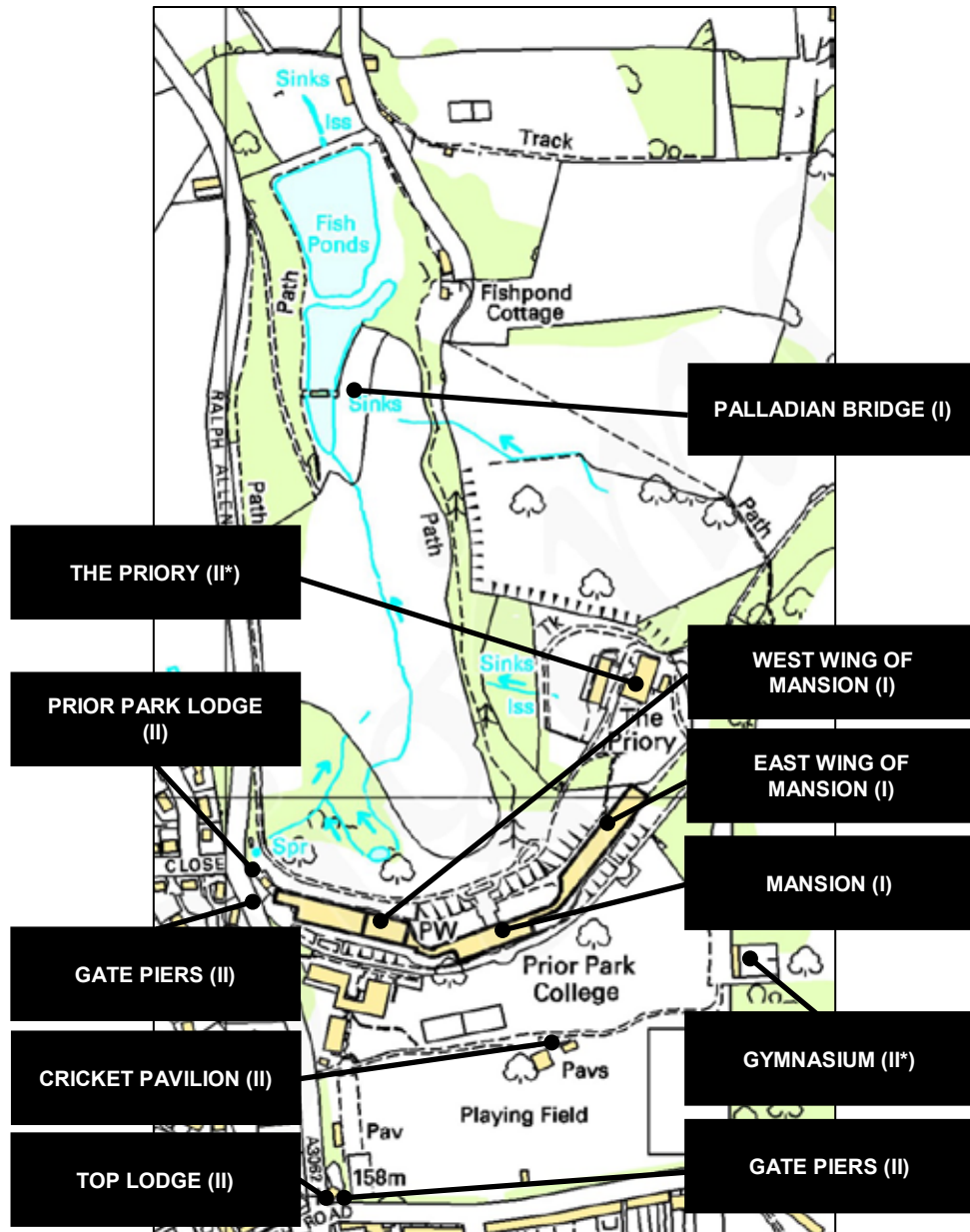


Fig. 33: Key Listed Buildings at Prior Park

Source: © Crown Copyright/database right 2014.  
An Ordnance Survey/EDINA supplied service

The development plan in force at the time of the sports centre application was the *Bath & North East Somerset Local Plan* (BANES, 2007). The policies of most relevance to the case study proposal are listed in Table 57.

## 7 Prior Park, Bath

POLICY	CONTENT
<b>D.2</b>	General Design and Public Realm Consideration
<b>D.4</b>	Townscape Consideration
<b>NE.1</b>	Landscape Character
<b>NE.2</b>	Area of Outstanding Natural Beauty
<b>NE.4</b>	Trees and Woodland Conservation
<b>GB.1</b>	Control of Development in the Green Belt
<b>GB.2</b>	Visual Amenities of the Green Belt
<b>GB.3</b>	Major Existing Development Sites
<b>BH.1</b>	World Heritage Site
<b>BH.2</b>	Listed Buildings and Their Settings
<b>BH.6</b>	Conservation Areas
<b>BH.9</b>	Parks and Gardens of Special Historic Interest
<b>BH.12</b>	Important Archaeological Remains
<b>SR.1A</b>	Protection of Playing Fields and Recreational Open Space
<b>SR.4</b>	New Sports and Recreational Facilities
<b>T.24</b>	General Development Control and Access Policy
<b>T.26</b>	On-Site Parking and Servicing Provision

*Table 57: Relevant Development Plan Policies*

Source: BANES, 2007

### ***7.3.2 School Facilities***

A key element of the proposal's context is provided by the school's stated operational needs. The *Planning Statement* submitted in support of the planning application placed the sports centre proposal within a long-term 'programme of refurbishment and reconfiguration in order to ensure that [the school] remains able to offer the high standard of facilities required to remain one of the leading schools in the country' (GVA Grimley, 2010, p. 3). More specifically, the existing sports hall was deemed too small for a school with over five hundred pupils (the location of the existing sports hall within the site is shown in Fig. 34, and its interior in Fig. 35).



IMAGE REMOVED FROM DIGITAL  
COPY OF THESIS FOR  
COPYRIGHT REASONS

*Fig. 34: Location of Existing Sports Hall  
(postcard dated 1934-1960)*

Source: Artist unknown; published by Aero Pictorial Ltd., no date



*Fig. 35: Interior of Existing Sports Hall  
(September, 2013)*

The business case put forward by the school in support of the new facility notes the current incompatibility between available facilities and national curriculum requirements, an inability to host inter-school matches in line with Sport England standards, inadequate changing rooms, disruption to indoor

sports when the hall is used for examinations, and timetabling impacts resulting from the current requirement for pupils to be transported to offsite sports facilities (GVA Grimley, 2010).

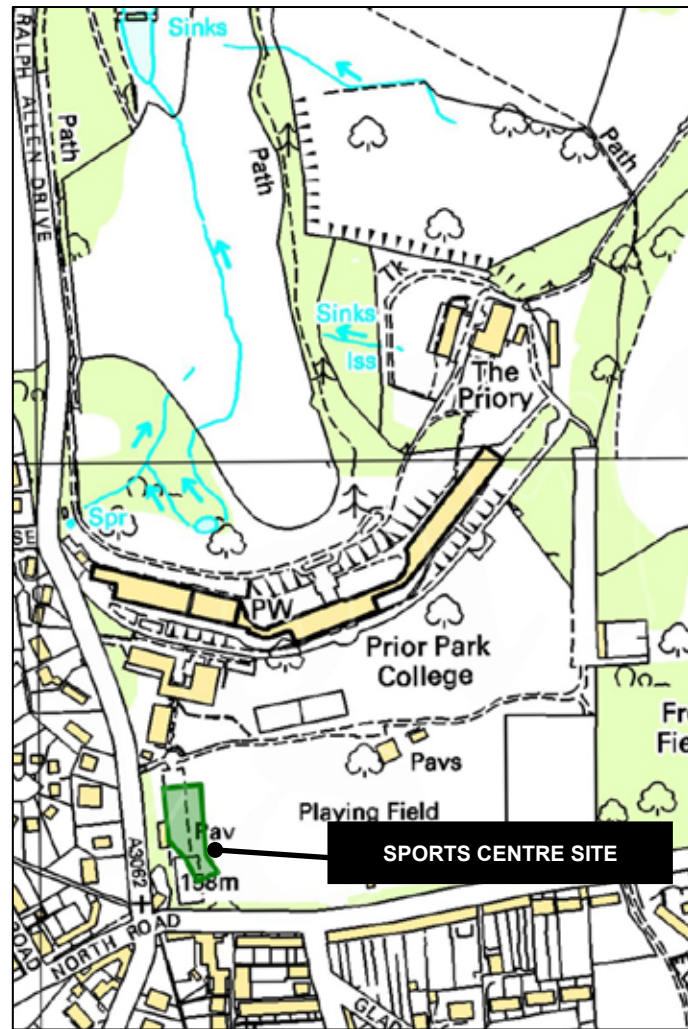
### *7.3.3 The Proposal*

Two sports centre proposals have been submitted to address the existing deficiencies (in 2010 and 2013), and approved; whilst it is the revised proposal which is to be constructed, it is the original which is the subject of this case study.

#### *The Original Proposal*

Submitted in December 2010, the original proposal was described as an application for the '[e]rection of a new sports centre; reconfiguration of existing staff car park and implementation of new hard and soft landscaping scheme following demolition of existing CCF [combined cadet force] hut' (planning application 10/05094/FUL). The location for both schemes is the same: the south-western corner of the registered site, within the school's holdings: a flat, elevated site, currently used for sporting activities. The site is shown on the map in Fig. 36, and illustrated in Figs. 37a and 37b.

## 7 Prior Park, Bath



*Fig. 36: Location of Sports Centre Site*

Source: © Crown Copyright/database right 2014. An Ordnance Survey/EDINA supplied service.

## 7 Prior Park, Bath

---



*Fig. 37a: View into Sports Centre Site from North East (September 2013)*

**IMAGE REMOVED FROM DIGITAL  
COPY OF THESIS FOR  
COPYRIGHT REASONS**

*Fig. 37b: Photomontage of Sports Centre Site from North East*

Source: Buttress Fuller Alsop Williams Architects, 2010, p. 17; reproduced by kind permission of Prior Park College

The application was submitted in December 2010 after extensive pre-application discussions with the case officer. In line with the Council's robust delegation procedures (which resulted in 96% of applications being delegated in 2010/11), the application did not go to Committee, but was handled as a delegated decision, and granted permission in March 2011.<sup>24</sup>

### *The Revised Proposal*

The original proposal was not implemented, due to its cost. A revised scheme was drawn up which entailed a 'general reduction in size whilst maintaining the same physical location' (13/03694/NMA Delegated Report). This was submitted in August 2013 as a non-material amendment to the original, 'in order to make the development financially viable – and thus deliverable' (*ibid.*). The revised scheme – due to be completed in 2015, and illustrated in Figs. 38a and 38b – was given consent in September 2013, as '[t]he overall design philosophy remains as per the permitted scheme insofar as the principles of development, the use of materials and the bespoke design will be fundamentally unaltered' (*ibid.*).

---

<sup>24</sup> Applications are delegated to officers for decision unless called in by a Ward Member within four weeks for a planning reason, and approved for Committee by the Chairman (Case Officer interview, 2013). Delegation rate obtained via a request to the Council (Bath & North East Somerset Council 2014, pers. comm., 14 April).

## 7 Prior Park, Bath

---



*Fig. 38a: View into Sports Centre Site from North East (September 2013)*

**IMAGE REMOVED FROM DIGITAL  
COPY OF THESIS FOR  
COPYRIGHT REASONS**

*Fig. 38b: Proposed Sports Centre from North East*

Source: 13/03694/NMA (Elevations); reproduced by kind permission of Prior Park College

### 7.4 Significance

This section undertakes an assessment of the significance of the proposal site as an individual asset within the wider gardens, and of the impact of the sports centre proposal on that significance, using the methods and typology of interests developed in Chapters 3, 4 and 5. These assessments provide a benchmark against which the Council's decision on the original application may be evaluated (discussed in Section 7.5).

#### 7.4.1 Determining Significance

The first stage in the process is the evaluation of significance, requiring a desk-based analysis of the available resources, a field survey, and a reasoned application of their findings to define significance.

##### *Desk Survey*

Map regression analysis (supplemented with documentary research) demonstrates considerable changes in the design and use of the southernmost portion of Prior Park, above the Mansion (Fig. 39). Thorpe's 1742 map shows the site during Ralph Allen's occupation, including a *patte d'oie* within a deer park, marking the axis between the entrance lodge and the Mansion's south entrance (Clarke, 1987). Between the production of the 1742 and the 1828 maps, the estate was in private but varied occupation; during this time it appears that the avenues of trees were removed (*ibid.*, p. 63).

## 7 Prior Park, Bath



**1742: Thorpe Map**

Map photographed at the  
Bath Central Library



**1828: Sale Particulars (0446/32)**

Reproduced by kind permission of the  
Bath Record Office



**1852: Cotterell Map**

Map photographed at the  
Bath Central Library



**1880s: Ordnance Survey**

© Crown Copyright/database right 2014  
An Ordnance Survey/EDINA supplied service



**1904: Ordnance Survey**

Map photographed at the  
Bath Central Library



**1920s: Ordnance Survey**

© Crown Copyright/database right 2014  
An Ordnance Survey/EDINA supplied service



**1960s: Ordnance Survey**

© Crown Copyright/database right 2014  
An Ordnance Survey/EDINA supplied service



**1970s: Ordnance Survey**

© Crown Copyright/database right 2014  
An Ordnance Survey/EDINA supplied service

*Fig. 39: Map Regression, Prior Park*



## 7 Prior Park, Bath

---

By 1852 (towards the end of the first phase of educational occupation), the sports centre site is shown as a ‘freestone quarry’, and trees had been planted between the upper portion of the site and the Mansion, providing a backdrop to views of the Mansion from the city, and also acting as a shelter belt; the Record of Sale of 1856 (cited by Clarke, 1987, p. 71) suggests that this portion of the site also contained a grass cricket ground of ten acres, although there is no evidence of this on the associated map. A more extensive quarried area is shown in the 1880s (with tree belts along the western and southern boundaries, and a reduction in the shelter belt to the north), but a structure has also appeared to the north-east, labelled on later maps as a pavilion; as the estate was by this time in its second phase of educational use, it seems likely that the eastern upper portion of the grounds was used for sport. Clarke states that in the 1890s:

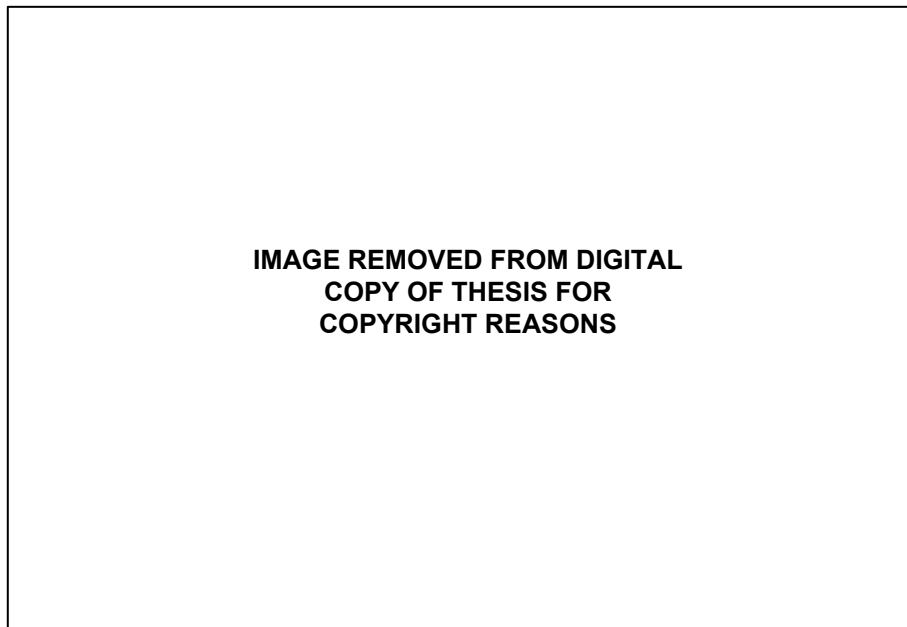
*The cricket field at last got some attention.... A note in the school magazine in April 1892 records the hard manual work ... that had to be undertaken to achieve a cricket pitch of good standard. Previously, presumably, the wicket was of only fair condition, and the outfield was marred by the uneven quarry debris. Bishop Clifford allowed several trees to be cut down, and the writer in the school magazine was hoping that more could be removed so the cricket ground could be of a better size and standard.*

Clarke, 1987, p. 75

By 1904, the western portion of the quarried area is still shown with tree cover, and the eastern as the ‘Old Quarry’; the structure to the north-east is now labelled as a pavilion, and use of this part of the site for sport is certain. From the 1920s onwards this is confirmed by the labels ‘sports field’ or ‘playing field’; Ordnance Survey maps confirm that in the 1920s and 1930s the sports

centre site is shown as largely covered in trees, but from the 1960s onwards tree cover in this portion of the site is much reduced.

Thus the overall trend following the loss of the deer park use, and the remediation of the quarrying activity, has been one of formalising the use for sport of this part of the estate – a use that had been in place for between 120 and 150 years at the time of the original sports centre planning application. The visual character of this use in the late twentieth century is illustrated in Fig. 40.



*Fig. 40: Postcard of Prior Park: Aerial View, Post-1970s*

Source: Power, no date

### *Field Survey*

This section presents the findings from the field survey in September 2013. The footprint of the sports centre will primarily occupy a previously-developed site at the margins of the sports pitch. The development site is illustrated in Fig. 41, and described by the applicant as follows:

## 7 Prior Park, Bath

---

*We are taking away a couple of tatty sheds, and building on the car park, a tarmacked car park, and the netball court, and a tiny bit of grass. That's what we're building on.*

Prior Park College interview, 2013

From the east, the hedge screens the car park but not the CCF hut; whilst the hedge is retained, the new sports centre development will relate more directly to its surroundings.



*Fig. 41: View South into Development Site (September 2013)*

Views to and from the sports centre site across the sports pitches are shown in Figs. 42 and 43. These confirm the open, sporting character of the site (and therefore its recreational interest), as well as emphasising the maturity and landscape importance of the tree belt around the margins of this part of the estate: the site embodies community, historic, horticultural (arboricultural), and aesthetic interest.



*Fig. 42: View from Sports Centre Site to North East (September, 2013)*



*Fig. 43: View to Sports Centre Site from North East (September, 2013)*

To the east, south and west, the tree belt and surrounding wall, combined with the relatively level topography, largely prevent views into the sports centre site. To the north, however, views in and out of the site are extensive. The fifteen-metre height difference between the sports pitches and the base of the Mansion enables views northwards over much of the building line (Fig. 44), and southwards into the site from elsewhere. The intervisibility between the site and distant locations is shown in Fig. 45, which demonstrates that the

## 7 Prior Park, Bath

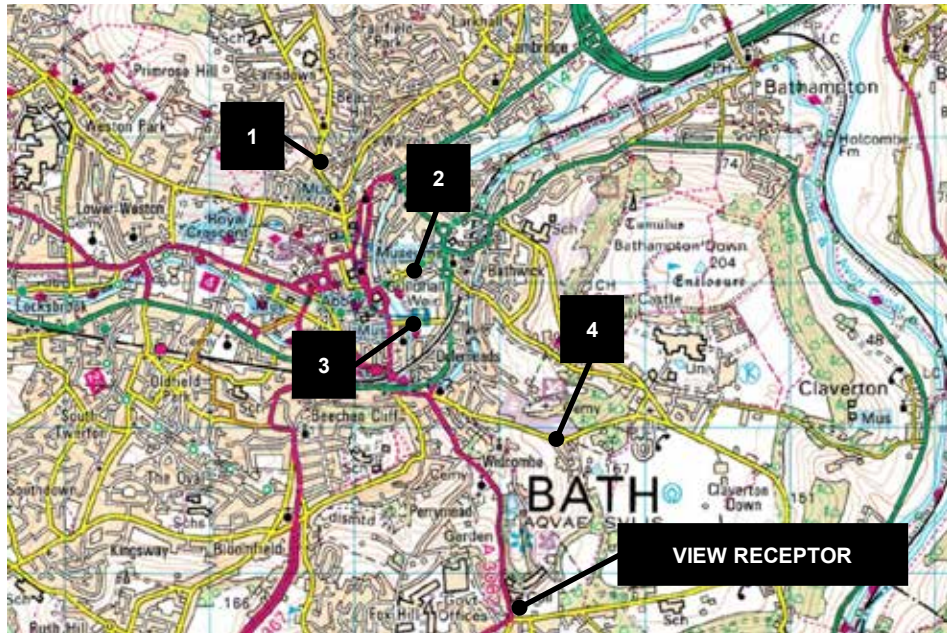
---

steep slope behind the Mansion is a highly visible feature, along with the tree line at its summit, and further that the plateau on which the sports centre is to be constructed is itself visible. As a sports pitch with a low profile, it is not currently easily read within the landscape, but any higher structure on this surface is likely to be visible or glimpsed through trees, albeit only at significant distances from the site. English Heritage's response to the planning application emphasised the importance of ensuring that 'any proposals to the south of the house on higher ground are not visible in long ... views', and that 'it is important that the house retains its pre-eminence and that the new building does not impinge on the key views' (English Heritage consultation response, 10/05094/FUL).



*Fig. 44: View North over Mansion from Sports Pitches (September, 2013)*

## 7 Prior Park, Bath



© Crown Copyright/database right 2014.  
An Ordnance Survey/EDINA supplied service



1 View from Lansdown Grove  
3 View from North Parade Bridge

2 View from William Street  
4 View from Widcombe Hill/Prospect Road

*Fig. 45: Views into Prior Park from Bath (September, 2013)*

A particularly important view is however to be found within the Prior Park site: the view south towards the Mansion from the Palladian Bridge. This has

long been an iconic image for Prior Park, as demonstrated in the postcard shown in Fig. 46, posted in 1906. English Heritage expressed a particular concern about this view, stating that ‘it is critical that the new building does not encroach into the view of the landscape setting’ (English Heritage consultation response, 10/05094/FUL). English Heritage further noted that this had not been fully assessed in the technical information submitted in support of the application, in which ‘the visuals show the existing situation but do not demonstrate the situation with the proposed buildings’, and sought – but did not insist on – further information in this regard, despite the fact that this was fundamental to any assessment of significance for this site, and to the impact upon it (*ibid.*).



*Fig. 46: Postcard Showing the View from the Palladian Bridge (Posted 1906)*

Source: Artist unknown; published by Sargeant Bros., no date

### *Definition of Significance*

The adoption of the approach outlined in Chapter 5 for the definition of significance involves understanding the fabric and evolution of the garden,

determining the interests it represents, and the assets within which they are embodied, and then determining the relative importance of those interests.

The evolution of this part of the estate from the parkland to a private house, to a quarry, to a recreational and sporting area for educational uses, has been outlined in Section 7.2.2, and may be traced in the surviving features. The Mansion's shelter belt has been present in some form since Ralph Allen's occupation, whilst the remaining marginal planting dates from the second period of educational use, and also screened the quarrying. The flatness of the sports pitch area (a particular contrast with the steepness of much of the rest of the estate) denotes the restoration of the land after the quarrying had concluded; the sporting uses for which it was levelled have continued since that time. The entrance lodge has also survived since the eighteenth century, and its alignment reflects the orientation of the entrance drive, originally also marked by the diagonal avenue of the *patte d'oie*.

As a result of this continuity, the interests represented by this portion of Prior Park certainly include the historic. They also include the aesthetic: the trees are the most obvious design feature, and are visually pleasing and very important (not least in providing a backdrop to the rest of the estate, and the views from Bath, as well as a strong sense of enclosure). The expanse of well-maintained lawn is also an important contributing factor to the aesthetic interest, as demonstrated in the aerial views shown in Figs. 34 and 40. The trees also embody arboricultural, or horticultural, interest, whilst the sports pitches themselves embody recreational interest, as well as a degree of communal interest, as actively enjoyed places at the heart of a longstanding school



community, and potentially some archaeological interest relating to the former quarrying activity.

As regards the relative importance of these interests, the whole southern portion of the estate inevitably suffers in comparison with the extraordinarily high quality and profile of the rest of the estate (elements of which are illustrated in Fig. 47).

Both the Mansion and the landscaped garden were originally and are now the focus of most attention in terms of visual impact, research, and (in the case of the garden at least, due to its National Trust status) visits by the public, which amount to around 35,000 a year (National Trust interview, 2013). This was acknowledged by English Heritage in its consultation response:

*The dominance of the house overlooking the valley ... is highly significant.... In assessing the landscape as a whole it is clear that the northern landscape descending down the valley has the greatest significance and the area of the proposed development has undergone change and holds less value in terms of aesthetic and evidential value.*

English Heritage consultation response, 10/05094

In relative terms, the parkland area is indeed less accessible, less visible, and less well-studied. Although ornamented, it was not designed to be purely ornamental, and its functional qualities are fundamental to its lower status. Nevertheless, it is an important part of the estate, intended to complement both the Mansion and the landscape garden, and with qualities in its own right, as recognised by its inclusion in the Grade I registration of the whole estate.

## 7 Prior Park, Bath



*View North from Mansion Steps*



*Palladian Bridge*



*Mansion from North West*



*Serpentine Lake and Sham Bridge*



*Site of Gothic Temple*



*Mrs Allen's Grotto*



*Cascade and Cabinet*



*Summerhouse*

*Fig. 47: Various Elements of the Prior Park Registered Area*

Particularly important – within the site, and in comparison with other registered parks and gardens – is the historic combination of uses, and the extent of their physical survivals, compounded by the fact that the quarrying is so closely related to the *raison d'être* for the house, and the educational use

that prompted the creation of the playing pitches is itself so long-established. All of this is supplemented by the range of qualities that the parkland shares with the rest of the site that contribute to Bath's 'outstanding universal value' and its World Heritage Site designation. Whilst Prior Park is not explicitly mentioned in the *Draft Statement of Outstanding Universal Value* for the City of Bath World Heritage Site, it implicitly embodies many of the defining cultural attributes, including 'the ambitions of ... Ralph Allen', 'architecture and landscape combined harmoniously', 'the influence of Palladio', and 'Picturesque landscape aestheticism' (DCMS, 2011, n. pag.). Its contribution to the World Heritage Site's integrity is also important, particularly regarding the 'relationship of the Georgian city to its setting' (*ibid.*).

Overall, and using the ICOMOS approach to value assessment introduced in Chapter 3, the value of Prior Park may be classed as 'very high', as a Grade I landscape with 'acknowledged international importance' as part of the World Heritage Site, and as a landscape which is '[e]xtremely well preserved ... with exceptional coherence, time depth, or other critical factors' (ICOMOS, 2011, pp. 14-16). Within this, the importance of the sports centre site may be classed as 'medium', on the basis that it is '[a]veragely well preserved ... with reasonable coherence, time depth or other critical factors' (*ibid.*).

### **7.4.2 Impact on Significance**

The next stage in the process outlined in Chapter 5 is to assess the anticipated impact of the proposal on the significance of the asset, primarily through a consideration of the impact on the physical qualities in which the identified interests are embodied.

## 7 Prior Park, Bath

---

The archaeological interest was explicitly deemed to be ‘low’ by the Council, although the proximity to the former tramway used for transporting quarried stone was used to justify the imposition of a condition requiring an archaeological watching brief during works (10/05094/FUL Delegated Report). The tramway – itself a source of much local interest in the eighteenth century – is illustrated in a print by Anthony Walker, dating from around 1750 (Fig. 48).



*Fig. 48: 'Prior Park the Seat of Ralph Allen Esq. near Bath'  
(Anthony Walker, c. 1750)*

Source: Reproduced by kind permission of the Victoria Art Gallery,  
Bath & North East Somerset Council

The sports centre proposal itself would leave the majority of the sports pitch unaffected, and the small area of loss was deemed by Sport England to be outweighed by the net benefits to sport (Sport England consultation response, 10/05094/FUL). Thus the impact on communal and recreational interest would not be negative, and might be regarded as positive. The aesthetic interest of the sports pitches would arguably be affected by the addition of a large building in

an area previously occupied only by a single storey hut, cricket nets and car park, although the design was supported by the Council, and viewed as being of ‘strong architectural merit [and] an asset to the setting of the site as a whole’ (10/05094/FUL Delegated Report). Despite provisions within the design to acknowledge the historic axis between the lodge and the south entrance of the Mansion, the sports centre would interrupt this linkage; given the existing tree cover between the lodge and the pitches, this would not in itself greatly alter the current situation.

The trees around the site are a considerable component of its significance. The sports centre proposal requires some tree loss, but the proposed landscaping scheme makes provision for this to be offset, particularly along the western edge of the site. Thus the arboricultural and aesthetic interest embodied by the trees would not be much affected.

Thus the impact on significance within the parkland area would be minimal; the greater disturbance would result from the impact on the wider aesthetic interests of the site as a result of the visibility of the new structure within the site, both in long views within and outside the site, and in shorter views such as that from the public realm beyond the western boundary (the previous sense of an enclosed green space being disrupted by the appearance of a large built structure).

Reliance on the purely visual elements of significance would suggest a negative impact overall at both the parkland and estate scales, but the adoption of the typology outlined in Chapter 4 gives weight to the less visual, too, such as the recreational. Taking this into account, and applying the ICOMOS

impact assessment framework discussed in Chapter 3, the change in the parkland component of the estate may be assessed as ‘negligible’, as the recreational and communal traditions are arguably enhanced, whilst the new building has minimal impact on the areas of lawn and trees; overall there are ‘[v]ery minor changes to key historic landscape elements, parcels or components ... resulting in a very small change to historic landscape character’ (ICOMOS, 2011, p. 17).

In contrast, the change in the wider estate may be assessed as ‘minor’, as the building will be visible in key views, and does compromise the defining aesthetic interest of the site, albeit to a minimal degree as a result of the location of the sports centre within the site and the effect of the tree screening; overall there is ‘[c]hange to few key historic landscape elements, parcels or components; slight visual changes to few key aspects of historic landscape ... resulting in limited change to historic landscape character’ (*ibid.*).

Thus the overall impact of the proposal on the significance of the parkland element of the site may be deemed ‘neutral/slight’, and ‘moderate/large’ on the significance of the estate as a whole (Table 58).

## 7 Prior Park, Bath

VALUE OF HERITAGE ASSET	SCALE & SEVERITY OF CHANGE/IMPACT				
	NO CHANGE	NEGLIGIBLE CHANGE	MINOR CHANGE	MODERATE CHANGE	MAJOR CHANGE
VERY HIGH	NEUTRAL	SLIGHT	MODERATE/LARGE	LARGE/VERY LARGE	VERY LARGE
HIGH	NEUTRAL	SLIGHT	MODERATE/SLIGHT	MODERATE/LARGE	LARGE/VERY LARGE
MEDIUM	NEUTRAL	NEUTRAL/SLIGHT	SLIGHT	MODERATE	MODERATE/LARGE
LOW	NEUTRAL	NEUTRAL/SLIGHT	NEUTRAL/SLIGHT	SLIGHT	SLIGHT/MODERATE
NEGLIGIBLE	NEUTRAL	NEUTRAL	NEUTRAL/SLIGHT	NEUTRAL/SLIGHT	SLIGHT

*Table 58: Impact of Sports Centre on Significance of Prior Park*

Source: After ICOMOS, 2011

### 7.5 Analysis

This section analyses the handling of the sports centre planning application to assess the degree to which the determination of this application relates to the models outlined in Chapters 2-5. It considers who participated, how significance was defined, the way in which the decision was made, the influences upon it, and issues relating to the site's status as a registered garden.

The data sources used are listed in Appendix XIV, and include application-related papers (including the information submitted in support of the application, consultation responses, and the Case Officer's decision report), the relevant policy documents, and the insights of the key participants, obtained through semi-structured interviews (as listed in Section 7.1). The analysis of the interview transcripts was undertaken using NVivo software, as described in Chapter 6. Various descriptive codes were assigned to the data, and these codes grouped into categories with a view to identifying themes and a deeper understanding of participants' involvement in the planning process (Appendix XIII).

### ***7.5.1 Consultation and Participation***

#### *Pre-Application Engagement*

Before the planning application was submitted, the applicants participated in extensive pre-application discussions with the local planning authority and English Heritage, and also undertook some preliminary public consultation, in the form of an on-site consultation event in early November 2010 (described as ‘wine and nibbles with big boards’ by one participant who supported the initiative), to which the local residents and other interested parties were invited. Local councillors attended this event, but did not then call in the application to Committee, and were not formally involved in the remainder of the decision-making process.

#### *Consultation Requirements*

Once the application was submitted in early December 2010, the statutory requirement to consult English Heritage on this Grade I garden was observed, and yielded a response which expressed some concerns, but which did not formally object to the proposal. The Council was under the impression that it had also consulted the Garden History Society (in line with both the statutory requirement and the commitment in the authority’s own Local Plan), but, due to an administrative error, the letters were not received; consequently, no Garden History Society comments were made.

Due to the potential impact on a playing field, Sport England also had to be consulted, under the *Town and Country Planning (Development Management Procedure) (England) Order 2010*. Sport England determined that the sports



## 7 Prior Park, Bath

---

centre proposal met one of the exceptions of its own playing fields policy, namely that '[t]he proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field' (Sport England consultation response, 10/05094/FUL); accordingly, no objection was raised.

The application had also to be advertised as a departure from the development plan (January 2011), but, according to the decision report, no representations were received in respect of this issue (10/05094/FUL Delegated Report).

Twenty-three properties were specifically alerted to the proposal by the Council as part of the standard neighbour consultation (BANES 2013, pers. comm., 4 June, 2013), located along North Road (to the south of the site), and Ralph Allen Drive (to the west of the site). The decision report noted that no objections were submitted by the residents of North Road, and that 'only three properties on Ralph Allen Drive would be affected ... two of which have objected'; overall six objections were received, 'from 4 individuals' (10/05094/FUL Delegated Report). The National Trust, although aware of the proposal, did not submit a comment. This was partly because of a view that there would not be an impact on the Trust's holdings, and partly because 'I think there's enough protection, really' (National Trust interview, 2013). Given the consideration of the range of designations on the site by the Council, this proved to be a fair assessment.

With regard to other specific interest groups, the local County Gardens Trust (the Avon Gardens Trust) was not consulted. The Bath Preservation Trust was

however consulted, confirming the Trust's view that 'we're perceived as a core consultee within the city', and one likely to be consulted on development affecting listed buildings (Bath Preservation Trust interview, 2013).

Such was the adherence to the requirements regarding *who* was consulted. The question of *how* they were consulted is perhaps more straightforward, in that, apart from the pre-application consultation, only the minimum consultation activity was undertaken, i.e. notifications: a dedicated participation strategy was not developed to ensure increased access to the consultation process, or to facilitate discussions of significance, although the Case Officer did actively engage with participants once they were involved. In this respect, the Case Officer was functioning as a 'mediator-facilitator' within the process.

Was the need for a participation strategy obviated by the earlier pre-application engagement? The early public consultation was seriously undertaken and well-intentioned, and actively supported by both the Case Officer and the applicant, the latter advising that '[w]e really did absolutely everything we could to listen to everybody, to listen to all of their concerns, and to feed it into what's going to be a stunning building', and 'there was still time, if people had put their hands up in horror, we would have done something about it, there was still very much the time to do that' (Prior Park College interview, 2013); indeed, the scheme was slightly amended as a result of the pre-application consultation (Case Officer interview, 2013).

The consultation also appeared to affect the overall number of formal objections received later in the process:

*Barely anyone here who looks directly over the site objected, and it just suddenly sailed through with minimal fuss. So I've gone from a position of thinking this is going to be everyone on my back ... to something like this which should be high profile and contentious, and it just wasn't.... I don't know if that's because of the design or the approach that they've taken, that people looked and went 'it's all right, we're not even going to write to the Council on it'. They probably got to the point where they thought, 'well, we've told them what we want, they've incorporated that or explained why they can't do that: there's no need to object any more'.*

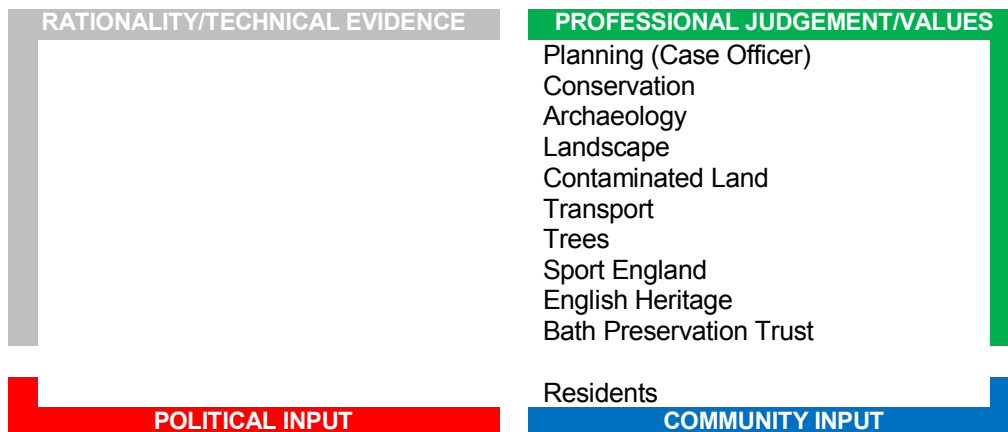
Case Officer interview, 2013

The impact of the pre-application engagement is not uncommon. In their assessment of various consultation approaches in a scheme in Oxford, Brownill and Carpenter observed that such 'frontloading' of engagement 'certainly appears to have fulfilled the objective of making the statutory phases easier and quicker', but also flagged the risk that this drew the attention and energy of both consultees and the decision-maker away from the importance of engagement in the formal decision-making stages, potentially resulting in reduced community involvement at the more important stage in proceedings (2007, p. 422).

The consultation did not of course resolve all objections, and some of those who had participated at the pre-application stage went on to object formally. The Bath Preservation Trust noted their gratitude for 'the early opportunity to discuss these proposals', and the good working relationship forged with the applicant's team, but also observed that not all the changes sought had been made, 'and it is with regret' that they then objected formally to the application (Bath Preservation Trust consultation response, 10/05094/FUL).

*Consultation Responses and Participant Profile*

All the comments received were reported by the Case Officer, and their substance specifically addressed in the decision report. If the responses are considered within the influences on the implementation of the planning system identified in Chapter 2 (Fig. 49), it is clear that the predominant influence was the professional.<sup>25</sup> Whilst the Bath Preservation Trust does function as a (community-based) amenity society, its operation by paid and volunteer professionals (Bath Preservation Trust interview, 2013) renders its outlook a professional one. The lay community perspective in the final decision-making stage of this case was limited, and there was no political involvement at all.



*Fig. 49: Participants in the Decision-Making Stage, by Influence*

If participation is assessed with reference to Kitchen’s ‘customer clusters’ (Table 6, Chapter 2), it is apparent that most relevant clusters were at least invited to participate. Internally, elected Members of the Council were invited to participate in the pre-application stage, but chose (within the context of the scheme of delegation) not to participate any further; the views of other Council departments were sought and provided. Externally, local residents were

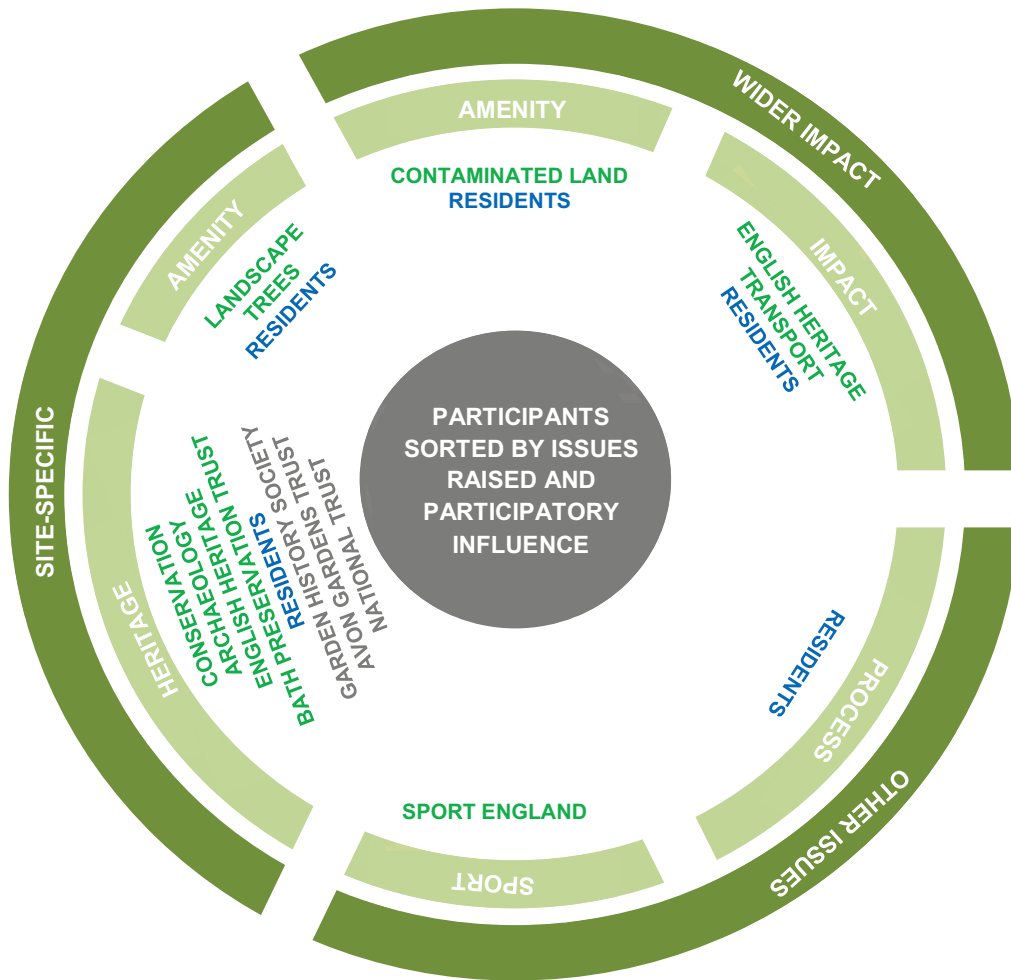
<sup>25</sup> The fourth influence shown, ‘rationality/technical evidence’, relates more to the availability and use of information by participants.

## 7 Prior Park, Bath

---

actively invited to participate, and relevant agencies. Some specific interest groups were consulted, but not all that might have been expected given the nature of the site, and, whilst the wider public and the business community were able to respond, they were not actively targeted.

Fig. 50 categorises the range of issues raised by participants, and reveals those communities of interest which articulated a view within the planning process. It demonstrates that heritage matters were a focus for most, although the absence of some of the most obvious participants in this community is noteworthy. Amenity was another important matter to participants, being raised by all responding local residents, and as their greatest concern.



**KEY**

- Grouping of issues
- Specific issues
- ABC Professional participant raising a particular issue in consultation response
- ABC Community participant raising a particular issue in consultation response
- ABC Participant expected to raise an issue by virtue of area of interest, but not doing so

*Fig. 50: Participants in the Decision-Making Stage, by Issue Raised*

**7.5.2 Significance**

*The Concept of Significance*

Significance appears not to have been a widely understood concept amongst the participants in the process, and was the subject of limited coverage in consultation responses (Table 59).

## 7 Prior Park, Bath

RESPONDENT	EXPLICIT	IMPLICIT
<b>PROFESSIONAL RESPONDENTS</b>		
Archaeology	NO	YES
Bath Preservation Trust	YES	YES
Conservation	NO	NO
Contaminated Land	NO	NO
English Heritage	YES	YES
Landscape	NO	NO
Sport England	NO	NO
Transport	NO	NO
Trees	NO	NO
<b>COMMUNITY RESPONDENTS</b>		
Residents	NO	YES

*Table 59: Articulation of Significance by Consultees*

Source: 10/05094/FUL application file

Turning first to the professional respondents, the omission of any explicit or implicit assessment of significance by the Conservation and Landscape Officers is explained by the fact that neither made a formal response to the application: the Conservation Officer merely endorsed the English Heritage response, and the Landscape Officer ‘verbally requested tree strengthening’ on the site boundary (consultation responses, 10/05094/FUL). The Archaeologist referred only to historic and archaeological interest, whilst the Bath Preservation Trust did use the term significance, albeit only in passing, as the majority of the Trust’s response related to matters of architectural detail in the new building (consultation responses, 10/05094/FUL). English Heritage did discuss significance in some detail – albeit in terms of the values defined in *Conservation Principles*, rather than in PPS5 terminology – stating that ‘the area of the proposed development has undergone change and holds less value in terms of aesthetic and evidential value’ (English Heritage consultation response, 10/05094/FUL).

## 7 Prior Park, Bath

Amongst the community respondents, most residents concentrated on matters of amenity alone, but some reference was made to the historic environment, including impact on setting, historic design, landscaping, and the overall quality of the site, that is, implicit reference was made to aesthetic, historic, and architectural interests (Residents' consultation responses, 10/05094/FUL).

Table 60 sets out the overall coverage of interests by respondents, whether explicitly or implicitly, and reveals a limited engagement in the heritage issues associated with the site, but, where they were discussed, some alignment with the interests proposed in this research (Chapter 4).

RESPONDENT	ARTICULATION		INTERESTS & ISSUES					
	EXPLICIT	IMPLICIT	AESTHETIC	ARCHAEOLOGICAL	COMMUNITY	HISTORIC	HORTICULTURAL	OTHER
<b>PROFESSIONAL RESPONDENTS</b>								
Archaeology	YES	NO		✓		✓		
Bath Preservation Trust	NO	YES	✓			✓		
Conservation	NO	NO						
Contaminated Land	NO	NO						✓
English Heritage	YES	YES	✓	✓	✓	✓	✓	
Landscape	NO	YES					✓	
Sport England	NO	YES			✓			
Transport	NO	NO						✓
Trees	NO	YES					✓	
<b>COMMUNITY RESPONDENTS</b>								
Residents	NO	YES	✓			✓		✓

*Table 60: Interests Raised by Consultees*

Source: Consultation Responses, 10/05094/FUL

The difficulties in understanding significance were acknowledged by a number of interviewees. The Case Officer regarded PPS5 as broadly 'useful in terms of a guide for setting out and assessing what is significant', but found the



policy ‘a bit vague’ and the concept fundamentally unclear: ‘[b]ut what is significance? I think that’s what we’ve always struggled with a bit’ (Case Officer interview, 2013). The Bath Preservation Trust demonstrated a clear understanding of the policy, but did not address significance in its consultation response. The Trust also identified a need for practical guidance on the definition of significance, the key issue for most being ‘how on earth do you actually do it?’, as, ‘while ... there’s this requirement now to assess significance, there is less requirement on the information to be submitted’ (Bath Preservation Trust interview, 2013).

### *Definition of Significance*

The requirement for significance to be assessed, and a proposed development’s impact upon it determined, stemmed from PPS5 (which had been in force for a year at the time of the decision). PPS5 was identified in the decision report as a relevant element of national policy, but was not then referred to explicitly again, other than to note that the proposal was in accordance with it. The relevant policies within PPS5 were broadly adhered to implicitly, however, as discussed below.

Policy HE6 of PPS5 required the applicant (in this case via a professional agent) to ‘provide a description of the significance of the heritage assets affected’ (DCLG, 2010a, p. 6). This requirement was ostensibly satisfied by the extensive and thoroughly researched technical documents submitted with the application, although overall the assessment of significance and the impact of the proposal upon it was not clear in this documentation: the emphasis was

## 7 Prior Park, Bath

---

on research rather than analysis. This was noted as a wider concern by the Bath Preservation Trust:

*... we've got some very good buildings and landscape researchers in the city, and they get commissioned to do that historical work, but then they aren't asked, and then the applicant doesn't do, the read-across, of what does that work actually mean for the proposal.*

Bath Preservation Trust interview, 2013

There were also particular omissions in the technical submissions with regard to the registered garden (Table 61). These issues were noted by English Heritage:

*Assessment of the proposals needs to consider the impact on the significance of the historic landscape, setting of the listed buildings and the Values of the World Heritage Site. The supporting information provides a background to the historic development of the site and analyses the evolution.... However, the Design and Access Statement does not make [a] clear assessment of the relative significance of the site and the impact [of] the proposals on the significance.*

English Heritage consultation response, 10/05094/FUL

DOCUMENT	ISSUES WITH CONTENT RELATING TO THE REGISTERED GARDEN
<b>PLANNING STATEMENT</b>	<ul style="list-style-type: none"> <li>• Inconsistent acknowledgement of registered status</li> <li>• Failure fully to assess compliance with local and national policy</li> <li>• Failure to assess impact of proposal on registered garden</li> </ul>
<b>DESIGN &amp; ACCESS STATEMENT</b>	<ul style="list-style-type: none"> <li>• Inconsistent acknowledgement of registered status</li> <li>• Omission of relevant policy</li> </ul>
<b>LANDSCAPE APPRAISAL AND CONSERVATION ACTION PLAN</b>	<ul style="list-style-type: none"> <li>• Description of site and its evolution rather than definition of significance</li> <li>• Assertion rather than analysis regarding impact of proposal on significance of registered landscape</li> </ul>
<b>HERITAGE STATEMENT</b>	<ul style="list-style-type: none"> <li>• Factual errors regarding status of registered parks and gardens</li> <li>• Omission of any reference to appraisal of impact on garden (only listed buildings and conservation area included, and no actual assessment of impact for those)</li> <li>• Assertion rather than analysis regarding impact of proposal on views, and regarding landscape strategy's consideration of historic features of the garden</li> </ul>

*Table 61: Issues with Technical Documentation*

## 7 Prior Park, Bath

---

The overall impression is of a lower profile being given to the registered garden than to the other designated heritage assets in the site, in terms of both coverage and importance, and of a general emphasis on information rather than analysis. The extent of the information provided was such, however, that the PPS5 requirement for local planning authorities not to ‘validate applications where the extent of the impact of the proposal on the significance of any heritage assets affected cannot adequately be understood from the application and supporting documents’ (DCLG, 2010a, p. 6) was not invoked.

Policy HE7 of PPS5 required the local planning authority to ‘identify and assess the particular significance of any element of the historic environment that may be affected by the relevant proposal’, and the impact of the proposal upon that significance (DCLG, 2010a, p. 6). This requirement was not adhered to in precisely the specified format: reference was made in the decision report to the ‘low’ archaeological value of the development site, and its ‘compromised’ historic interest, but otherwise the terminology and approach required by PPS5 were not explicitly invoked (10/05094/FUL Delegated Report).

Instead, careful consideration was given to each of the affected historic assets, including – despite the omissions in the technical information supporting the application – the registered garden, and a reasonable understanding of the significance of the garden was obtained, informed by the research presented in the technical submissions accompanying the planning application. The decision report contained both information about the nature and quality of the

assets, and analysis of the impact of the proposal upon these, and the policy was therefore indirectly satisfied, as follows.

The decision report carefully assessed the role of the site within Prior Park, including its longstanding sporting use, concluding that '[t]he proposed development is consistent with the current use of the southern plateau of the school grounds and is not considered to be harmful to the setting of the historic park and garden' (*ibid.*). This assessment was informed by an understanding that 'the overall historic integrity of this part of ... Prior Park site has been somewhat compromised and whilst retaining a historic link to the wider area, has lost its overall value' (*ibid.*). Whilst the assessment of significance in Section 7.4 of this chapter does not support a conclusion that the site has no overall value, this element of the decision report does show an awareness of relative importance. That there remains some value in this part of the estate is shown by deliberations elsewhere on the importance of the configuration of the sports centre building (and its glazed link) in 'respect[ing] the historic axis' between the Mansion and lodge, and the careful consideration of the visibility of the proposed development in views: the decision report confirms that the 'visual relationship ... between the landscaped gardens and the mansion will ... be preserved', and that long range views would also not suffer a detrimental impact (*ibid.*).

The further requirement in Policy HE7 for the local planning authority to 'take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment' (DCLG, 2010, p. 7) was also addressed in the report (albeit

without direct reference to PPS5), which noted that ‘the Council considers that this unique building is of strong architectural merit that would be an asset to the setting of the site as a whole’, and that, with regard to the impact on the conservation area, ‘the contemporary design lends itself to enhancing the visual character as it adds a form [of] architectural distinctiveness’ (10/05094/FUL Delegated Report).

The handling of these issues is itself of interest for what it reveals about the perceived value of PPS5. The interview with the Case Officer revealed that PPS5 was regarded as a ‘useful ... guide’, and that it would be more proactively used where a case ‘requires more elaboration’; in this case, it was not directly applied, but appears instead to have merely provided a backdrop to deliberations that were undertaken using pre-existing policy tools, which themselves articulated something that had long been implicitly understood about the site: its importance was ‘sort of an unwritten rule’ (Case Officer interview, 2013). In practice, the existing designations were largely used as a proxy for significance, and PPS5 was not needed as ‘a day-to-day working tool’:

*... [PPS5] wasn't the driving force behind how we ended up with this, it was the fact that it was so well designated – or so strictly designated – it sets the bar very, very high, and because you were aiming for that very, very high bar to achieve all the other policy ticks in the box ... it's almost a given that we will expect nothing but the best in terms of design, siting, massing.*

*Ibid.*

As discussed in Chapter 5, a wide range of available planning tools was therefore used to deliver protection. The explicit intention was not to protect the registered site per se (although its protection was one component of the

deliberations on the application), but compliance with the policy and legislative requirements associated with the additional designations brought that benefit.

### *Comparison with the Proposed Method for Defining Significance*

Some elements of the method proposed for defining significance in Chapter 4 can be detected in the application process. The technical work submitted on the applicant's behalf (largely relied upon by the Council) did involve both desk and field survey, the former utilising an extensive range of sources. This work identified important assets and articulated some of the interests associated with the site – albeit with a particular emphasis on the conservation area and listed buildings, at the expense of acknowledging the registered garden.

The comparison with the proposed method falters in the application of this work to the definition of significance. Whilst the fabric and evolution of the garden was certainly understood, the detailed articulation of interests and the assets in which they are embodied was largely omitted in respect of the garden. The Case Officer then used the available information to determine the relative importance of various parts of the site, and – implicitly – defined significance and the impact of the proposal upon it. Whilst this was sufficient in the circumstances of the case, it was not a robust determination of significance, and would perhaps not serve in relation to a more nuanced case. Nevertheless, it resulted in broad judgements akin to those developed in Section 7.4, and a decision in line with policy.

### 7.5.3 Decision-Making

#### *Policy Influences on Decision-Making*

Policy HE9 of PPS5 dictated at least one element of the decision-making process. It required a presumption in favour of the conservation of designated heritage assets, and defined two policy approaches with regard to this. The first related to proposals involving ‘substantial harm to or loss of’ heritage assets, and the second to ‘less than substantial harm’ (DCLG, 2010a, pp. 8-9). Given the assessments of change and impact in Section 7.4.2, the harm in this case must be assumed to be ‘less than substantial’; the approach then required by PPS5 was for the local planning authority to:

- (i) weigh the public benefit of the proposal (for example, that it helps to secure the optimum viable use of the heritage asset in the interests of its long-term conservation) against the harm; and*
- (ii) recognise that the greater the harm to the significance of the heritage asset the greater the justification will be needed for any loss.*

*Ibid.*, p. 9

Both the limited harm to historic assets and the public benefit of the proposed sports centre were explicitly addressed in the decision report, albeit that the latter was solely in relation to a discussion of compliance with Green Belt policy, and with reference to the conservation of the principal listed building alone:

*If [the school] cannot offer the minimum standard of education - in this case sports provision - there is a genuine possibility that prospective parents would [choose] to invest their money elsewhere in schools that can offer the required standard, thus leading to an underfunding of the school which could be to the detriment of the preservation of the historic asset.*

10/05094/FUL Delegated Report

## 7 Prior Park, Bath

The majority of the decision report assesses compliance with Local Plan policies, in accordance with the plan-led system. The decision report is effectively structured by policy area, and refers to the relevant Local Plan policies listed in Table 62. In each case, the pertinent issues were addressed, and a conclusion drawn regarding policy compliance. Only one potentially relevant policy was omitted from the discussion, relating to landscape character (Policy NE.1), but the issues this raised were arguably addressed by the consideration of AONB matters. The Local Plan includes a specific Local Plan policy relating to the protection of registered historic parks and gardens, which the questionnaire survey findings showed to be an important part of effective conservation.

POLICY	CONTENT	CONSIDERED IN REPORT?
<b>D.2</b>	General Design and Public Realm Consideration	YES
<b>D.4</b>	Townscape Consideration	YES
<b>NE.1</b>	Landscape Character	NO
<b>NE.2</b>	Area of Outstanding Natural Beauty	YES
<b>NE.4</b>	Trees and Woodland Conservation	YES
<b>GB.1</b>	Control of Development in the Green Belt	YES
<b>GB.2</b>	Visual Amenities of the Green Belt	YES
<b>GB.3</b>	Major Existing Development Sites	YES
<b>BH.1</b>	World Heritage Site	YES
<b>BH.2</b>	Listed Buildings and Their Settings	YES
<b>BH.6</b>	Conservation Areas	YES
<b>BH.9</b>	Parks and Gardens of Special Historic Interest	YES
<b>BH.12</b>	Important Archaeological Remains	YES
<b>SR.1A</b>	Protection of Playing Fields & Recreational Open Space	YES
<b>SR.4</b>	New Sports and Recreational Facilities	YES
<b>T.24</b>	General Development Control and Access Policy	YES
<b>T.26</b>	On-Site Parking and Servicing Provision	YES

*Table 62: Consideration of Relevant Development Plan Policies*

Source: BANES, 2007; 10/05094/FUL Delegated Report

The debate within the decision report in relation to Green Belt policy is an important element of the decision-making process, not least because failure to



satisfy that policy would have resulted in a refusal (Case Officer interview, 2013). Although the school's portion of the site is designated as a 'Major Existing Developed Site' (MEDS) in the Green Belt (within which limited infilling or redevelopment is permitted contrary to usual Green Belt policy), the sports centre proposal was deemed not to fall under the policy provisions for MEDS. As a result, the proposal was considered as a departure from Local Plan policy, and was also required to satisfy standard Green Belt policies. This it did, by virtue of a demonstration of 'very special circumstances' with regard to funding ongoing conservation, as outlined above (10/05094/FUL Delegated Report).

### *Weighing of Factors*

The decision report gives the historic environment a high profile throughout the debate on the proposal, reflected even in the ordering of the many constraints affecting the site. The headings used to structure the assessment of the application, and the conclusions reached, are listed in Table 63, but it is important to note that heritage issues are specifically addressed under each of these headings as appropriate, and not just in the discussion of the 'historic environment'.

## 7 Prior Park, Bath

ISSUES USED TO STRUCTURE THE ASSESSMENT	CONCLUSION REACHED
<b>Design, Setting and Location</b>	<ul style="list-style-type: none"> <li>• Location: only suitable one</li> <li>• Design: appropriate</li> </ul>
<b>Historic Environment</b>	<ul style="list-style-type: none"> <li>• No harm to various historic assets</li> </ul>
<b>Green Belt and Major Existing Developed Site</b>	<ul style="list-style-type: none"> <li>• Not in accordance with MEDS policy</li> <li>• Limited impact on openness outweighed by benefits of scheme</li> <li>• Compliance with wider Green Belt policy by virtue of very special circumstances</li> </ul>
<b>Area of Outstanding Natural Beauty</b>	<ul style="list-style-type: none"> <li>• Negligible harm to AONB outweighed by benefits of scheme</li> </ul>
<b>Trees and Landscape</b>	<ul style="list-style-type: none"> <li>• No harm to trees with suggested mitigation</li> </ul>
<b>Highways</b>	<ul style="list-style-type: none"> <li>• No conflict with policy</li> </ul>
<b>Visual and Residential Amenity</b>	<ul style="list-style-type: none"> <li>• Impact insufficient to harm residential amenity</li> </ul>
<b>Contaminated Land</b>	<ul style="list-style-type: none"> <li>• Risk of contamination minimal</li> </ul>

*Table 63: Issues Used to Structure the Planning Assessment*

Source: 10/05094/FUL Delegated Report

Overall, the discussion presents a clearly argued and thorough assessment of all the issues raised by the proposal. Judgements were made on each issue within policy-themed sections of the report (decisions within a decision), and then brought together at the end of the report in an overarching conclusion. This conclusion did not refer to all the individual judgements, however, merely those relating to Green Belt, AONB, design, and visual and residential amenity. There was no explicit reference at this stage to location, trees and landscape, highways or contaminated land, and only listed buildings and the conservation area (designations with statutory control mechanisms) were mentioned with regard to the historic environment.

The concluding paragraph culminates with the statement that ‘[o]n balance it is recommended that this application is granted planning permission subject to conditions’, phrasing which suggests a process of weighting and evaluation

(10/05094/FUL Delegated Report). If it was not for the rigour of the remainder of the report, the omissions in the conclusion could be interpreted as implying a lack of visibility for the omitted issues in the decision-making process, but the historic environment, particularly, was a sufficiently integral part of the reasoning throughout the main body of the report that its consideration is certain. This is confirmed by the stated ‘reasons for granting approval’ at the very end of the report, in which compliance or otherwise with each of the key policy areas is spelt out, including direct reference to the registered garden (*ibid.*).

Whilst the detailed process of weighting and evaluation was not itself explicit in the report, the general reasoning was certainly clear. The Case Officer subsequently advised that ‘I don’t think I could ever have come to the conclusion that I did without having ... done a robust analysis of all of the factors’, and that, ‘I would want [people] to be able to pick up that case file and with no input from me know how I got to the conclusion’ (Case Officer interview, 2013).

The Case Officer further advised that the decision-making approach was led by the ‘level of designations’, with a descending hierarchy of importance assumed from Green Belt and AONB policy, down through listed building issues relating to the Grade I Mansion, the registered park and garden (albeit the portion below the Mansion), the conservation area (due to the development site’s peripheral location within it), to the World Heritage Site designation (because of the low impact upon it of the proposal):

*Coming at it purely from a policy perspective, I think I'd probably prioritise Green Belt and AONB/landscape visual impact over the actual impact on the parks and gardens, in terms of priority listing....*

*Ibid.*

This suggests that the hierarchy was in fact determined within a matrix of policy strength and geographical relevance: Green Belt policy remains one of the most unequivocal areas of planning policy, and, whilst listed building controls are also very strong (arguably stronger, given their legislative underpinning), they were less important in this case because the development site was some way away from the principal listed building. The Grade I registered garden was considered, but the location of the development site within the 'lesser' part of it affected the profile given to the designation in the ultimate decision, not incorrectly.

This decision illustrates well the point made in Chapter 2, namely that heritage issues are always considered alongside other planning issues: despite the plethora of heritage designations in this case, it was Green Belt policy that dominated the decision-making process. This is not to say that heritage issues were not properly considered, however; indeed, their overall profile in the decision report is entirely appropriate, and the result was a well-founded decision that took all relevant factors into account.

### *Overview of the Decision-Making Process*

The exercise of discretion by the Case Officer varied throughout the decision-making process. Administratively, decisions were taken to increase early consultation, but not to exceed subsequent statutory consultation requirements, which meant that an opportunity for a 'space of negotiation' for the

construction of significance with the community was not pursued. With regard to policy, there was a reliance on existing designations and local policy, within which some discretion was exercised (such as determining the threshold for levels of harm under which policy compliance could still be claimed, or defining which circumstances overrode policy).

This reliance on designations and local policy suggests an inherently pragmatist approach, in which methods were employed that were known to deliver satisfactory results. The more communicative elements of pragmatism were less apparent, but nonetheless present in the promotion of early community engagement, and the approach adopted was certainly context-specific. Were different forms of reasoning involved? Notwithstanding the degree of discretion already identified, the emphasis on the logical consideration of evidence, and the modest amount of direct community engagement, suggests a primarily rationalist approach, an impression reinforced by the predominance of professional involvement in the process, which was a particular characteristic of the case.

Overall, the dominant influence on the decision-making process was certainly professional, in the form of institutional practices, and professional values and judgements (Fig. 51). Political involvement was minimal, as was community involvement, although what community involvement there was sought to redirect the focus of the analysis from intra-site concerns to matters of amenity, and the impact of the proposals outside the site.

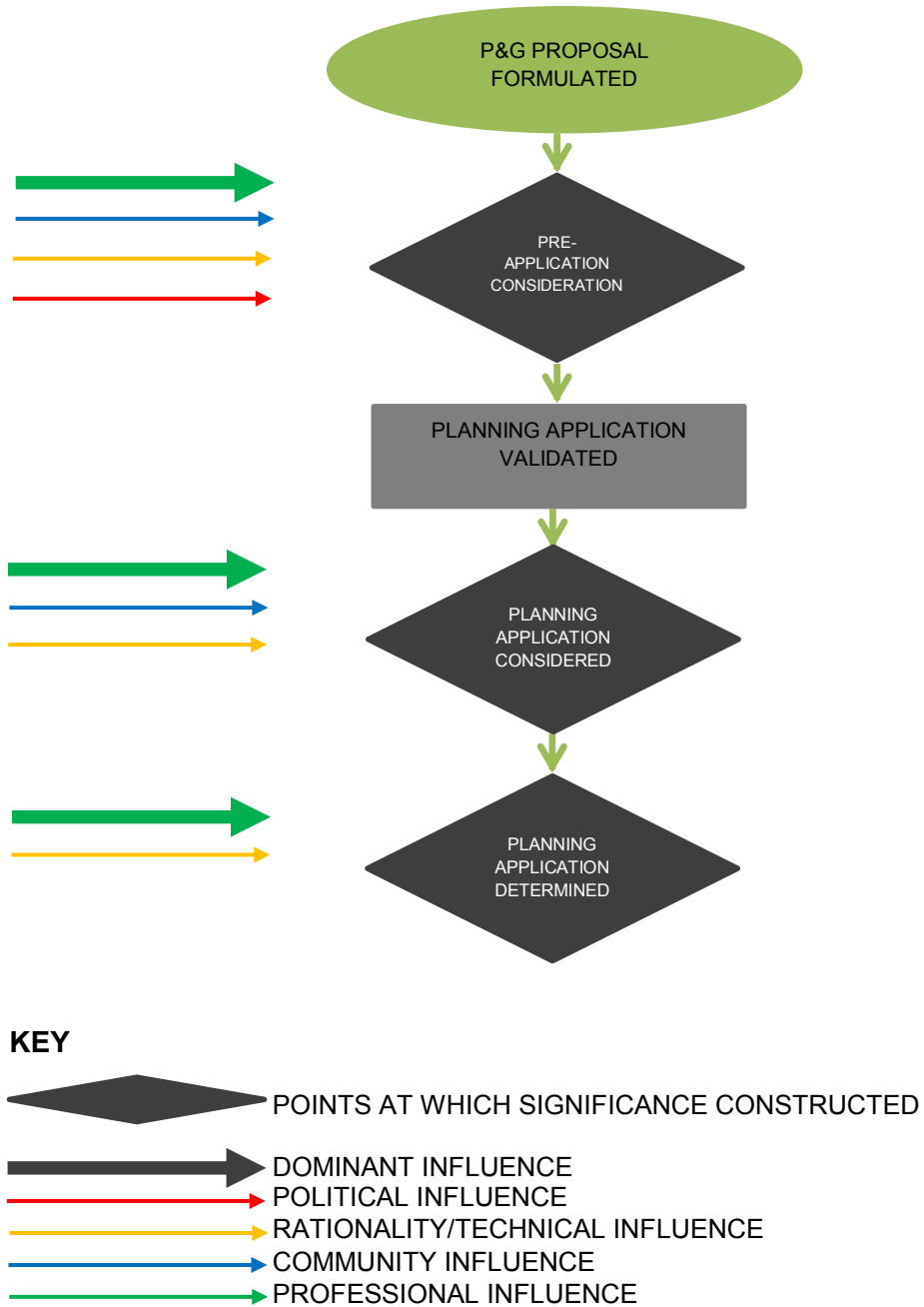
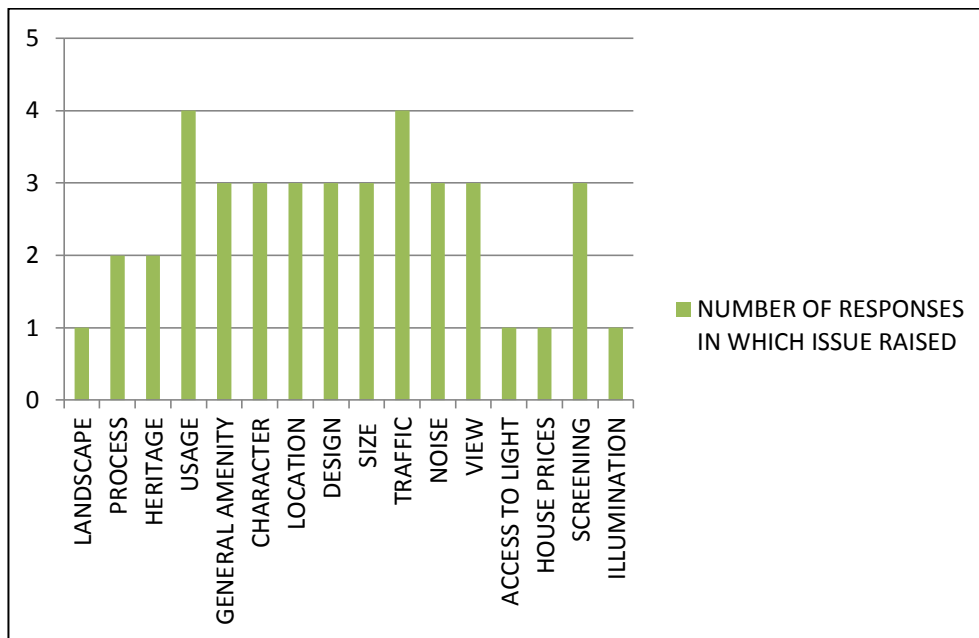


Fig. 51: Influences on the Decision-Making Process

Fig. 52 illustrates the extent of the residents' preoccupation with amenity: only three of the topics raised addressed the impact of the development on something other than the respondents' properties. This is an understandable perspective, and emphasises a potential difficulty in developing a profile for the issue of significance and engaging the community in discussions about it. However, the content and tone of the residents' submissions clearly

## 7 Prior Park, Bath

demonstrates that they had adopted a ‘doom and gloom’, or ‘substantive’, frame influenced in large part by previous experience of applications on the site, that is, a frame capable of being changed in response to appropriate engagement or evidence, which in turn suggests more scope for optimism if a different participation strategy was adopted, and community discussions of significance supported.



*Fig. 52: Issues Raised in Residents' Responses*

Source: Consultation Responses, 10/05094/FUL

The importance of amenity issues should not be underestimated, however: whilst residents may be prepared to engage on other issues, the impacts on amenity will still need addressing. A local resident who attended the pre-application consultation event with amenity-related concerns advised that ‘I felt I had to leave, in the end, because I realised that there’s no point trying to agree with them, because I didn’t agree’ (Local Resident interview, 2013). Whilst the residents’ focus on amenity at the expense of conservation issues

suggests a potential bias in the case, a wholly different conservation bias was perceived by the local residents, with one asking whether the technical work done ‘was simply a conservation study’ (Residents’ consultation responses, 10/05094/FUL), and another stating that:

*I do wonder if in this case, there’s so much heritage and designation going on over the wall, that that’s distracting to all parties, except you on the site boundary, because everyone is inevitably going to be looking inward at all of these high-level things that they’ve got to consider in law. And although planners are supposed to start with amenity, I can see that there is a distraction there, but it doesn’t change the fact that there is an impact on neighbouring residents.*

Local Resident interview, 2013

There is some substance to this concern. The school – despite a strong commitment to engagement with, and minimisation of impact upon, the neighbours – acknowledged that ‘the architectural and the heritage features ... in some ways were more significant than neighbours’ (Prior Park College interview, 2013), and neighbours expressed concern at the lack of attention to the outward-facing elevation, which ‘looked like a warehouse’ (Local Resident interview, 2013). The location of the proposed development at the edge of the site (which is itself at the edge of a number of the key designations), and the importance of the designations within the site, combined to perhaps marginalise amenity issues outside the site, as well as those articulating those issues. The view from outside the site is shown in Fig. 53.





*Fig. 53: View into the Site from Ralph Allen Drive (September, 2013)*

### **7.5.4 Other Issues**

A number of other issues emerged from the analysis, including matters associated with professional capacity, the status of the registered garden, and an overall emphasis on procedure.

#### *Capacity*

The primary influence of professionals in this case has already been discussed, but an important aspect of their involvement appears to be their capacity to engage meaningfully in the process.

The Bath Preservation Trust expressed surprise that English Heritage had not insisted on higher quality information to accompany the planning application, but noted a wider trend, in which English Heritage increasingly delegates decisions to the local level as a result of its own reduced resources, and the consequences of this given similar reductions in local authorities, too:

*Especially with their reduction in capacity, there's an increasing tendency on all of [the] Bath properties to say, 'we think you should determine this by your local...'.<sup>26</sup> But of course if Conservation Officer capacity is reduced, and the planning system is operating by using Conservation Officers as consultants rather than case officers, which is what they're increasingly doing, you lose the capacity for anyone to actually say, 'for conservation reasons, you must do this'. And English Heritage has that capacity, but they're using it less and less.*

Bath Preservation Trust interview, 2013

The Case Officer confirmed that there were issues with local capacity, advising that Conservation Officers now just deal with the 'big applications'; the sports centre proposal did not constitute a big application as listed building consent was not required (Case Officer interview, 2013). The Case Officer further advised that the Conservation Officers are:

*... spread across all of us trying to give consultation responses, and trying to prioritise, and I think with cases like this they sort of give general steer and guidance as to parameters, but then leave it up to us to ... use the legislation and the guidance that's available.*

*Ibid.*

Thus specialist input is being reduced in the consideration of conservation-related applications.

---

<sup>26</sup> This comment refers to the issue of English Heritage's standard letter templates, referred to as the 'W', 'X', 'Y' and 'Z' letters. The most commonly issued are the W (non-intervention) letter, the X (provision of general advice) letter, and the Y (provision of substantive advice) letter. Both the W and X letters conclude with the phrase 'this application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice'. Analysis of the responses sent by English Heritage between 2006 and 2011 reveals that around 59% of responses are W letters, 23% X letters, and only 15% Y letters (English Heritage 2012, pers. comm., 27 March 2012). The response sent in respect of this proposal was an X letter.

### *Registered Status*

The site's registered status was not understood by all, and nor was it given the same apparent priority as other elements of the historic environment affected by the development proposal.

With regard to awareness, the designation appears not to have been raised at the pre-application stage by the applicant (Case Officer interview, 2013), nor widely known about by the community, with one neighbour commenting, '[h]ad I known it was a registered park and garden I would have gone on a bit about it' (Local Resident interview, 2013). The Bath Preservation Trust observed that 'people forget that protection applies' (Bath Preservation Trust interview, 2013).

As regards the relative importance assigned to the designation, the dedication of Conservation Officers solely to listed building cases is one indicator, and the consultation of a buildings-focused amenity society (the Bath Preservation Trust), instead of the Avon Gardens Trust, another. The Case Officer stated that the Mansion is 'the prominent feature, the landscape is secondary to that, although historically the two go hand in hand' (Case Officer interview, 2013). The Case Officer also acknowledged that there 'were enough other statutory designations' that 'it didn't really matter that it was a park': 'I don't think I overly used the parks and gardens designation to drive this' (*ibid.*).

Within the registered area, a clear distinction was drawn between the upper and lower parts of the site by all participants, with a strong priority assigned to the National Trust portion of the site. Within its ownership, the school

identified its priority as ‘the buildings’ (Prior Park College interview, 2013), and the Case Officer advised that:

*... the general consensus was that this top area, the south side of the site, has always been a bit neglected – there was the old mine workings up there and it’s never seemed to have tied up with the more formalised gardens to the north. And, again, through the consultation responses there was never really that much weight put on how it would affect this area, apart from not slapping [the sports centre] in the middle....*

Case Officer interview, 2013

The sports pitch area *does* have less significance than the remainder of the registered site, but, as a result of the comparison, is almost perceived to have no significance. Within the determination of this application, this influenced the perception of the designation as a whole.

### *Procedural Issues*

The list of codes used in the analysis of the stakeholder interviews (Appendix XIII) reveals a limited discussion of significance and interests, and much more to do with the procedural aspects of the case, and the operation of the planning system. This might be seen to reinforce the impression of professional dominance, and the pursuit of rationality, but also the ‘planning’ focus of the case: with so many designations, and so many established procedures for dealing with them, a preoccupation with process was perhaps inevitable.

## **7.6 Conclusions**

This chapter has presented the analysis of a range of data sources informing the finding that significance was neither widely understood nor considered in this case – a case in which there was limited specialist input, and some uncertainty expressed about significance by otherwise highly competent

practitioners. A further finding is that, notwithstanding this major policy omission, the important qualities of the registered site were still recognised and protected. The policy in PPS5 was recognised, but neglected, and the protection of the significance of the registered garden was achieved without any meaningful reference to this policy approach, by virtue of a very thorough consideration of heritage designations and alternative protection mechanisms.

When the Council's decision on the planning application is compared against that generated using the method proposed in this research for the assessment of significance, the same conclusions are reached: the site is a significant one, but the impact of the proposal on that significance is acceptable, and the decision reached was therefore the 'right' one. This might suggest that PPS5 policy is not itself necessary, since the application of other designations has functioned so effectively as a proxy, but the combination of a designation-rich site and a particularly thorough and committed Case Officer cannot be guaranteed for all heritage sites, and the significance-based approach, when followed as intended in the policy, offers a more widely applicable approach.

In light of this, and the general absence of specialist expertise, the Prior Park case actually suggests that further guidance on the implementation of the policy on significance would be advisable, particularly if this element of planning policy is to hold its own against other areas of policy. By way of illustration, the Case Officer in the Prior Park case was very clear on other areas of policy, such as Green Belt, describing it as 'the first thing I went to', and as a planning tool 'instilled' in planners (Case Officer interview, 2013): significance needs to be similarly understood and implemented to have an

appropriate influence within decision-making. Guidance might also encourage wider community participation: overall, the decision-making process in this case was highly rational, and dominated by professionals.

The next chapter considers a case in which significance was very much at the centre of the decision-making process, and in which a proposal was refused as a result of significance, and the impact upon it, not having been adequately considered. Further reflections on all the case studies are presented in Chapter 10.

**CHAPTER 8: WOBURN ABBEY, BEDFORDSHIRE**

I call the Approach the most essential ... but the course of the line in which that road should be conducted, has been the source of much discussion and difference of opinion.

*Repton, 1805, p. 33*

**8.1 Introduction**

This chapter presents and analyses the second of the selected case studies: the 2011 planning application for the construction of a new access drive within the Pleasure Grounds at Woburn Abbey, Bedfordshire.

As in the previous chapter, the context for and nature of the proposal is examined, the significance of the proposal site (and the impact of the proposal upon that significance) determined, and the definition of significance within the planning process explored, using the methods described in Chapter 6. The case study-specific data sources used are listed in Appendix XV. A wide range of primary (and some secondary) sources is used: in addition to planning application files and archival material, the analysis draws on the data from site assessments undertaken in October 2011 and October 2012, and from two interviews, undertaken with key stakeholders involved in the planning application process, conducted in June and December 2013 (Table 64). The small number of interviewees is a reflection of the smaller number of stakeholders involved in this case; both asked not to be quoted.

## 8 Woburn Abbey, Bedfordshire

STAKEHOLDER ORGANISATION	STAKEHOLDER ROLE	DATA SOURCES	
		INTERVIEW	REPORT/ REPRESENTATION
<b>Central Bedfordshire Council</b>	Archaeologist	YES	YES
	Case Officer		YES
	Conservation Officer		YES
	Tree & Landscape Officer		YES
<b>English Heritage</b>	Heritage		YES
<b>Garden History Society</b>	Principal Conservation & Policy Adviser		YES
<b>Woburn Abbey</b>	Applicant	YES	YES

*Table 64: Stakeholder Roles, Organisations and Data Sources*

Using the same analytical tools as previously, an assessment is made of the degree to which the significance of that part of Woburn Abbey in which the application site is found was defined and then protected as a result of the planning process.

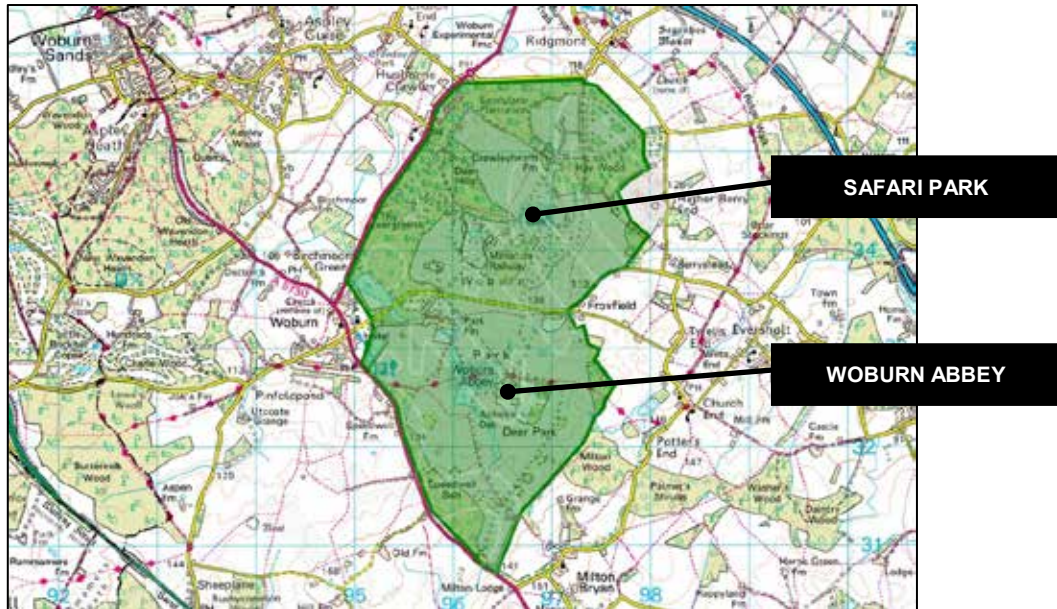
### 8.2 Woburn Abbey

#### *8.2.1 Context*

Woburn Abbey itself is listed at Grade I, and the surrounding park and pleasure grounds registered at Grade I. The location of Woburn Abbey, and the boundary of the 1,200 hectare registered area, are shown in Fig. 54.



## 8 Woburn Abbey, Bedfordshire



*Fig. 54: Map of Woburn, Showing Location of Woburn Abbey*

Source: © Crown Copyright/database right 2014.  
An Ordnance Survey/EDINA supplied service

Woburn Abbey (Fig. 55) is the seat of the Dukes of Bedford, as well as the location of a number of enterprises intended to support the running of the estate, including the Woburn Safari Park, which opened in 1970. The Woburn Abbey estate is described by English Heritage as ‘a historic environment of the highest quality and significance’; within this, the registered park and garden ‘is considered the most complete work of the leading Georgian landscape designer, Humphry Repton’ (English Heritage consultation response, CB/11/02548/FULL).

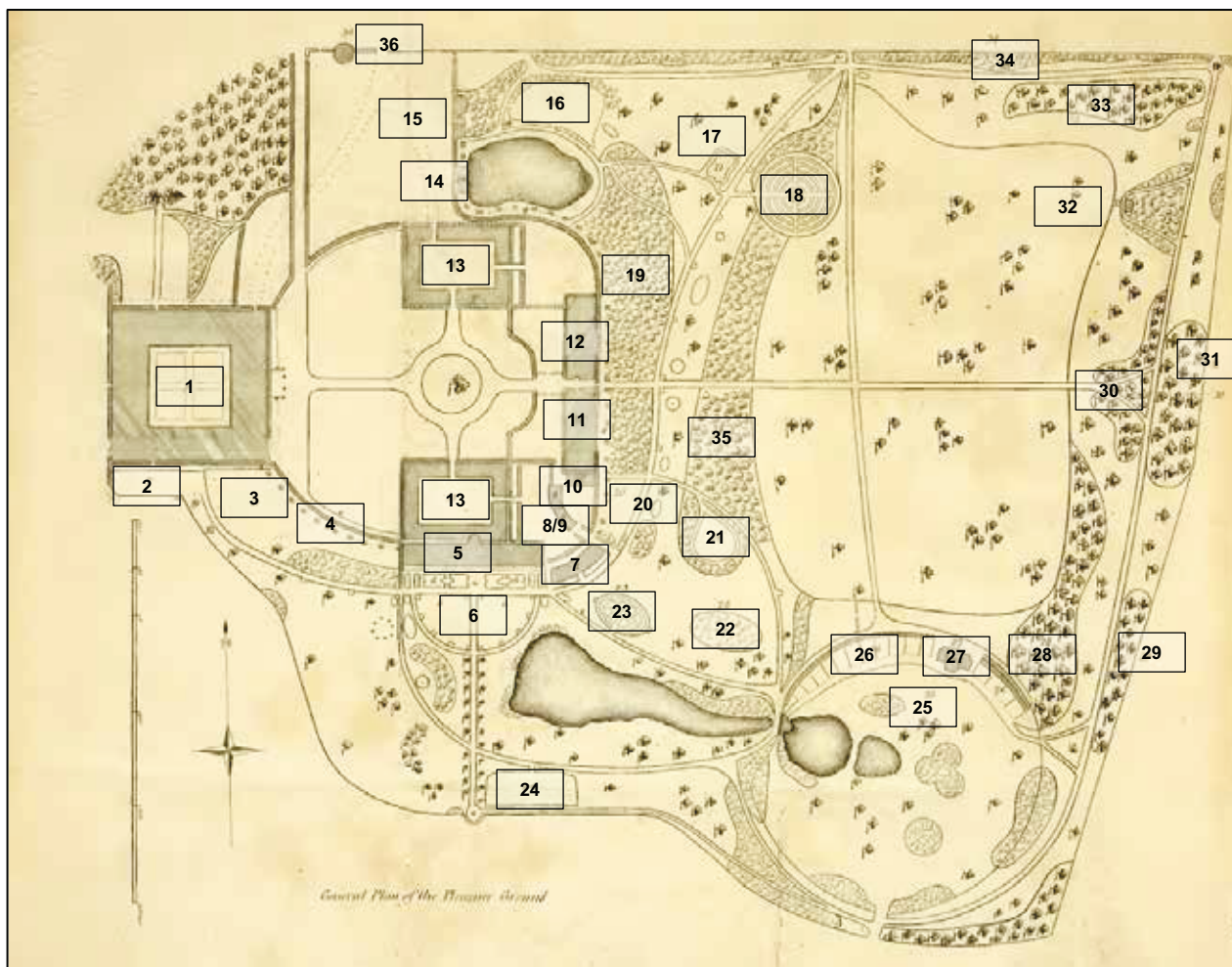


*Fig. 55: Woburn Abbey from South West  
(October 2011)*

The Abbey's main elevation is west-facing, and overlooks parkland. Originally built around a quadrangle, the eastern wing was demolished in 1950, along with the Riding House and Tennis Court which ran parallel to it across a large courtyard containing a distinctive cedar tree (Joyce, 1974). Just to the west of the site of the Riding House and Tennis Court, and aligned with its original north and south elevations, lie the extant North and South Stable Courts, linked by a screen wall; the Sculpture Gallery and Camellia House attached to the South Court also survive. The distinctive eighteenth- and nineteenth-century gardens and pleasure grounds lie primarily to the east of these buildings: '[i]t is very generally admitted, that but few grounds have been laid out with more taste and judgment ... than those at Woburn Abbey' (Forbes, 1833, p. 233). The layout of buildings and gardens in 1833 is shown in Fig. 56.

## 8 Woburn Abbey, Bedfordshire

1. Abbey
2. Parterres
3. Private Garden
4. Covered Walk
5. Sculpture Gallery
6. Parterres
7. Greenhouse
8. Camellia House
9. Greenhouse
10. Plant Stove
11. Riding House
12. Tennis Court
13. Stable Courts
14. Chinese Dairy
15. Larders
16. Children's Gardens
17. Rock Work
18. Willow Garden



19. American Bank
20. Hardy Heath Gdn
21. Site for Heaths
22. Hollies
23. Rosarium Brit.
24. Grass Garden
25. Menagerie
26. Menagerie
27. Keeper's Apts.
28. Alders & Birches
29. Poplars
30. Ash Trees
31. Elms
32. Temple/Platanus
33. American Oaks
34. Arbour
35. Pinus
36. Porter's Lodge

Fig. 56: 'General Plan of the Pleasure Ground', Hortus Woburnensis

Forbes, 1833, p. 232

### **8.2.2 Evolution**

The estate developed on the site of a twelfth-century Cistercian Abbey, dissolved in the mid-sixteenth century and adapted and extended for residential use thereafter, with significant remodelling to create the present house in the latter half of the eighteenth century, and alterations to the gardens throughout. The evolution of the estate is outlined in Table 65. The estate was added to the *Register* in 1986.

### **8.3 The Proposal and its Context**

This section outlines the context to the development proposal, before discussing the details of the access drive scheme.

#### **8.3.1 Planning**

Woburn Abbey is one of thirteen registered parks and gardens in the Central Bedfordshire Council administrative area. There are no scheduled monuments within the bounds of the registered area, but there are a large number of listed buildings. Those nearest to or most affected by the access drive scheme are listed in Table 66; it should be noted that other structures within the estate may well be curtilage listed, and that six of the seven Grade I listed buildings at Woburn Abbey are in the vicinity of the proposal: the site is a particularly sensitive one in terms of heritage significance. The estate is also covered by a Green Belt designation.

## 8 Woburn Abbey, Bedfordshire

DATE	HOUSE	LANDSCAPE
c. 1145	<ul style="list-style-type: none"> <li>Cistercian Abbey founded</li> </ul>	
1538	<ul style="list-style-type: none"> <li>Dissolution of Abbey</li> </ul>	
c. 1630	<ul style="list-style-type: none"> <li>Abbey extended/adapted to form new house</li> </ul>	<ul style="list-style-type: none"> <li>'Highly probable' that a park and gardens laid out (Historic Landscape Management Ltd, 2009, p. 11)</li> </ul>
By 1661		<ul style="list-style-type: none"> <li>Enclosed gardens laid out to W of house, within a park enclosing woodland with straight rides</li> <li>Creation of surviving E-W axis</li> <li>Formal gardens to N/S of house</li> </ul>
By 1738		<ul style="list-style-type: none"> <li>Park extended/further formalised</li> <li>Bason Pond created</li> <li>Formal C17 gardens to W removed, and reduced to N and S</li> <li>Rectangular canals/fishponds and formal tree planting in pleasure ground area; woodland to E and S</li> </ul>
1747-1761	<ul style="list-style-type: none"> <li>Remodelled by Henry Flitcroft</li> </ul>	<ul style="list-style-type: none"> <li>North and South Courts constructed</li> </ul>
1787-1790	<ul style="list-style-type: none"> <li>Remodelled by Henry Holland (main entrance moved from west to east front)</li> </ul>	<ul style="list-style-type: none"> <li>Riding School and Tennis Court, Chinese Dairy and Conservatory constructed</li> <li>Informal gardens to E and S enclosed and developed</li> </ul>
1804-08		<ul style="list-style-type: none"> <li>Repton produced 'Red Book' for Woburn; some proposals implemented immediately, and others over next three decades (notably in the Pleasure Grounds)</li> </ul>
1816-1822		<ul style="list-style-type: none"> <li>Conservatory converted to Sculpture Gallery; Camellia House constructed (Jeffrey Wyattville)</li> </ul>
1830s		<ul style="list-style-type: none"> <li>Wyatville's alterations to the Pleasure Grounds</li> </ul>
Mid-C19		<ul style="list-style-type: none"> <li>Present extent of park established</li> </ul>
Late C19		<ul style="list-style-type: none"> <li>Grounds simplified to reduce maintenance (Arboretum, Pinetum, Menagerie, Willow Garden lost)</li> </ul>
1950	<ul style="list-style-type: none"> <li>Eastern wing demolished; new courtyard laid out</li> </ul>	<ul style="list-style-type: none"> <li>Riding School and Tennis Court demolished</li> </ul>
1950s/60s	<ul style="list-style-type: none"> <li>House and grounds opened to public; safari park created</li> </ul>	
C21		<ul style="list-style-type: none"> <li>Restoration and re-creation of Georgian pleasure grounds and garden buildings</li> </ul>

*Table 65: Overview of the Evolution of the Woburn Abbey Estate*

Source: English Heritage and Archaeologist consultation responses, CB/11/02548/FULL; Albion Archaeology, 2010; Historic Landscape Management Ltd, 2009

## 8 Woburn Abbey, Bedfordshire

LISTED STRUCTURE	GRADE
Woburn Abbey	I
North Court	I
South Court	I
Chinese Dairy	I
Sculpture Gallery	I
Camellia House	I
The Grotto	II*
Ornamental Garden Seat (300 metres east of Chinese Dairy)	II
Temple (500 metres east of Abbey)	II
Game Larders	II
K6 Telephone Kiosk	II

*Table 66: Key Listed Buildings, Woburn Abbey*

Source: English Heritage, 2013

The development plan in force at the time of the access drive application was the 2009 *Core Strategy and Development Management Policies* development plan document (DPD), within the *Central Bedfordshire Local Development Framework*. The policies within this document of most relevance to the case study proposal are listed in Table 67.

POLICY	CONTENT
<b>CS11</b>	Rural Economy and Tourism
<b>CS14</b>	High Quality Development
<b>CS15</b>	Heritage
<b>DM3</b>	High Quality Development
<b>DM13</b>	Heritage in Development

*Table 67: Relevant Development Plan Policies*

Source: Central Bedfordshire Council, 2009

### **8.3.2 Conservation Policies**

A *Gardens and Pleasure Grounds Conservation Statement* was submitted with the planning application, intended to complement the 2005 *Conservation Statement* for Woburn Park. The document includes conservation policies ‘to act as a framework for future decision making’ (Historic Landscape Management Ltd, 2009, p. 71); as well as being key considerations in estate

## 8 Woburn Abbey, Bedfordshire

activity, they also constitute material considerations in the planning process.

The most relevant policies to the case study proposal are listed in Table 68.

POLICY SECTION	NO.	CONTENT
<b>GENERAL POLICIES</b>	1	Management of the gardens and pleasure grounds ... should [recognise] and be informed by an understanding of the breadth of cultural, historic, natural and social significance of the site, its setting and context.
<b>DESIGNED HISTORIC GARDENS AND PLEASURE GROUNDS</b>	1	To maintain, conserve and where appropriate strengthen the character, layout and design [intentions] of the gardens created in the early 19 <sup>th</sup> century ['as shown in combination' on the 1817, 1821, 1833 and 1838 plans], while respecting later significant features.
	2	To seek the repair and, where possible, restoration of the historic gardens as the [principal] approach to management.... Any re-created or new features should, if possible, be reasonably readily reversible.
	4	To maintain, and where feasible enhance, the significant views within and from the gardens.
	5	To manage and conserve traditional garden boundaries in a manner which retains the historic character and design intent.... Any new boundaries or gates should be sympathetic to the character of the historic gardens.
	7	To mitigate the impact of detracting elements on the gardens and buildings, so that their visual character is maintained or enhanced.
<b>BUILDINGS</b>	2	To conserve and enhance the setting of all significant buildings and structures which form part of the design at Woburn. Each ... should be seen in an appropriate context which considers the links between the built environment and the gardens.
	3	To maintain, enhance and appropriately develop the use of the North and South Courts for the benefit of their built fabric and the visitor experience.
<b>ACCESS</b>	1	Access to the gardens and pleasure grounds at Woburn should be provided in a safe and inclusive way ... and in a manner that can sustain the site's significance.
	3	Reinstatement of historic routes is acceptable where the alignment and nature of the access can be demonstrated. Proposed new routes must ensure they do not affect important views and can be integrated into the landscape.
	5	To continue to provide access to the buildings, gardens and pleasure grounds for events whilst endeavouring to ensure such access does not adversely affect the fabric of the garden or building and the site's significance is retained.
<b>ARCHAEOLOGY</b>	2	Where works involving excavation and significant ground disturbance are planned, proposals should be discussed in advance with English Heritage and the [LPA]. An impact assessment should be carried out.
<b>NATURE CONSERVATION</b>	1	To maintain and conserve the biodiversity of the gardens at Woburn while seeking to retain the other features of significance.

*Table 68: Relevant Conservation Policies*

Source: Historic Landscape Management Ltd, 2009

### 8.3.3 Visitor Facilities

The proposal for a new access drive (to run from the existing visitor car park across the Pleasure Ground to the North and South Courts) emerged as part of the Woburn estate's wider need to improve the visitor experience at the Abbey, and has had a long gestation: as described in *North Court Master Planning: A Review* (Nick Cox Architects, 2011b), early technical work was undertaken in 2004, and more in 2007, to identify alternative circulation routes, before the recent proposal was finally submitted in 2011. All proposals have had two aspects. The first has involved rerouting vehicular traffic away from its current route through the North Court. This route has been the only vehicular access to the North and South Courts since the 1950s (Alan Baxter & Associates LLP, 2011): visitors to the Sculpture Gallery must drive through its courtyard, and there is also regular service traffic. The second has involved making better use of this part of the site:

*The traffic route through the North Court has an extremely detrimental effect on the setting of this part of the Abbey. The North Court is a significant part of the Abbey group of buildings ... and currently underutilised and in need of repair. By removing traffic from the North Court, we can once again develop it as a thriving hub at the Abbey.... [W]e want to create a new visitor centre which will provide a much needed area for interpretation.... Development within the North Court would also provide our visitors with a new dining and retail experience and enable clearance of the 1970s visitor concourse buildings. All this would be impossible to do with the current traffic arrangements.*

Nick Cox Architects, 2011a, p. 3

More specifically, the *Design and Access Statement* cited safety concerns for visitors (due to the risk of vehicle/pedestrian conflict), and for the building (due to the risk of vehicle/archway conflict). Access for emergency vehicles



was also to be improved. The North Court was to be enhanced as a heritage asset by the removal of traffic, and the Abbey was to benefit from improvements to its setting. Perhaps most importantly, the proposal was deemed to support the viability of the estate, by enabling greater use of the Sculpture Gallery for events (a key part of the estate's business, used, along with other income streams, to fund maintenance of the Abbey), and attracting new visitors through improvements to the quality of the environment in this portion of the estate, and through the provision of additional attractions and facilities. The position of Woburn Abbey at the 'bottom of the league of [the ten] Treasure Houses' of England emerged as a source of some concern in the business case made by the estate (*ibid.*, p. 4).

### ***8.3.4 The Proposal***

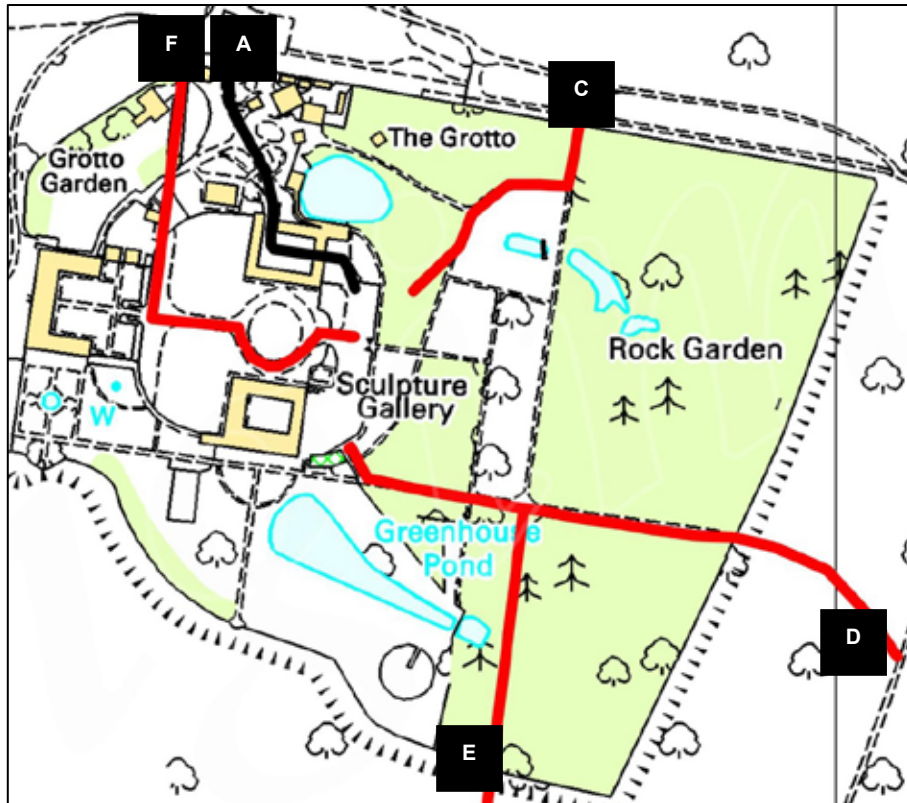
The planning application for 'construction of a new access drive' was submitted in July 2011 after extensive pre-application discussions with the local authority and English Heritage (planning application reference CB/11/02548/FULL). The proposed route was labelled 'Option B', and described as the 'shortest route' (Nick Cox Architects, 2011a, n. pag.). It was to be 140 metres in length, and four metres wide, and run from the existing visitor car park, southwards into the pleasure grounds, and then westwards towards the North Court and the car park entrance for both the North and South Courts. It included two passing places, and the surface was to be chippings as for other estate roads. The line of Option B is shown on the map in Fig. 57.



*Fig. 57: Access Drive Route*

Source: © Crown Copyright/database right 2014. An Ordnance Survey/EDINA supplied service.

This route differed slightly from those considered previously by the estate (though not submitted as planning applications): suggested vehicular routes in 2004 appeared to include use of the existing pedestrian network (either from the west or the east), and the creation of a new route along the line of the 2011 proposal only as far as its junction with the pedestrian route; the 2007 work proposed a new service road broadly along the line of the 2011 route, but crossing the existing path further to the west, closer to the Dairy Pond (Nick Cox Architects, 2011b). Alternative routes were also considered at the time of the 2011 application (including some which utilised parts of existing pedestrian routes, as previously), but were dismissed on grounds of cost, length, impact on mature trees, potential disruption to archaeology, severance of character compartments, need for groundworks, and lack of opportunity to enhance the gardens (Nick Cox Architects, 2011a): these routes are shown in Figure 58.



- A Existing vehicle route
- C Iron Gate route
- D Longer route
- E South route
- F Original route

*Fig. 58: Alternative Access Drive Routes*

Source: © Crown Copyright/database right 2014. An Ordnance Survey/EDINA supplied service

The 2011 planning application did not go to Committee, but was handled as a delegated decision (95% of planning applications were determined by delegated powers in the year 2011/12 (Central Bedfordshire Council 2014, pers. comm., 25 March)). Permission was refused in September 2011, for the reasons shown in Table 69. The applicant did not appeal against the refusal.

NO.	REASON
1	The proposed new access drive will not sustain or enhance the significance or character and appearance of the Grade I Registered Park and Garden or the setting of the nearby listed buildings of outstanding interest and importance. The benefits proposed by the application would not outweigh the detrimental harm that would be caused by the access drive. The proposal is therefore contrary to [local and national policy].
2	The applicant has not provided sufficient information to adequately assess the impact of the development on the significance of the designated park and garden. The proposal is therefore contrary to [PPS5].

*Table 69: Reasons for Refusal of Planning Permission*

*Source: Decision Notice, CB/11/02548/FULL*

## **8.4 Significance**

Before the Council’s decision on the application can be evaluated, an assessment of the significance of the proposal site as an individual asset within the wider estate, and the impact of the proposal on that significance, are necessary. This section undertakes those assessments using the typology of interests and the methods developed in Chapters 3, 4 and 5.

### ***8.4.1 Determining Significance***

As previously, the first stage is the evaluation of significance, involving desk-based analysis of the available resources, followed by a field survey, and then a reasoned application of the findings to define significance.

#### *Desk Survey*

The pleasure grounds at Woburn Abbey are particularly associated with Humphry Repton, notably in the establishment of various garden compartments. His overall intentions in this regard are revealed in the following extract from the ‘Red Book’:

## 8 Woburn Abbey, Bedfordshire

---

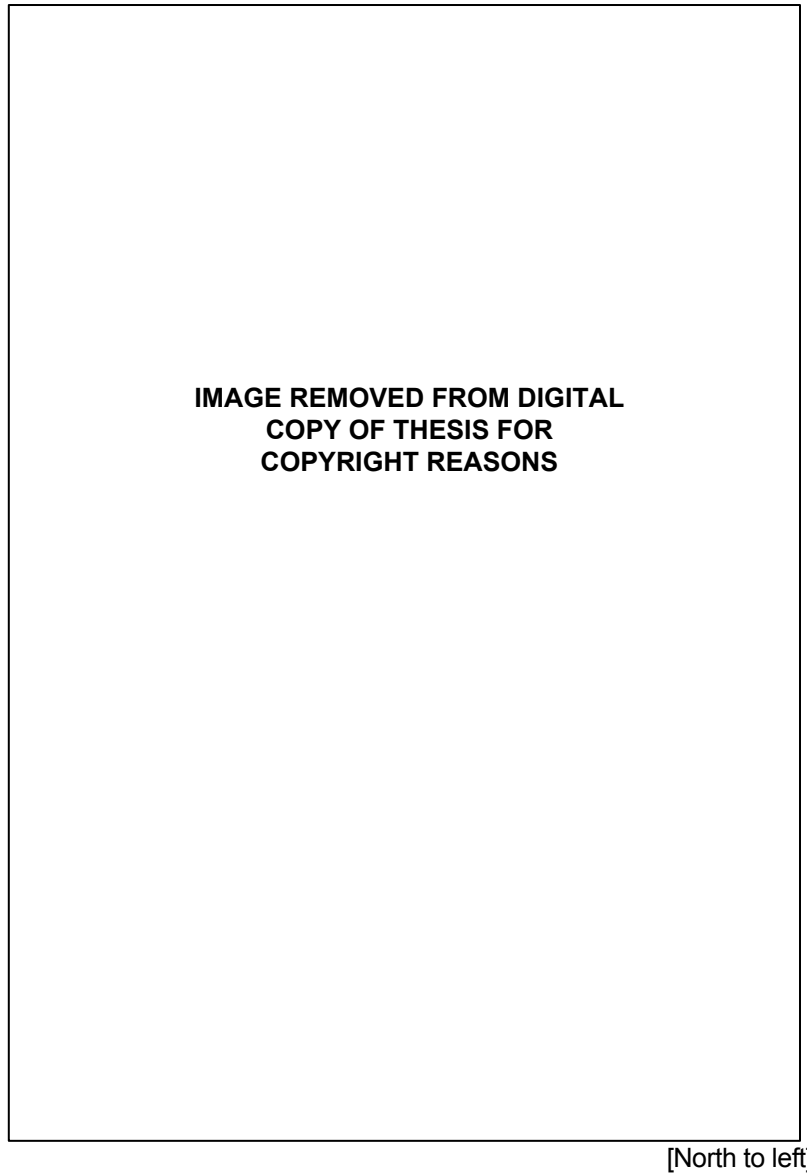
*It is not by the breadth or length of the walk that Greatness of Character in garden scenery can ever be supported; it is rather by its diversity and the succession of interesting objects. In this part of a great Place we may venture to extract pleasure from variety, from contrast, and even from novelty without endangering the character of Greatness.*

*The annexed Map [Plate XXV] describes such a plan for the Pleasure grounds as may supply objects of various kinds dividing them into so many separate gardens each different in its style: surrounding a useful garden as the centre or Nucleus, that combines the several parts into one magnificent Whole.*

Repton, 1805, p. 59; emphasis in original

Repton's 'improved structural concept' (Historic Landscape Management Ltd, 2009, p. 57) meant that '[e]ach of the separate gardens already enumerated should form a perfect whole within itself' (Repton, 1805, p. 72), whilst contributing to the 'magnificent Whole' (*ibid.*, p. 59).

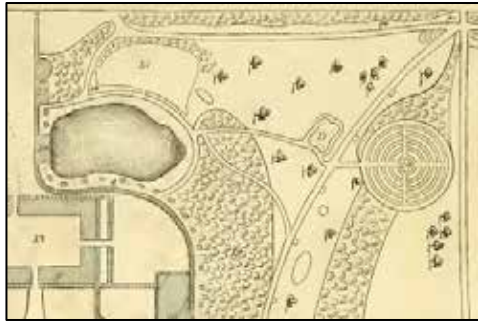
Whilst not fully implemented, his proposals for this area 'formed the design framework for the gardens for the next thirty years' and were still being executed later in the century (English Heritage consultation response, CB/11/02548/FULL). These proposals were described in Repton's 1805 'Red Book' for Woburn Abbey, and illustrated in Plate XXV (Fig. 59).



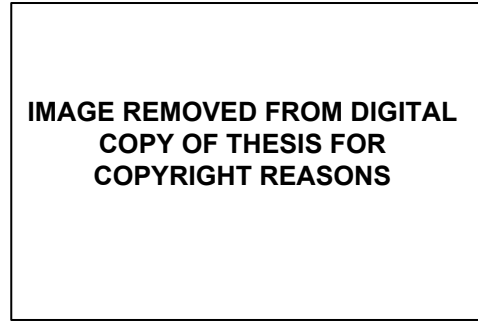
*Fig. 59: Plate XXV: 'Plan for the Pleasure-Grounds'  
(Repton's 'Red Book' for Woburn Abbey, 1805)*

Source: Reproduced by kind permission of His Grace the Duke of Bedford  
and the Trustees of the Bedford Estates

Map regression analysis, supported by documentary research, demonstrates a continuity of use in the pleasure grounds, albeit with some detailed changes in layout, and the erection or destruction of some buildings (Fig. 60). Key structural features such as the North and South Courts, Dairy Pond, and the eastern boundary do not change at all, and the overall layout of paths and compartments in the northern portion of the pleasure grounds does not change



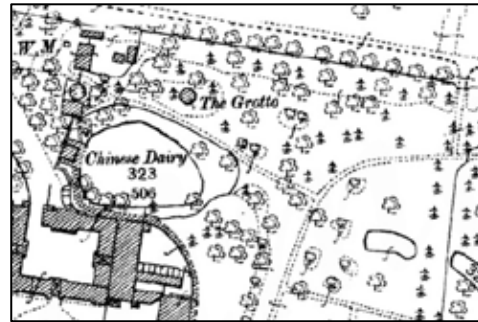
**1833: Hortus Woburnensis**  
Forbes, 1833, p. 232



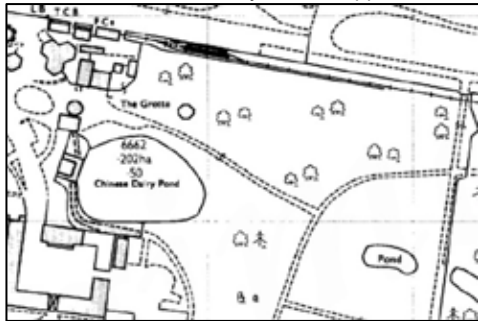
**1838: Wyatville**  
Reproduced by kind permission of His Grace the Duke of Bedford and the Trustees of the Bedford Estates



**1880s: Ordnance Survey**  
© Crown Copyright/database right 2014  
An Ordnance Survey/EDINA supplied service



**1900s: Ordnance Survey**  
© Crown Copyright/database right 2014  
An Ordnance Survey/EDINA supplied service



**1970s: Ordnance Survey**  
© Crown Copyright/database right 2014  
An Ordnance Survey/EDINA supplied service



**2014: Ordnance Survey**  
© Crown Copyright/database right 2014  
An Ordnance Survey/EDINA supplied service

*Fig. 60: Map Regression, Woburn Abbey*

substantially from 1833. It is clear from a comparison of the 1805 (Fig. 59) and 1833 (Fig. 60) plans that Repton's proposed paths in this area were not implemented wholly as designed, but the clear intention behind these paths – namely that they should define the boundaries of the space labelled by Repton as the 'Arboretum or American Garden' – was retained, albeit in a more angular form than the sinuous route he proposed. Repton described this area, and his plans for it, as follows:

*The valley which extends to the East from the Chinese garden is beautiful in itself, but too large for the character of a Flower garden. There are already many trees not natives of England, and as this place is perfectly sheltered, perhaps it could not be better occupied than as an Arboretum ... leaving the middle of the valley open as an irregular glade. A walk may pass along the high ground on each side the valley....*

Repton, 1805, p. 70

The broad permanence of the network of paths is important in demonstrating the survival of Repton's general intent in this area, and the historic nature of the surviving routes, along with their importance to the overall design. In this respect, the 2009 *Gardens and Pleasure Grounds Conservation Statement* notes that:

*... Repton left his mark at Woburn by creating, or significantly developing, the idea of a series of separate garden areas linked to form an extensive and diverse pleasure ground where the sum of parts contributed to the perfection of the whole. It is perhaps this characteristic which is Repton's most abiding contribution.*

Historic Landscape Management Ltd, 2009, p. 19

It also notes that 'development of the planting around the Chinese Dairy' and 'extension of the walks' were some of the 'Red Book' proposals implemented in this part of the garden (*ibid.*, p. 21), and that 'a series of gardens for grasses, heaths and willows and ... a pinetum and an arboretum ... were [mostly] based on, or variants of, Repton's design proposals' (*ibid.*, p. 23).

Repton's plan showed two breaches of the northern boundary, the westernmost being in broadly the same location as that proposed in the recent planning application, but it should be noted, firstly, that the associated path bifurcated immediately on entering the pleasure grounds, running east and west rather than south and south-west across the garden, as per the orientation of the



access drive. Secondly, it should also be noted that this entrance was not implemented.

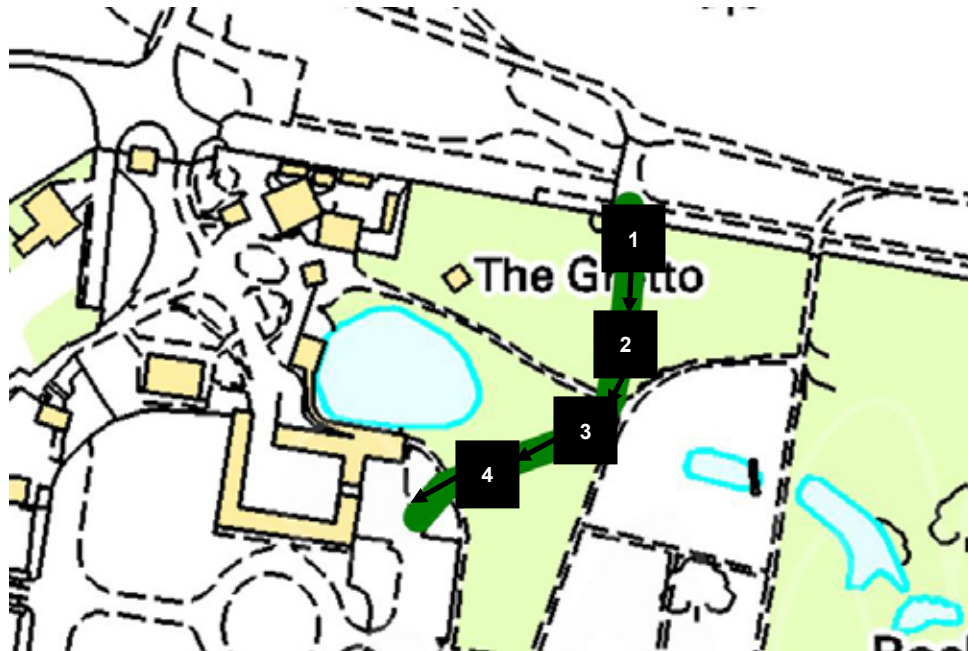
The Woburn Abbey guidebook of 1974 reveals one last feature of interest in the evolution of this part of the estate, namely the existence of an ‘amusement park’ immediately to the east of the North Court (at the location of the terminus of the proposed access drive), consisting primarily of a carousel and helter-skelter (Joyce, 1974, p. 47).

Overall, that part of the pleasure grounds in which the proposal was located is ‘more informal and consist[s] largely of lawns and amenity grass scattered with mature, mixed woodland enclosing various features’ (Historic Landscape Management Ltd, 2009, p. 6).

### *Field Survey*

The field survey involved walking the route of the access drive (Figs. 61a and 61b), as well as the surrounding area. The area in which the drive was to be located is largely flat, within an overall difference in gradient of only two metres from east (139 metres) to west (137 metres). Features within this include a raised bank just south of the west-east stretch of the route, nearest the North Court. With the exception of the existing path to be crossed by the drive, and the scattered trees, the area is entirely lawn. The development site is bordered to the north by nineteenth-century iron railings.

8 Woburn Abbey, Bedfordshire

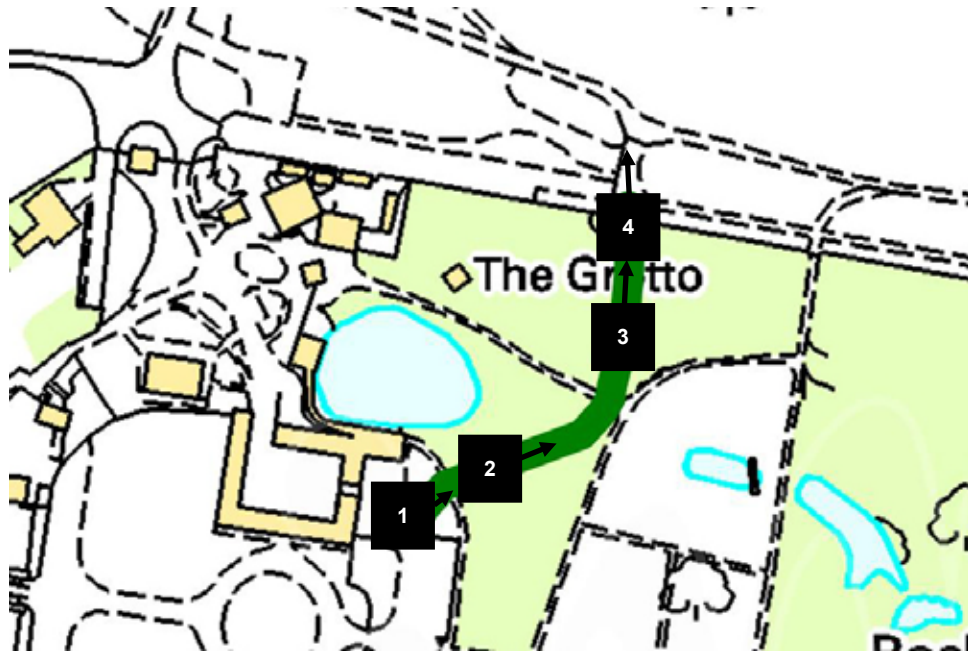


© Crown Copyright/database right 2014.  
An Ordnance Survey/EDINA supplied service



*Fig. 61a: Serial Vision: Visitor Car Park to Sculpture Gallery Car Park  
(October 2012)*

8 Woburn Abbey, Bedfordshire



© Crown Copyright/database right 2014.  
An Ordnance Survey/EDINA supplied service



*Fig. 61b: Serial Vision: Sculpture Gallery Car Park to Visitor Car Park  
(October 2012)*

Repton was conscious of the importance of views within this part of the site, as evidenced by his positioning of a building at the eastern edge of the Pleasure Grounds, on a direct axis from the Chinese Dairy. This interpretation of map evidence is confirmed in the *Conservation Statement*, which describes this element of the plans as indicating ‘a desire to form a view line from the Chinese Dairy’ (Historic Landscape Management Ltd, 2009, p. 44). Repton specifically discussed more general aspects of views into and out of the Chinese Dairy as follows:

*The View from this building is at present damp and gloomy.... Thus the view towards the Dairy is riante while that from the Dairy is triste. [Improved marginal planting] reflected in the water would make the View from the Dairy cheerful beyond the pencils [sic] power to represent.*

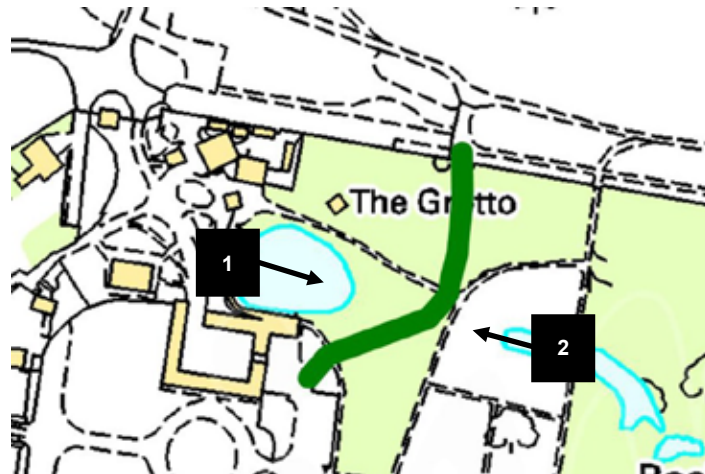
Repton, 1805, pp. 67-68 (emphasis in original)

The *Conservation Statement* acknowledges the loss of the long east-west view, despite the loss of much of the marginal planting around the Chinese Dairy, but notes that ‘there are views to and from the Chinese Dairy with [the] Dairy Pond a prominent feature’ (Historic Landscape Management Ltd, 2009, p. 49), and that:

*Henry Holland’s Chinese Dairy and the associated covered walks are a key element of the gardens. Right from its inception the Dairy always appears to have been the focus of garden views. It is architecturally and historically important and contains valuable decoration; as such it is assessed as being of exceptional significance.*

*Ibid.*, p. 61 (emphasis in original)

The views to and from the Chinese Dairy are illustrated in Fig. 62. The intervisibility between the Chinese Dairy and the bridge over the Cauldron Pond is particularly striking, as is the prominence of the proposed access drive route within these views: vehicular traffic would not have made the view from



© Crown Copyright/database right 2014.  
An Ordnance Survey/EDINA supplied service



*Fig. 62: Intervisibility Between Chinese Dairy and Cauldron Pond  
(October 2011/October 2012)*

the Chinese Dairy ‘cheerful beyond the pencils power to represent’, and would not have satisfied Conservation Policy 4 on the maintenance and enhancement of views, nor Policy 3 on the integration of new access routes into the landscape, and the avoidance of an effect on important views.

### *Definition of Significance*

Further to the approach outlined in Chapter 5 for the definition of significance, this section determines the interests embodied by the area of the pleasure grounds in which the access drive was to be located, and then the relative importance of those interests.

The site reflects a longstanding continuity of use, and a reasonable continuity of design within some longstanding principles, namely the creation of garden compartments within a path structure which has remained largely intact since the early eighteenth century. Historic interest is certainly embodied in this part of the gardens, in terms of both the remaining elements of earlier designs, but also the association with Repton as a key figure in English landscape design.

The aesthetic interests of the compartmental design, and its constituent buildings and planting are also strong, and the planting – and particularly the mature trees – embody horticultural interest. The long history of the site suggests the potential for archaeological interest (endorsed by the archaeological report submitted with the application), and the use of the pleasure grounds since the 1950s/60s by members of the public suggests a potential for community interest.

Within this portion of the site, the relative importance of these interests varies: clearly some of the listed structures have particularly high architectural or aesthetic interest, formally recognised in their designation. Their intended role within the designed landscape is such that both the structures, and the garden as the setting to those structures, are of a high level of historic and aesthetic interest. In a compartment-based design, though, the spaces, and the path structure within which those spaces are arranged, are also of high importance, and thus the lawned area, the trees within it, the marginal planting and the defining routes are highly significant.

Relative to other parts of the registered area (a selection of which are illustrated in Fig. 63), these interests remain high, as the pleasure grounds are both amongst the most designed parts of the estate, and the most closely related to the cluster of historic assets around the Abbey which forms the *raison d'être* for the estate. Relative to other registered parks and gardens, this importance still remains high. The concentration of high-level designations, and the surviving Repton design, combine to make this a very special site.

Overall, and again using the ICOMOS approach to value assessment, the value of Woburn Abbey may be determined as being 'very high', as a Grade I landscape regarded by English Heritage as being 'internationally important' (English Heritage consultation response, CB/11/02548/FULL), which is '[e]xtremely well preserved ... with exceptional coherence, time depth, or other critical factors' (ICOMOS, 2011, pp. 14-16). Within this, the importance of the portion containing the route of the proposed access drive may also be

## 8 Woburn Abbey, Bedfordshire

classed as ‘very high’, as the prime embodiment of the site’s design and interests.



*Deer in Parkland*



*Folly and Children's Garden*



*Abbey from South Court*



*Chinese Dairy*



*Hornbeam Maze*



*Basin Bridge*



*Parkland and New Pond*



*Rockery*

*Fig. 63: Various Elements of the Woburn Abbey Registered Area*



### 8.4.2 Impact on Significance

Assessing the anticipated impact of the access drive proposal on the significance of the registered area – the next step in the approach outlined in Chapter 5 – primarily requires a consideration of the impact on the physical qualities in which the identified interests are embodied.

Analysis of the documentation on the planning application file reveals some disagreement between the applicant and English Heritage (and the Council) as to the likely impact of the proposal, much of which centred on the degree of Repton's influence on the surviving design. By way of illustration, the *Design and Access Statement* submitted with the application, which provides a summary of all the other technical submissions as well as an assessment of the alternative routes considered, states that:

*The Conservation Statement shows that the gardens reached their zenith as a result of the developments under George Sinclair and James Forbes [successive Head Gardeners in the 1820s and 1830s] reflected in the [Wyatville] plan of 1838, rather than following the arrangements proposed by Repton.*

Nick Cox Architects, 2011a, p. 4

Within the *Conservation Statement*, though, the influence of the Repton designs on the activity under both men is clearly noted, as cited above. Overall, the applicant's case regarding the degree of Repton's involvement is not made consistently within the various technical submissions, with Repton invoked both for or against the proposal, and sometimes in the same paragraph:

*The line of the drive responds to an entry point shown on Repton's proposed plan.... The proposals drawn up by Repton were never implemented....*

*Ibid.*, p. 22

Perhaps the most accurate statements are those which acknowledge that some but not all of the features proposed by Repton were implemented, that some were implemented and later lost, and that Repton's overall design philosophy influenced all subsequent work. Such statements include the following:

*From Repton onwards the design philosophy appears to have been one of creating a series of individual gardens linked by paths and walks, within the pleasure grounds as a whole. As a function of cost, the gardens have undergone changes through the 20<sup>th</sup> century resulting in a simplification of the layout but the original design [intentions], which are best illustrated by the plans of the 1830s, are still clear.*

Historic Landscape Management Ltd, 2009, pp. 71-72

The *Conservation Statement* further acknowledges that '[n]evertheless the gardens retain significant features and design elements and as a whole must be regarded as being of considerable significance' (*ibid.*, p. 58). This significance has informed an ongoing programme of restoration, which – identified as the 'Repton pleasure ground at Woburn Abbey' – won the Georgian Group's Architectural Award for the Restoration of a Georgian Garden or Landscape (Georgian Group, 2013).

In its consultation response, English Heritage observed that the *Design and Access Statement* 'is felt to ... undervalue the contribution of Repton', and that 'it has always been accepted that the 'Red Book' provided a blueprint to be interpreted by others' (English Heritage consultation response, CB/11/02548/FULL).

In general, the applicant's submissions identify a minimal impact on significance. The majority of the assessment takes place within the *Design and Access Statement Incorporating Heritage Impact Assessment*, in which the impact assessment relates to a consideration of the various routes considered

for the access drive, excluding Option F, which would involve reinstating the original route to the North and South Courts: ‘ruled out by virtue of the great expense that would be involved’ (Nick Cox Architects, 2011a, p. 20). The impact of the proposed route, Option B, is described as follows:

*To the extent that the creation of the new access drive might be considered to have a negative impact on the gardens, it is considered that this is outweighed by the benefits it will bring. The route for the new drive and its design has been developed such that it has no detrimental arboricultural or ecological impact on the garden and is neutral in its archaeological impact (with a possible benefit in increasing knowledge of the park). The route is to be landscaped in a manner that enhances and reinforces the historic compartments of the garden. The presence of the new route is considered necessary for the success of the Sculpture Gallery (an economic necessity for the Abbey) and [the] benefit it brings to the North Court. The new drive build up has been kept to a minimum and can be considered as reversible. Consequently it is considered that the benefits of this proposal outweigh any harm or loss.*

*Ibid.*, p. 26

In light of the map regression set out in Section 8.4.1, the reference to ‘enhancing’ and ‘reinforcing’ the historic compartments is particularly intriguing. The map overlays provided in the technical submissions showing the proposed route in relation to the various historic maps clearly demonstrate that the route would cut across historic compartments, at any and all phases of the garden’s development.

A possible explanation for this otherwise inexplicable assertion is however to be found in the ‘Site Description’ section of the *Conservation Statement*, where ‘[f]or ease of reference the gardens and pleasure grounds are broken down into different compartments which have a broadly similar character’ (Historic Landscape Management Ltd, 2009, p. 31). The accompanying map reveals that the lines have been drawn to reflect the ‘compartments’ listed in

## 8 Woburn Abbey, Bedfordshire

---

Table 70. The choice of term is unfortunate, given the importance of garden compartments within the design of the pleasure grounds, as is the placement of some of the divisions, which reflect neither the designed compartments nor areas of ‘broadly similar character’.

NO.	AREA COVERED
1	The Grotto Garden and Maintenance Yard
2	Visitor Entrance and Flying Duchess Pavilion
3	The Abbey and Stables
4	The Chinese Dairy and The Grotto
5	The American Bank and Open Lawns
6	The Arboretum, Rock Garden and Clunch Temple
7	The Greenhouse Pond, Maze and Private Gardens
8	The Parterres and South Gardens

*Table 70: The Compartments Defined in the Conservation Statement*

Source: Historic Landscape Management Ltd, 2009

The distinction between compartments 4 and 5 is of particular relevance to the study area, as it appears to run almost exactly along the line of the proposed access drive (the study was produced in 2009, and the preferred line of the drive was then known), and thereby runs directly through the actual garden compartments suggested by the map analysis and design of the gardens. It therefore bisects areas of ‘broadly similar character’, and interrupts the key views to and from the Chinese Dairy acknowledged elsewhere in the *Conservation Statement* (but illustrated only as a short view in to the Chinese Dairy *within* this ‘compartment’). It appears to be this definition of a compartment that is used to justify the statements listed in Table 71, and to present the introduction of the route and associated mitigation works as a potential enhancement to the pleasure grounds (which is not deemed necessary even within the application paperwork: no problems are identified with the condition of this area in the *Conservation Statement*).

## 8 Woburn Abbey, Bedfordshire

PAGE	ASSESSMENT OF IMPACT
5	The proposed new drive is integrated into the landscape, working with historic compartment lines and incorporating new planting to enhance the landscape compartments
17	[The route] has the ability to work within the bounds of the screen planting that formerly enclosed and helped to form the compartment of the Dairy Pond and to separate it from the American Bank and Arboretum. As such, this is a route that brings potential to enhance the landscape by reinstating planting in keeping with the character and historic layout of the gardens
17/18	With regard to the general ambience of the garden, whilst the presence of vehicles is not desirable, it is considered that this can be reasonably well mitigated by reinstatement of the planting that helps form the Dairy Pond compartment and American Bank
21	[Option B] brings with it the opportunity for benefits to enhance the landscape setting and character of the compartments of the garden....
22	The line of the drive ... reflects the compartmentation of the garden as developed by James Forbes
24	The opportunity has been taken in developing the design to reinforce the compartments of the garden by introducing new planting that will integrate the drive into the landscape. It is considered that accommodating the drive in the landscape in this way is beneficial to the overall setting of Woburn Abbey and in particular carries great benefits for the presentation of the North Court and re-landscaping of the visitor concourse area
24	The proposed planting has been drawn up to reinforce the garden compartments which are currently not articulated by planting. By virtue of the route selected for the drive, this compartment boundary planting will also help to screen the new drive.
25	The sight lines along the [drive] have been considered and the proposed planting has been laid out to suit these, at the same as reflecting the historic garden layout.

*Table 71: Applicant's Assessment of Impact on Compartments*

Source: Nick Cox Architects, 2011a

It is also this definition of a compartment which appears to justify aspects of the otherwise inconsistent assessment of the alternative routes considered (illustrated in Fig. 58, above). Option C (which largely follows the existing pedestrian route in from the east) is '[l]ess satisfactory [as] it cuts across one of the character compartments and does not have the same potential for screen planting as Option B' (*ibid.*, p. 18), whilst Option D (coming in from the south of the pleasure grounds along existing paths) 'brings no particular opportunity to enhance the views and character of the gardens' (*ibid.*, p. 19).

English Heritage had a different interpretation of the impact of the proposal, which was strongly and fully articulated in its consultation response:

*The proposal would fundamentally change the significance and character of the formal gardens by introducing an engineered structure and a regular flow of traffic into what is presently a garden. The road would bring movement, noise and light into the garden, again, significantly changing the experience of visitors. The road would bisect the internationally important designed landscape, eroding the unified entity of the design and Repton's concept of connecting garden 'rooms'. The road would cut off the Chinese Dairy, Dairy Pond and Grotto area together with their associated historic landscape setting (now restored) from the garden to the east and south. Mitigation is proposed in the form of dense shrubbery along each side of the road, where there is presently and historically more open and interconnected areas. This would only reinforce a sense of separation between the northwest area of the garden and the rest. This shrubbery would also block or disrupt views towards the Chinese Dairy from higher ground within the garden. The road would therefore directly impact upon the fabric and character of the garden and upon the setting of the listed buildings within it, which were designed and positioned as part of the landscape composition. The associated vehicular barrier and signage would further erode the historic landscape character of the gardens.*

English Heritage consultation response, CB/11/02548/FULL

English Heritage concluded by cataloguing the damage to the evidential, historical, aesthetic and communal values of the site, and identifying potential substantial harm to both the registered garden and the setting of a range of listed buildings, including the Abbey itself.

Given the interests identified above, and the impact of the proposal on the assets in which they are embodied, English Heritage's assessment is compelling. The route would sever existing garden compartments, and thereby have a major impact on their historic interest, and fundamentally affect the aesthetic interests of the site through disruption to the design and openness, loss of lawned area, interruption to views, and harm to the setting of the various listed buildings. Disruption to archaeological interest would also be inevitable (not least in terms of harming the 'evidential value of the garden as

## 8 Woburn Abbey, Bedfordshire

---

an example of the Picturesque (*ibid.*)), and the visitor experience of the gardens would also be compromised.

Within the area of the proposed route, the level of change may be assessed as ‘moderate’, as a result of ‘[c]hange to many key historic landscape elements, parcels or components; visual change to many key aspects of the historic landscape; noticeable differences in noise or sound quality; considerable changes to use or access; resulting in moderate changes to historic landscape character’ (ICOMOS, 2011, p. 17). Given the importance of this part of the estate within its overall significance, and the implications of the proposal for a wide range of the key heritage assets, the level of change to the wider estate may also be assessed as ‘moderate’.

Thus the overall impact of the proposal on the significance of the pleasure grounds and the wider estate may be deemed ‘large/very large’ (Table 72).

VALUE OF HERITAGE ASSET	SCALE & SEVERITY OF CHANGE/IMPACT				
	NO CHANGE	NEGLIGIBLE CHANGE	MINOR CHANGE	MODERATE CHANGE	MAJOR CHANGE
VERY HIGH	NEUTRAL	SLIGHT	MODERATE/ LARGE	LARGE/ VERY LARGE	VERY LARGE
HIGH	NEUTRAL	SLIGHT	MODERATE/ SLIGHT	MODERATE/ LARGE	LARGE/ VERY LARGE
MEDIUM	NEUTRAL	NEUTRAL/ SLIGHT	SLIGHT	MODERATE	MODERATE/ LARGE
LOW	NEUTRAL	NEUTRAL/ SLIGHT	NEUTRAL/ SLIGHT	SLIGHT	SLIGHT/ MODERATE
NEGLIGIBLE	NEUTRAL	NEUTRAL	NEUTRAL/ SLIGHT	NEUTRAL/ SLIGHT	SLIGHT

*Table 72: Impact of Access Drive on Significance of Woburn Abbey*

Source: After ICOMOS, 2011

### 8.5 Analysis

This section analyses the handling of the planning application for the proposed access drive to assess the degree to which the practice of determining this application relates to the models outlined in Chapters 2-5. It considers who participated, how significance was defined, the way in which the decision was made (and the influences upon it), and issues relating to both the site's status as a registered garden and to the application of the applicant's own conservation policies.

The data sources used are application-related papers (including the information submitted in support of the application, consultation responses, and the Case Officer's decision report), the relevant policy documents, and the insights of key participants, obtained through semi-structured interviews. The analysis of the interview transcripts was again undertaken using NVivo software (the descriptive codes used are listed in Appendix XIII).

#### ***8.5.1 Consultation and Participation***

##### *Pre-Application Engagement*

The access drive proposal was the subject of considerable pre-application discussions between the local planning authority's Conservation Officer, English Heritage, and the applicant. The English Heritage consultation response notes that its own involvement began in July 2008, which was three years before the application was eventually submitted. In April 2010, the English Heritage Advisory Committee (EHAC) was asked to consider the application 'in order to inform English Heritage's advice about the present



## 8 Woburn Abbey, Bedfordshire

---

proposals and its potential harm to Woburn Abbey’ (EHAC minutes, 28 April, 2010). The Committee was ‘sympathetic’ to the estate’s business needs and the access issues being experienced, but advised that ‘the preferred option ... would cause substantial harm to the registered landscape and the setting of the listed buildings’, and encouraged ‘the Estate to improve management of visitor access and traffic to the house and garden, with these opportunities forming the basis for further pre-application negotiations’ (*ibid.*). The estate then received further advice from English Heritage, and commissioned a number of pieces of technical evidence in support of the proposal (Table 73). English Heritage was critical of some of this technical information, and the applicant’s interpretation of it, and noted, in recommending that the application be refused by the Council, that it would consider requesting that the Secretary of State call in the application for his own determination if the Council intended to grant permission.

REASON	DATE
Gardens and Pleasure Grounds Conservation Statement	2009
Report on Possible Comparators in Relation to Access and Car Parking for the Private Function Business at Woburn Abbey	October 2010
Desk-based Heritage Assessment	November 2010
Ecological Appraisal	November 2010
Arboricultural Method Statement	January 2011
Pre-Development Tree Survey	January 2011
Report on Existing & Proposed Access Routes to Sculpture Gallery	March 2011
Design and Access Statement Incorporating Heritage Impact Assessment	June 2011
North Court Master Planning: A Review	June 2011

*Table 73: Technical Reports Submitted with Planning Application*

### *Consultation Requirements*

On submission of the application in July 2011, the statutory requirement to consult English Heritage was observed, and yielded the emphatic objection referred to above. The statutory requirement to consult the Garden History Society was also observed, and resulted in another emphatic objection:

*... the proposed development would have a significantly adverse impact on the Grade I designed landscape, and by extension the setting of the Grade I mansion to which it forms the designed setting.*

*It is our view that the introduction of vehicular traffic on a route through the pleasure grounds, and especially on the route proposed, is so alien to the historic and aesthetic character of the pleasure grounds as to be incapable of adequate mitigation.*

Garden History Society consultation response, CB/11/02548/FULL

This objection was not however referred to in the Case Officer's decision report, as it was received well after the close of the consultation period.

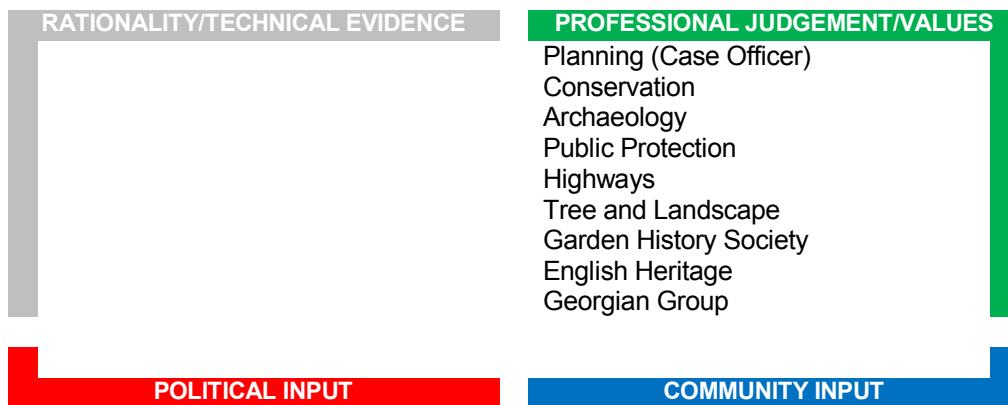
No objections were received from the Parish Council or any neighbours to the site. The local Wildlife Trust and the Royal Society for the Protection of Birds were consulted, but the local County Gardens Trust (the Bedfordshire Gardens Trust) was not. There was no particular participation strategy: no additional consultation activity beyond the statutory and standard notifications was undertaken. Although not untypical for planning applications at Woburn Abbey, the low level of responses to this consultation might have been increased with a more proactive strategy for the engagement of potentially interested parties. The Case Officer's role therefore appears to have been within the 'technician' vein, in the typology of roles presented in Chapter 2, that is, primarily involved in the collection and presentation of information,

rather than actively participating in information exchange and structuring a discussion.

*Consultation Responses and Participant Profile*

The number of consultation responses to this case is particularly low: only five responses from internal consultees (two of which are recorded solely as ‘no objection’, and for which there is no response at all on file), and two from external consultees, one of which arrived too late to be considered. The report also refers in passing to an ‘objection’ from the Georgian Group, but the application file does not suggest that they were in fact consulted, and no further reference to this is made in the decision report.

When the responses received are considered within the influences on the implementation of the planning system identified in Chapter 2 (Fig. 64), it is clear that, once again, the predominant influence was the professional. There was no community input to this application at all, and no political involvement either, as the decision was a delegated one.



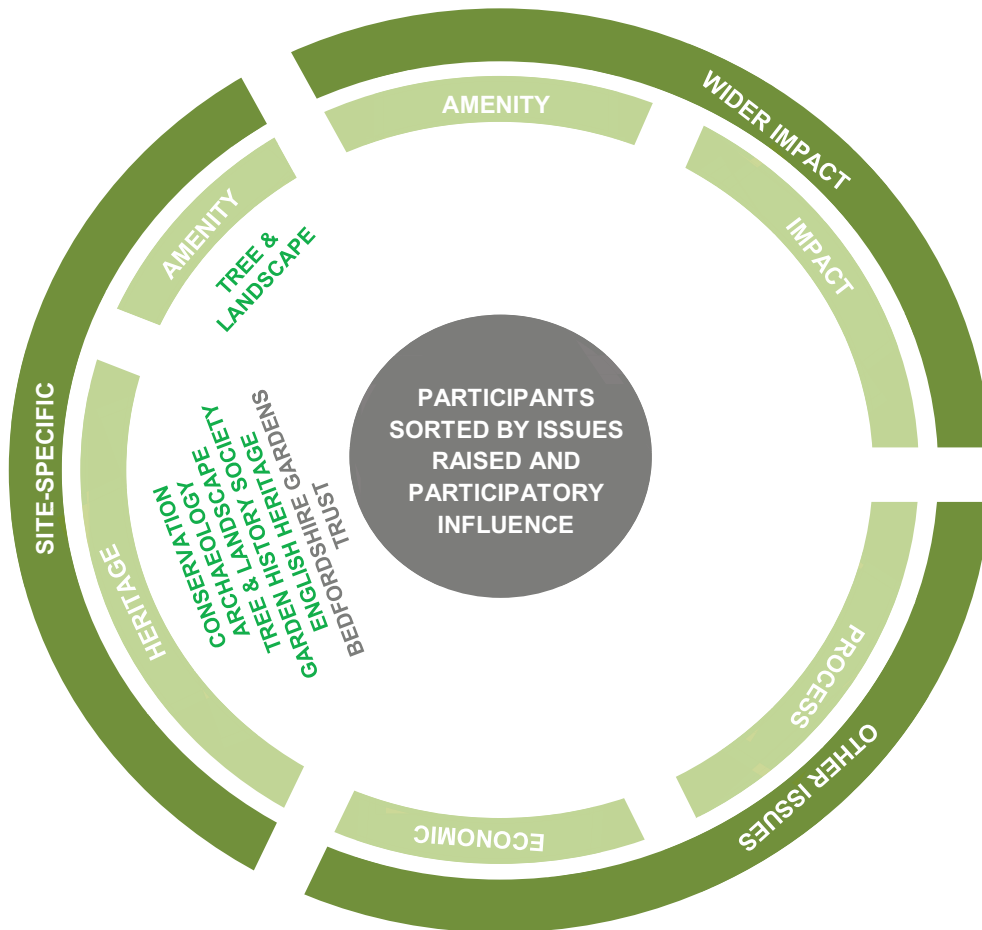
*Fig. 64: Participants in the Decision-Making Stage, by Influence*

If participation is then assessed with reference to Kitchen’s ‘customer clusters’ (Table 6, Chapter 2), it is apparent that, once again, most relevant clusters

were invited to participate. Internally, elected Members of the Council did not opt to call the application in for determination by the Development Management Committee, and the views of other departments were requested. Externally, the local community was alerted to the application, and some specific interest groups, though perhaps not all that might have been expected to have an interest in the site.

Fig. 65 categorises the range of issues raised by participants, and reveals those communities of interest which articulated a view within the planning process. With the exception of one reference to amenity, the entire debate may be seen to focus on heritage issues.

All the comments received in time to inform the decision-making process were summarised briefly by the Case Officer at the beginning of the report. The comments from the Council's Archaeologist, and from the Tree and Landscape Officer, were not then explicitly referred to again; the Conservation Officer's comments were addressed in a paragraph towards the end of the report. The entire 'background history' section of the report, and the portion of the 'policy background' section dealing with PPS5 were however taken verbatim from the Archaeologist's response, along with the consideration of archaeological matters at the end of the report. English Heritage's deliberations were explicitly quoted at length in the 'assessment' section of the report, and the remainder of English Heritage's response utilised to provide the summary of the application, the discussion of significance, and the assessment of compliance with PPS5 policy.



**KEY**






	Grouping of issues
	Specific issues
	Professional participant raising a particular issue in consultation response
	Community participant raising a particular issue in consultation response
	Participant expected to raise an issue by virtue of area of interest, but not doing so

Fig. 65: Participants in the Decision-Making Stage, by Issue Raised

### 8.5.2 Significance

#### *The Concept of Significance*

Significance was generally understood and invoked by those that commented on this planning application (Table 74). The Archaeologist, Conservation Officer, and English Heritage respondent all demonstrated familiarity with the concept, and the related policy in PPS5, English Heritage providing an

## 8 Woburn Abbey, Bedfordshire

extensive analysis against it, albeit using the terminology of the *Conservation Principles*. The Tree and Landscape Officer discussed tree-related concerns with reference to the historic environment, and the Garden History Society, whilst not discussing significance per se, did articulate concerns relating to historic and aesthetic interest, and referred to PPS5.

RESPONDENT	EXPLICIT	IMPLICIT
<b>PROFESSIONAL RESPONDENTS</b>		
<b>Archaeology</b>	YES	NO
<b>Conservation</b>	YES	NO
<b>English Heritage</b>	YES	NO
<b>Garden History Society</b>	NO	YES
<b>Tree and Landscape</b>	NO	YES

*Table 74: Articulation of Significance by Consultees*

Table 75 sets out the overall coverage of interests by respondents, whether explicitly or implicitly, and reveals a degree of commentary on all the interests identified as relevant to parks and gardens in this research, albeit with most focus on aesthetic and historic interest.

RESPONDENT	ARTICULATION		INTERESTS & ISSUES					
	EXPLICIT	IMPLICIT	AESTHETIC	ARCHAEOLOGICAL	COMMUNITY	HISTORIC	HORTICULTURAL	OTHER
<b>PROFESSIONAL RESPONDENTS</b>								
<b>Archaeology</b>	YES	NO		✓				
<b>Conservation</b>	NO	YES	✓					
<b>English Heritage</b>	YES	NO	✓	✓	✓	✓		
<b>Garden History Society</b>	YES	YES	✓			✓		✓
<b>Tree and Landscape</b>	YES	YES				✓	✓	✓

*Table 75: Interests Raised by Consultees*

Source: Consultation Responses, CB/11/02548/FULL

### *Definition of Significance*

The policy requirements in PPS5 (which had been in force for a year and a half at the time of the decision) were referred to extensively in the technical submissions accompanying the planning application and the consultee responses, and thus in the decision report.

The technical submissions appeared to ‘provide a description of the significance of the heritage assets affected’, as required in Policy HE6 (DCLG, 2010a, p. 6), but a closer inspection reveals some flaws in the description provided. Some of the inconsistencies in the technical submissions have already been noted, but other weaknesses are also apparent.

English Heritage considered that the *Design and Access Statement* ‘underplay[ed] the importance of the gardens ... and undervalue[d] the contribution of Repton’, and that the *Desk-based Heritage Assessment* was ‘poor in its assessment and analysis of the historic environment ... and in its understanding of statutory designation and process’ (English Heritage consultation response, CB/11/02548/FULL). Although the document presented extensive research, and set out a reasoned assessment of both the level of significance of particular assets, and the severity of the change proposed (an approach similar to that proposed by ICOMOS and utilised in this research), the application of both research and method was incomplete, focusing solely on archaeological interest, and not fully understanding the impact of the drive proposal on the registered garden. This resulted in a conclusion that the potential impact on the significance of the garden would be ‘moderate detriment’, and, with mitigation in the form of ‘[m]onitoring and

recording during construction’, this would be reduced to ‘neutral’ (Albion Archaeology, 2010, p. 22).

The *Conservation Statement* also set out an assessment of significance. The precise methodology used to determine the assessments was not made explicit, but a ‘scale of significance’ was proposed, from ‘exceptional’ to ‘detrimental’ (Historic Landscape Management Ltd, 2009, pp. 55-56). Overall the gardens were deemed to be of ‘considerable national significance’ (*ibid.*, p. 57). Under the heading ‘historic and landscape design significance’, the gardens were also regarded as being of ‘considerable’ significance, with the explanation that:

*Had the gardens retained the built features, diversity and layout of “so many different apartments” [from] the early to mid 19<sup>th</sup> century they would undoubtedly have been considered of exceptional significance.*

*Ibid.*, p. 58

Particular features within the gardens were also individually assessed: the Chinese Dairy and Dairy Pond were found to be of ‘exceptional’ significance, whilst the ha-ha was of ‘considerable’ significance, and the Grotto of ‘little’ significance, due to the loss of its ‘garden context’ (*ibid.*, p. 59). Individual buildings were then assessed under the heading of ‘architectural significance’, before ‘significant associations’ were assessed, ‘archaeological significance’, and ‘ecological significance’. Throughout these assessments, geographic coverage of the gardens was patchy, and the basis for the judgements formed not always clear.

All of which led to the inclusion in the decision report of English Heritage’s conclusion on compliance with Policy HE6, i.e. the inadequacy of the information submitted, which in turn constituted one of the two reasons for



refusal (and, arguably, should have led to the application not being validated on receipt).

Policy HE7 of PPS5 required the local planning authority to define significance and assess the impact of the proposal upon it. This was complied with, inasmuch as the decision report did present a critique of the evidence against policy, but the degree to which the authority actually satisfied itself on the evidence presented is only implicit, as there is no real debate on this point by the Council itself (although the Archaeologist provided clear advice on the non-compliance of the proposal, and the Conservation Officer noted the sensitivity of the site and the need to consider impact on significance before relying on English Heritage's input to undertake the necessary assessments). The strength of English Heritage's submission, particularly, and its acceptance by the Council, meant that, ultimately, a decision on significance was taken in this case wholly in line with PPS5 policy.

### *Comparison with the Proposed Method for Defining Significance*

Much of the technical work submitted in support of the application reflected elements of the method proposed in Chapter 5 for defining significance. There was extensive desk survey work, with two separate map regression exercises undertaken, and much reference to the 'Red Book' and other sources. Field survey clearly informed the Conservation Statement, and was explicit in the *Desk-based Heritage Assessment*. The coverage of this work was patchy, however, and the resulting judgements inconsistent and sometimes ill-founded. The *Design and Access Statement*, particularly, read more as advocacy than evidence. Throughout the submitted evidence, but again, particularly in the

*Design and Access Statement*, the emphasis was often on the business case for the access drive, and the improvements to the buildings within the historic environment, rather than on the historic designed landscape in which the proposal was to be situated and on which much of the impact would have fallen (discussed further in Section 8.5.4, below).

As already discussed, the overall assessment of significance, and the impact upon it, was neither well-defined nor convincing, and demonstrated the need for robust research, used directly and accurately to inform a thorough assessment of significance.

### **8.5.3 Decision-Making**

#### *Consultee Influence on Decision-Making*

The key influences on the decision-making process in this case appear to have been the submissions by conservation professionals. The use in the decision report of the text submitted by the Council's Archaeologist, and by English Heritage, has been mentioned above, but the scale of its use is best understood by an attempt at measurement: in a thirteen-page report, containing forty-nine discursive or descriptive paragraphs, thirty-three paragraphs were taken directly from the English Heritage response, eight from the Archaeologist's response, and eight apparently written by the Case Officer. Of these last, two were descriptions of location, one was a description of the application, one quoted a development plan policy, and one quoted the Conservation Officer: with the exception of a couple of introductory sentences, only the single paragraph discussing Green Belt issues, and the two concluding paragraphs to the report, appear to represent the Case Officer's own deliberations. The

weight given to the submissions from the professional consultees was therefore considerable.

### *Policy Influences on Decision-Making*

The decision report reflected the consultees' view that inadequate information was submitted to enable significance (and impact upon it) to be determined, but also incorporated English Heritage's own assessment of the degree of compliance with Policy HE9 of PPS5. English Heritage determined that the proposal would represent 'substantial harm' to a range of heritage assets of the highest significance if permitted, which, under the provisions of HE9, should be 'wholly exceptional', and lead to the application being refused by the Council unless the specific policy tests relating to 'substantial public benefits that outweigh that harm or loss', reuse and alternative funding could be satisfied (DCLG, 2010a, pp. 8-9). English Heritage concluded that the proposal did not comply with Policy HE9 of PPS5:

*We recognise the importance of the commercial operations at Woburn but are not convinced by the business case focussed justification put forward by the Estate for this proposal. We also acknowledge the benefits of reducing traffic within the North Court and of utilising this area for visitor facilities however again we are not convinced that the construction of a new road is necessary to achieve these aims. Indeed, the application documents suggest improvements can be made to the current situation. So it is the margin, if any, between the proposed scheme and the retention of the existing route with improvements that should be weighed against the harm done to the historic environment by the proposal.... We believe considerable improvements can be made to the current access and parking arrangements without conflict with the conservation of the gardens and the setting of the buildings. We do not consider that the harm is therefore necessary in order to deliver the benefits. Nor do we consider that the claimed benefits are substantial enough to outweigh the*

## 8 Woburn Abbey, Bedfordshire

*substantial harm, even if that harm were necessary to deliver them.*

English Heritage consultation response, CB/11/02548/FULL

As already noted, the majority of the decision report cites the deliberations by two key consultees. As the focus of both of these consultees was heritage, heritage issues consequently predominate in the report. The decision report did list a wider range of relevant policies (Table 76), at both the national and local levels, but did not then discuss a number of them any further.

POLICY	CONTENT	CONSIDERED IN REPORT?
<b>LOCAL POLICIES</b>		
<b>CS11</b>	Rural Economy and Tourism	NO
<b>CS14</b>	High Quality Development	NO
<b>CS15</b>	Heritage	YES
<b>DM3</b>	High Quality Development	NO
<b>DM13</b>	Heritage in Development	YES
<b>NATIONAL POLICIES</b>		
<b>PPS1</b>	Delivering Sustainable Development	NO
<b>PPG2</b>	Green Belt	[YES]
<b>PPS4</b>	Planning for Sustainable Economic Growth	NO
<b>PPS5</b>	Planning for the Historic Environment	YES
<b>PPS7</b>	Sustainable Development Within Rural Areas	NO

*Table 76: Consideration of Relevant Planning Policies*

Source: Central Bedfordshire Council, 2009; CB/11/02548/FULL Delegated Report

Of these, PPS5 was addressed in some detail, as discussed above. Two local policies were quoted (CS15 and DM13), but not then referred to again (other than in passing by English Heritage) until the report's conclusion, where it was stated that:

*The proposed access would detrimentally harm the setting of a national[ly] important Grade I Registered Park and Garden. The benefits proposed by the application would not outweigh the detriment caused by the access drive. It is considered that alternative, less damaging alternatives have not been explored. The proposal is contrary to Core Strategy Policies CS15 and DM13 and [PPS5].*

CB/11/02548/FULL Delegated Report

None of the other ‘relevant’ policies were referred to at all, with the exception of *Planning Policy Guidance 2 (PPG2): Green Belts* (DoE, 1995), which was referred to implicitly in the discussion of Green Belt issues, quoted in its entirety below:

*The proposal site is also within the South Bedfordshire Green Belt. It is considered that the proposed access is ‘appropriate development’ given that the use is for a recreation/leisure use that would not harm the openness of the Green Belt.*

CB/11/02548/FULL Delegated Report

This is a misinterpretation of the relevant section of PPG2; instead, the relevant policies within PPG2 were those relating to ‘other development’ and the impact on visual amenity, with which the proposal arguably did not comply.

### *Weighing of Factors*

The policy influences on the decision were limited, and dominated by heritage considerations. Given this dominance, and the limited reference to other policy areas, it is perhaps not surprising that there is no apparent weighting of factors within the report, with the exception of the profile which was – quite correctly – given to conservation policy. This was not explicitly articulated, though, and other factors were also relevant to the consideration of the proposal. The first of the ‘main considerations’ identified in the report for discussion was ‘policy background’, and other policies could have been discussed there, as Green Belt policy was.

Thus this decision is very different to that discussed in the previous chapter, relating to the Prior Park proposal. There, heritage was considered alongside

other planning issues; here, heritage issues were considered almost in isolation, due to an unquestioned pre-eminence amongst those issues.

### *Overview of the Decision-Making Process*

The Case Officer exercised administrative discretion by not requiring statutory consultation requirements to be exceeded in this case, and so, as with the previous case, a more technocratic definition of significance was undertaken. There was a conscious decision on significance in this case, albeit made by consultees and accepted by the Case Officer, but, as this became the only policy matter of substance within the decision-making process, it did not constitute a ‘decision within a decision’; instead, it *was* the decision.

The apparently limited input by the Case Officer renders an assessment of the decision-making process more problematic: a passive stance seems to have been adopted, in which evidence from and judgements by others were accepted without modification, discussion or challenge. It was arguably a pragmatist approach, however, inasmuch as a decision was taken to rely almost wholly on the input of consultees to obtain the desired result.

The key participants in the process were professional consultees, and, again, the process was dominated by this professional input. The decision report itself did not present enough discussion to enable an assessment of a decision-making process, but the English Heritage submission on which the decision report was largely founded demonstrated a rational approach, with a thorough and logical approach to the consideration of the evidence. It is primarily this submission which informs the characterisation of the influences on the decision-making process in this case set out in Fig. 66. There was no apparent

political or community involvement in the case, and relatively limited professional involvement: given the potential impact of the proposal, the number of participants was very small.

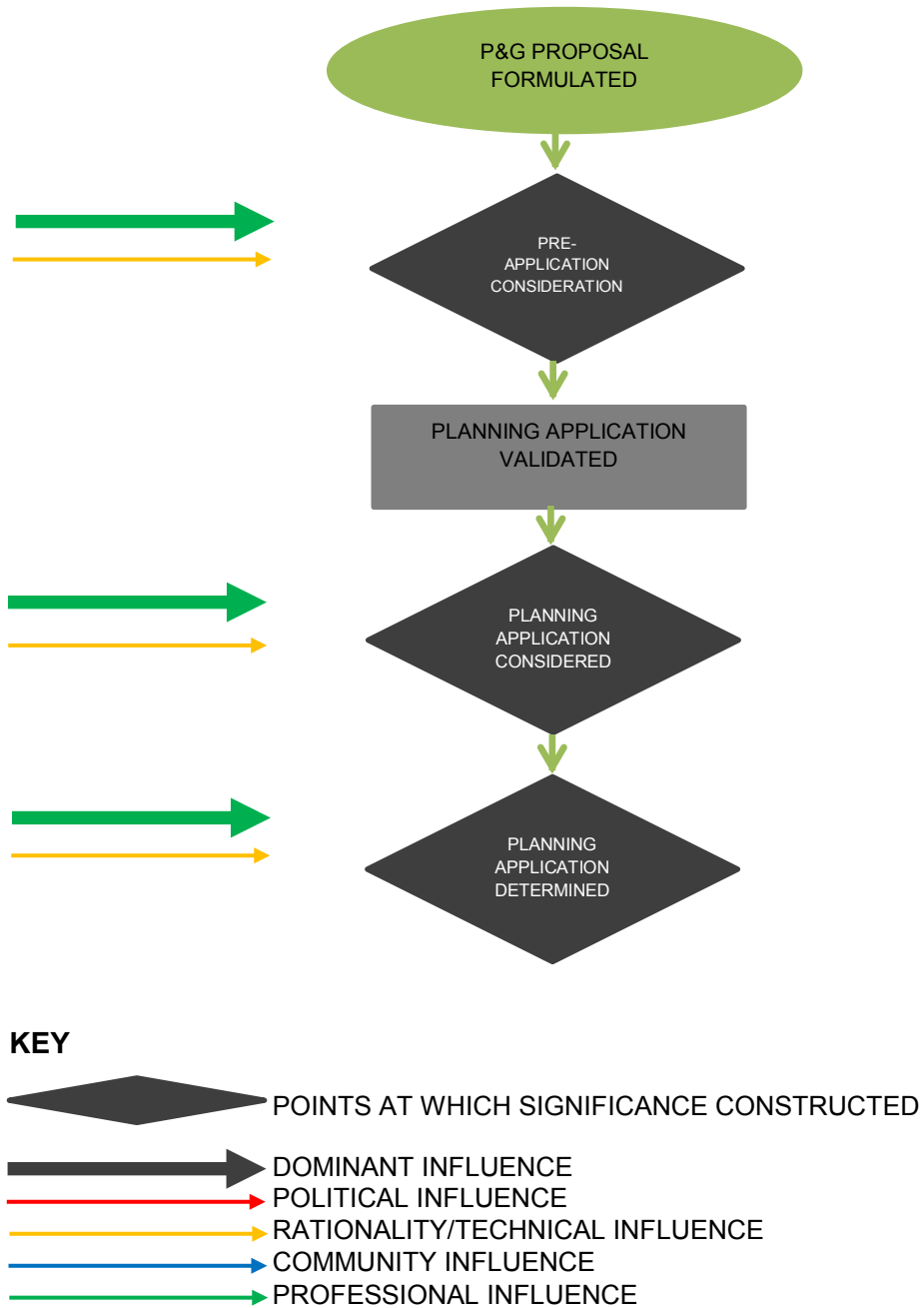


Fig. 66: Influences on the Decision-Making Process

### 8.5.4 Other Issues

A number of other issues emerged from the analysis, including the role of the applicant's own policies, and the relative status of the registered garden.

#### *Conservation Policies*

A particular feature of this case was the existence of a *Conservation Statement* (drawn up after the initial formulation of the access drive proposal), which included conservation policies 'for management of the gardens and ensuring that the [site's] significance is retained' (Historic Landscape Management Ltd, 2009, p. 70).

The various routes for the access drive were considered against these policies in the *Design and Access Statement*, but the comments made against each were generally in the form of descriptions rather than assessments, failed to focus on the heritage asset which was most directly affected – namely the pleasure grounds – or were founded on the redefinition of garden compartments discussed above (Nick Cox Architects, 2011a). By way of illustration, the text for each Option in relation to General Policy 1 was the same ('Conservation statement prepared. Site evaluation carried out including analysis of use of Sculpture Gallery and associated vehicle movements'), and the assessment of the proposed route against Designed Historic Gardens Policy 1 read as follows:

*The route itself is new. The route runs from a gate position proposed by Repton and brings with it the opportunity for screen planting that will strengthen the character of the compartment and setting of the Dairy.*

Nick Cox Architects, 2011a, n. pag.



Whilst there was some internal consistency in the way that the ‘compartment’ affected by the proposed route was considered, there was some inconsistency between the consideration of this route and the other routes. The assessment against Buildings Policy 2 (relating to the setting of buildings) noted that the ‘existing route ... has a detrimental effect on the setting of the North Court’, and that for all the other routes ‘[t]he presence of vehicles in the garden would detract from the setting’ (*ibid.*). For Options C, D and E, this comment was supplemented by the statement that ‘[t]he open route would detract from the setting of the buildings’, whilst for Option B (the proposed route) the additional text instead emphasised the opportunities that the route would bring: ‘[t]he opportunity for new planting would restore the setting of the Chinese Dairy. Removal of vehicles from the North Court will enhance its setting’ (*ibid.*).

The existence of the conservation policies was noted in that part of the Archaeologist’s consultation response which was included in the decision report, and in the comments extracted from English Heritage’s response, but not otherwise discussed in the decision report. English Heritage noted that ‘[t]he proposal is also contrary to a number of policies in the Estate’s own *Conservation Statement*’, and this is certainly the case (English Heritage consultation response, CB/11/02548/FULL). Table 77 presents an assessment of the proposal’s compliance with the estate’s conservation policies, and reveals that compliance can only be determined in a few instances.

## 8 Woburn Abbey, Bedfordshire

POLICY SECTION	NUMBER	CONTENT	COMPLIANCE
GENERAL POLICIES	1	Management of the gardens and pleasure grounds ... should [recognise] and be informed by an understanding of the breadth of cultural, historic, natural and social significance of the site, its setting and context.	✘
DESIGNED HISTORIC GARDENS AND PLEASURE GROUNDS	1	To maintain, conserve and where appropriate strengthen the character, layout and design [intentions] of the gardens created in the early 19 <sup>th</sup> century ['as shown in combination' on the 1817, 1821, 1833 and 1838 plans], while respecting later significant features.	✘
	2	To seek the repair and, where possible, restoration of the historic gardens as the [principal] approach to management.... Any re-created or new features should, if possible, be reasonably readily reversible.	✓
	4	To maintain, and where feasible enhance, the significant views within and from the gardens.	✘
	5	To manage and conserve traditional garden boundaries in a manner which retains the historic character and design intent.... Any new boundaries or gates should be sympathetic to the character of the historic gardens.	✘
	7	To mitigate the impact of detracting elements on the gardens and buildings, so that their visual character is maintained or enhanced.	✘
BUILDINGS	2	To conserve and enhance the setting of all significant buildings and structures which form part of the design at Woburn. Each ... should be seen in an appropriate context which considers the links between the built environment and the gardens.	✘
	3	To maintain, enhance and appropriately develop the use of the North and South Courts for the benefit of their built fabric and the visitor experience.	✓
ACCESS	1	Access to the gardens and pleasure grounds at Woburn should be provided in a safe and inclusive way ... and in a manner that can sustain the site's significance.	✘
	3	Reinstatement of historic routes is acceptable where the alignment and nature of the access can be demonstrated. Proposed new routes must ensure they do not affect important views and can be integrated into the landscape.	✘
	5	To continue to provide access to the buildings, gardens and pleasure grounds for events whilst endeavouring to ensure such access does not adversely affect the fabric of the garden or building and the site's significance is retained.	✘
ARCH- AEOLOGY	2	Where works involving excavation and significant ground disturbance are planned, proposals should be discussed in advance with English Heritage and the [LPA]. An impact assessment should be carried out.	✓
NATURE CONSERV- ATION	1	To maintain and conserve the biodiversity of the gardens at Woburn while seeking to retain the other features of significance.	✓

*Table 77: Compliance with Conservation Policies*

### *The Relative Status of the Registered Garden*

The profile given to the registered status of the gardens was of particular interest in this case. The gardens were the main focus of the consultation responses from English Heritage and the Archaeologist, and thus the main focus of the decision report, with the result that this was a garden-centric decision.

Within the applicant's submissions, however, the gardens were very much subservient to the buildings. English Heritage noted that the *Design and Access Statement* 'is felt to underplay the importance of the gardens, indeed at no point in the document is its grade I registration noted' (English Heritage consultation response, CB/11/02548/FULL). The proposal itself was designed to alleviate pressure on a historic building (as well as to increase its earning potential), and the assessment of impact frequently considers the estate's historic buildings more favourably than the gardens. One such example is the reference in the *Design and Access Statement* to the impact of vehicles using the current route through North Court: '[t]he presence of vehicles through the visitor concourse area and North Court has an impact on the general ambience of the area in terms of vehicle noise and pollution' (Nick Cox Architects, 2011a, p. 16); in contrast, the same issue is addressed as follows in relation to the proposed route:

*With regard to the general ambience of the garden, whilst the presence of vehicles is not desirable, it is considered that this can be reasonably well mitigated by reinstatement of the planting that helps form the Dairy Pond compartment and American Bank.*

*Noise from vehicles may be noticeable. However, noise from vehicles is also present from the Sculpture Gallery car park and to the west of the Dairy Pond from the existing access route.*

*Ibid.*, pp. 17-18

The 2012 field survey conducted for this research also revealed an apparent lack of appreciation of the gardens, which sat uneasily with the estate's commitment to restoring and recreating the key elements of the pleasure grounds. Alongside restored features such as the rock garden were found pieces of sculpture for sale through a local art gallery; whilst apparently part of a temporary initiative, the pieces added clutter to the garden, and created something of a showroom feel. This clutter was supplemented by promotional flags situated in key locations, including the long view down the key east-west axis in the gardens (Fig. 67), which contravened Gardens Policy 4 on the maintenance and enhancement of views, and Gardens Policy 7 on 'detracting elements', as well as Access Policy 4 on signage: '[a]ll necessary signs should be sited away from main view lines' (Historic Landscape Management Ltd, 2009, p. 76).

There appears to be a failure to understand the gardens as part of the wider historic environment of the estate, and to appreciate their importance as settings to the buildings. English Heritage articulated this last point well in stating that the 'historic environment is a major part of the attraction': damage to the gardens harms the whole, and, whilst visits are not the estate's core business, that core business will itself not be enhanced by an inappropriate setting to the buildings deemed to have the higher financial value (English Heritage consultation response, CB/11/02548/FULL).



*Fig. 67: Signage in the Axis Between the Abbey and Clunch Temple  
(October 2012)*

### **8.6 Conclusions**

The analysis in this chapter determined that the importance of significance was understood by many of the participants in the access drive case, but that not all were clear as to how it should be defined, and weighed in the decision-making process. The analysis further demonstrated that in such circumstances, a strongly held and well-articulated view of significance, and of the impact of a proposal upon it, may be utilised by other participants in lieu of their own deliberations: in this case, English Heritage's views were largely deferred to

by the LPA's professionals, and the planning process dominated by one stakeholder's views as a result (particularly as the number of other participants in this case was unusually small: there was no public or political participation to challenge the pre-eminence of the English Heritage input, and very little other professional input).

There were insufficient data to determine how the Council would have applied PPS5 policy in the absence of the English Heritage input, but the Council's misinterpretation of Green Belt policy suggests that PPS5 might also have been incorrectly applied (suggesting, once again, a need for further guidance). If English Heritage had not participated so actively, would heritage issues have been so prominent, and so determinative? The applicant's emphasis on economic arguments was countered by a strong application of PPS5 policy in respect of heritage protection, but, without English Heritage's confidence and ability in this regard, there remains a risk that heritage arguments would not have prevailed.

That it was right that they prevailed is suggested by the fact that the English Heritage judgement, and the judgement reached through the application of the method proposed in this research for the assessment of significance, were the same: the site is a highly significant one, and the impact of the proposal on that significance would have been unacceptable. The decision reached by English Heritage, and adopted by the Council, was therefore the 'right' one, and it was reached through an application of PPS5 policy, albeit by a consultee rather than the Council. The net result was that the significance of the registered site

was carefully identified, and then protected: the planning application was refused as a result of English Heritage's involvement.

Thus the decision-making process in this case was again dominated by professionals, but, on this occasion, a consultee rather than the local planning authority drove the process. Significance was not well defined by the applicants, but was rigorously assessed by other participants, and PPS5 policy was the primary tool used to make the case against the development proposal. Heritage was the dominant issue throughout the decision-making, and the registered gardens were the dominant heritage asset within that process, although they had been neglected in the applicant's deliberations: this serves as a reminder of the continuing vulnerability of parks and gardens in an environment in which there are also historic buildings.

The next chapter considers a case in which significance was not at all central to the decision-making process, and where the resulting development did harm the significance of the registered park. That chapter is followed by an overarching assessment of the implications of all three case studies, in Chapter 10.

### CHAPTER 9: STANLEY PARK, BLACKPOOL

Yet in imagination I am still walking with my clients through the gardens I have helped to create, picturing the development of succeeding years, but regretful that I cannot curb wayward growths or reorganise and amend those portions which have fallen short of expectation—for a garden ... needs constant care if its character is to be developed.

*Mawson, 1927, pp. 353-4*

#### 9.1 Introduction

This chapter presents and analyses the last of the selected case studies, the 2010 planning application for the development of a BMX track in Stanley Park, Blackpool.

The chapter examines the context to the proposal, and the form it took, before exploring the way in which significance – and the impact upon it – were defined, and by whom, and how they were considered in the decision-making process. The methods used are those described in Chapter 6, and applied to the other case studies, and retain an emphasis on primary sources. Thirteen interviews with key stakeholders in the planning application process were conducted in April 2013 (listed in Table 78), and two site assessments undertaken (in September 2012 and April 2013).

The data gathered were then assessed using the range of analytical tools outlined in previous chapters (the analysis of the interview transcripts utilised NVivo software, the descriptive codes for which are listed in Appendix XIII). This enabled conclusions to be drawn regarding the way in which the significance of the proposal site within Stanley Park was defined and then protected within the planning process. All case study-specific sources used are listed in Appendix XVI.



## 9 Stanley Park, Blackpool

STAKEHOLDER ORGANISATION	STAKEHOLDER ROLE	DATA SOURCES	
		INTERVIEW	REPORT/ REPRESENTATION
<b>Bike Club</b>	Representative	YES	YES
<b>Blackpool Civic Trust</b>	Chairman	YES	
	Representative		YES
<b>Blackpool Council</b>	Agent	YES*	
	Cabinet Member	YES*	
	Case Officer	YES	YES
	Conservation	YES	YES
	Applicant	YES	
	Park Manager	YES	
	Environmental Health		YES
	Transport		YES
	Trees		YES
<b>Blackpool Cricket Club</b>	Chairman	YES	YES
<b>English Heritage</b>	Heritage		YES
<b>Friends of Stanley Park</b>	Representative	YES	
	Representative		YES
<b>Fylde Cricket League</b>	Representative	YES*	YES
<b>Lancashire Constabulary</b>	Policing		YES
<b>Lancashire County Council</b>	Archaeology		YES
	Ecology		YES
<b>Lancashire Gardens Trust</b>	Chairman	YES*	YES
	Representative		YES
<b>NHS Blackpool</b>	Health		YES
<b>Residents</b>	Local Resident	YES	YES
	Other Residents x 38		YES
<b>Sport England</b>	Sport		YES

*Table 78: Stakeholder Roles, Organisations and Data Sources (entries marked \* denote written responses to interview questions)*

### 9.2 Stanley Park

#### 9.2.1 Context

The location of Stanley Park within Blackpool is illustrated in Fig. 68. Stanley Park was designed by Thomas Mawson & Sons in 1922 and opened in 1926. Despite being a twentieth century municipal creation, its implementation followed the Victorian model, whereby the park was to be funded by the development of the surrounding land for housing:

## 9 Stanley Park, Blackpool

*By the planning of the surrounding building land so much is added to property values as to ensure, in a large measure, the recoument of the expense of the lay-out.*

Mawson, 1922, p. 9

The park's relationship with the surrounding land is therefore deliberate, and an important part of its character, subsequently recognised in the 1984 designation of both park and housing as one of Blackpool's two conservation areas (Blackpool Council, 2007). The park was the 'first piece of comprehensive town planning in Blackpool' (Hartwell and Pevsner, 2009, p. 158).



*Fig. 68: Map of Blackpool, Showing Location of Stanley Park*

Source: © Crown Copyright/database right 2013.  
An Ordnance Survey/EDINA supplied service

Mawson described the park as 'the most ambitious, and the most practical park development attempted by any English municipality in modern times', with its 'green lawns, shady trees, and a wealth of floral colour' providing an

## 9 Stanley Park, Blackpool

---

alternative focus in the town to the ‘kaleidoscope of colour on the golden sands’ (1922, pp. 1, ix). Its primary purpose was:

*... the convenient and economic development of a large number of recreational spaces, in such a manner as to suggest attractive natural playing fields set in a great natural reserve.*

*Ibid.*, p. 15

This recreational focus was itself to be self-funding, with income from ‘the many recreational features’ intended to meet maintenance costs; by 1927 Mawson was able to report that ‘annual income from the park has already exceeded our estimates’ (Mawson, 1927, p. 341). The design adopted to deliver the recreational facilities reflected Mawson’s characteristic blend of central formal areas surrounded by a more informal landscape (Conway, 1996): ‘[i]n this way we secure an ever changing round of interest, in which, however, conscious design is the prevalent keynote’ (Mawson, 1922, p. 15). The original design is shown in Fig. 69.

To accommodate the necessary range of functions in as attractive and practical a manner as possible, this ‘conscious design’ separated different uses with areas of planting: a fundamental principle in most park design (Conway, 1996). The design also reflected the growing importance of sports provision in early twentieth century park design, with extensive playing pitch provision in the southern portion of the park (Conway and Lambert, 1993). It was implemented largely as intended, and remains for the most part intact, being described by Hartwell and Pevsner as ‘one of the best and most complete examples of a public park designed by Mawson’ (2009, p. 158). The park was added to the *Register* in 1986, at Grade II\*.

**IMAGE REMOVED FROM DIGITAL  
COPY OF THESIS FOR  
COPYRIGHT REASONS**

*Fig. 69: Proposed Layout for Stanley Park*

Source: Mawson, 1922, facing p. 1  
(Reproduced by kind permission of Lancashire Archives, reference LQ41/BLA)

### **9.2.2 Evolution**

The park has experienced a number of deliberate changes since its creation, however (Table 79), as well as neglect and decline. Many historic public parks suffered significant decline in the 1980s and 1990s as a result of a lack of both appreciation and funding, vandalism and development pressures (Conway and Lambert, 1993), and parks in deprived areas, such as Blackpool, had ‘a lower percentage ... in good condition and a higher percentage ... in poor condition’ (Urban Parks Forum, 2001, p. 4-74). Stanley Park was no

## 9 Stanley Park, Blackpool

exception to this trend, and by 2001, ‘the combination of reduced maintenance budgets and vandalism [had] lead to a significant reduction in the visual quality of the Park and the loss of features’ (Blackpool Council, 2001, p. 68).

DATE	CHANGE
<b>1920s</b>	<ul style="list-style-type: none"> <li>• Park opened</li> <li>• Cocker Memorial opened</li> <li>• Bandstand completed</li> </ul>
<b>1930s</b>	<ul style="list-style-type: none"> <li>• Planting and drainage works</li> <li>• Work to bridges over Lake</li> <li>• Construction of Café, Golf Club House, Workshop</li> <li>• Additional bowling greens and shelters</li> <li>• Removal of building to south of Cricket Field</li> <li>• Maintenance yard created to south west of Cricket Field</li> </ul>
<b>1940s</b>	<ul style="list-style-type: none"> <li>• Glasshouses repaired and extended</li> <li>• Park railings removed</li> </ul>
<b>1950s</b>	<ul style="list-style-type: none"> <li>• Tree planting</li> <li>• Fountain and electric pumps in Italian Garden restored</li> </ul>
<b>1960s</b>	<ul style="list-style-type: none"> <li>• Sports pavilion built near tennis courts</li> <li>• Entrance to Athletics Arena from park closed</li> <li>• Alterations to Bandstand and surrounding planting</li> </ul>
<b>1970s</b>	<ul style="list-style-type: none"> <li>• Blackpool Model Village constructed</li> <li>• Putting Green booking office replaced</li> <li>• Loss of statues</li> <li>• Glasshouses replaced (conservatory retained)</li> <li>• Tree thinning</li> </ul>
<b>1980s</b>	<ul style="list-style-type: none"> <li>• Maintenance yard to south west of Cricket Field demolished</li> <li>• Sports Centre built on site of former nursery</li> <li>• All-weather sports pitch built on Sports Field</li> </ul>
<b>1990s</b>	<ul style="list-style-type: none"> <li>• Skateboard Park constructed on Tennis Court site</li> <li>• Play Area refurbished</li> </ul>

*Table 79: Evolution of Stanley Park*

Source: Blackpool Council, 2001, pp. 72-76

Blackpool Council undertook extensive restoration work in the park between 2005 and 2009, in a five million pound project funded primarily by the Heritage Lottery Fund (HLF) under the Urban Parks Programme (Park Manager interview, 2013). The primary objectives of this project were to ‘revitalise the largest and most important park in Blackpool and the region’, and to ‘restore a relatively intact example of park design’ by Mawson (Blackpool Council, 2001, p. 99).

## 9 Stanley Park, Blackpool

---

The restoration project did not include any direct work to the cricket oval on which the BMX track was later implemented (other than some resurfacing to its perimeter path), but the paperwork submitted to the HLF by the Council in support of its funding bid in 2001 notes its existence, that it was ‘well maintained and used for local community cricket matches’ (*ibid.*, p. 27), and, with the adjoining sports pitches, formed:

*... a large, open space which is used for informal walking and recreation as well as the more organised sports functions. They require little in the way of improvement, and increase visitor numbers by providing popular facilities.*

*Ibid.*, p. 87

The bid paperwork also outlined the Council’s commitment to ‘maintain the formal sporting facilities so as not to conflict with the heritage value of the park’ (*ibid.*, p. 121). The cricket oval was described as a mown grass sports area, but not positively identified as either an attractive or an unattractive feature; the skateboard park to the west and car park to the east were however defined as features detracting from the quality of the park. The findings of a questionnaire of visitors undertaken in 1999 in support of the bid indicated that the highest scoring ‘good point’ of Stanley Park (64%) was ‘open space, scenery and peacefulness’ (*ibid.*, p. 136).

The park’s first management plan was prepared in support of the HLF bid. The second covered the period 2008-2013, and was in force at the time the planning application for the BMX track was submitted and determined (Blackpool Council, 2008). It was intended to be ‘used widely by Council Officers and stakeholders as well as the wider community’, and ‘to provide a clear framework for future developments’ (*ibid.*, pp. 5-6). It noted the

existence of the cricket pitch, but did not list it in the resource inventory. The fact that the park's layout has remained unchanged was identified as a strength, as was the range of sporting facilities available within the park. There was no reference to a BMX track proposal within the document, merely an aim to 'renovate youth facilities' (*ibid.*, p. 68). The management plan also included a commitment to 'liaise with Planning and English Heritage on any developments', under the wider objective to 'adhere to planning regulations in line with Grade II [*sic*] and Conservation Area status' (*ibid.*, p. 71). A conflict with the management plan was identified in the Committee Report on the planning application, with regard to the priority to be given to the 'historic value of the park' (10/1151 Committee Report).

### 9.3 The Proposal and its Context

The wider context within which the proposal was set was particularly important in this case, and is outlined below, before the details of the BMX track proposal are themselves outlined.

#### 9.3.1 Blackpool

Blackpool is the fourth most densely populated district in England and Wales outside Greater London, was ranked sixth in the English Indices of Deprivation 2010, and has life expectancy which is 'significantly lower than the national averages' (Blackpool Council, 2011, p. 5): all challenges which the local Council, along with other key stakeholders, must acknowledge across a wide range of activities and policy areas, and which, as noted by Campbell and Marshall (2002) – and discussed in Chapter 2 – inevitably influence planners' perceptions.

## 9 Stanley Park, Blackpool

### 9.3.2 Planning

Stanley Park is both a registered park (the only one in the Borough) and a conservation area (one of two); the surrounding houses are also subject to an Article 4 Direction, first imposed when the conservation area was designated in 1984. There are no listed buildings or scheduled monuments in the park, and only forty-four designated heritage assets in Blackpool as a whole, of which only six are Grades I or II\* (English Heritage, 2012). An application in 2010 for Blackpool's consideration as a World Heritage Site (including Stanley Park) was unsuccessful (Conservation Officer interview, 2013).

The most relevant development plan policies in the *Blackpool Local Plan 2001/2016* (in force at the time of the BMX track applications) are listed in Table 80; there is no policy enabling the protection of historic parks and gardens per se (Blackpool Council, 2006).

POLICY	COVERAGE
LQ1	Lifting the Quality of Design
LQ2	Site Context
LQ6	Landscape Design and Biodiversity
LQ7	Strategic Views
LQ10	Conservation Areas
BH3	Residential and Visitor Amenity
BH5	Protection of Public Open Space
BH7	Playing Fields and Sports Grounds
AS1	General Development Requirements

Table 80: Relevant Development Plan Policies

Source: Blackpool Council, 2006

### 9.3.3 Open Space

Stanley Park provides approximately one quarter of the Borough's open space (Blackpool Council, 2009b). In 2003, there were eleven cricket pitches in the Borough; whilst these were part of a general oversupply of playing pitches at



the time, a shortfall was predicted by 2013, and increasing the number and quality of grass pitches was an identified Council priority in 2009 (*ibid.*). Another priority in the 2009 document was the ‘protection and creation’ of dedicated facilities for children and young people (constituting almost a quarter of the Borough’s population), to address an existing deficiency; as part of the delivery of these facilities, reference was made to emerging proposals for ‘a combined skate park, BMX park and mountain bike dirt trails’ in Stanley Park, themselves to be part of the Government-funded ‘Stanley Extreme Park’ project (*ibid.*, pp. 122-3). A travel time threshold of twenty-five minutes was identified for skate parks and similar facilities.

The main recommendation in 2009 for the Stanley Park area was ‘to maintain the high quality and quantity of existing facilities’ (*ibid.*, p. 153). Borough-wide recommendations included establishing a programme of improvements, meeting community needs, improving access, and the promotion of ‘usage of open spaces to enhance quality of life, social inclusion and promote healthy living’ (*ibid.*, p. 154). In this, they reflected a longstanding association between parks and health, stemming from the recommendation of an 1833 Select Committee that the ‘provision of Public Walks and Open Places would much conduce to ... comfort, health and content’ (Great Britain. Select Committee on Public Walks, 1833, p. 3).

### **9.3.4 Cycling**

Blackpool was identified as one of eleven new ‘Cycling Towns’ in the second tranche of Cycling England’s initiative (2008-2011), and received £2.84 million of Government funding over the three years as a result, to be matched

by local authority input (Cycling England, 2009). The overall aim of the initiative was to increase cycling; in Blackpool, this was supplemented by a desire to support wider regeneration proposals and address health-related concerns (Blackpool Council, 2012a). Blackpool proposed an ambitious programme, including significant changes to the seafront, the creation of an extensive cycle network, the introduction of a cycle hire scheme, the promotion of cycle training and events, and ‘cycling on referral’ by the health service (Cycling England, 2009, p. 10). Early work had suggested that specific measures would be needed to involve teenagers and young adults, resulting in additional proposals for a BMX race track, ‘pump track’ (for less skilled riders), and road race circuit (Blackpool Council, 2012a, p. 2). The BMX race track had a total cost of around £350,000, and had to be completed before the end of the Cycling Town programme (and indeed Cycling England) in March 2011 (Local Resident interview, 2013).

### ***9.3.5 The Proposal***

#### *The Original Proposal*

Blackpool Council’s Leisure and Operational Services Department first submitted a planning application for a ‘national standard BMX Track with starting ramp incorporating a small equipment store’ in Stanley Park in July 2010 (planning application 10/0853). The location proposed was the ‘trim trail’ site on the promontory into the south side of the lake (the location is shown in red on the map in Fig. 70, whilst the site itself is illustrated in Fig. 71); the BMX track would also have extended into the northern portion of the cricket oval. This site was intended by Mawson as the location for the

## 9 Stanley Park, Blackpool

bandstand (now located just to the west) and ‘grassy slopes, so that here people may picnic or rest on the grass, enjoying the music from a coign of vantage’ (1922, p. 20). Mawson also stated that the site (assumed to include the bandstand) ‘closes two of the most important vistas from the main avenue and the Italian garden’ (*ibid.*). Even without the bandstand, the view remains a key one within the park (Fig. 72).

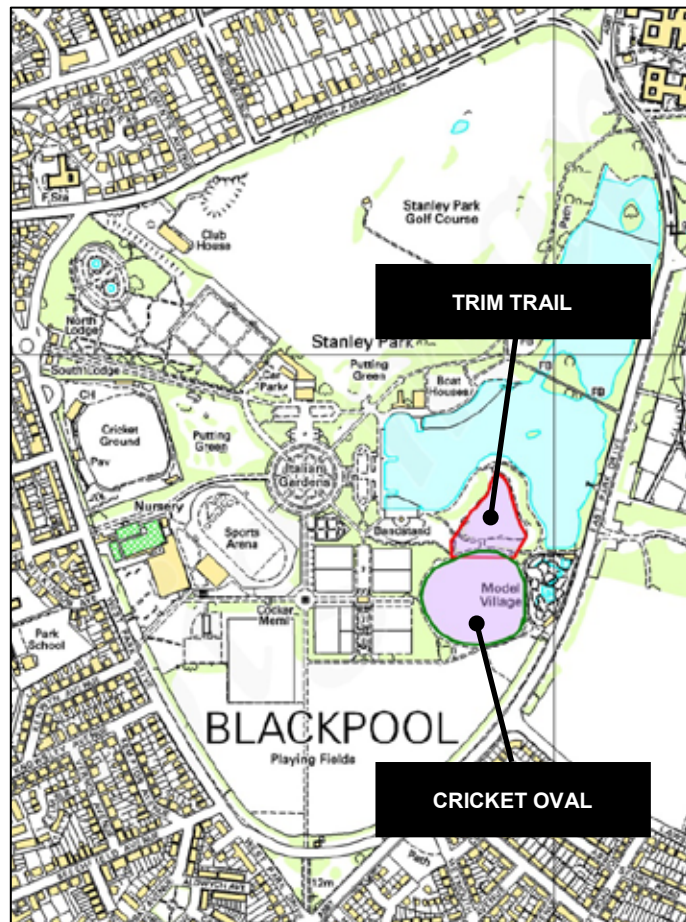


Fig. 70: Application Sites, Stanley Park

Source: © Crown Copyright/database right 2013.  
An Ordnance Survey/EDINA supplied service.



*Fig. 71: View North East Towards Tip of 'Trim Trail' Promontory  
(September 2012)*



*Fig. 72: View East Towards 'Trim Trail' Promontory  
(September 2012)*

In contrast to the later application, no representations were received from members of the public, or the Garden History Society, perhaps as the consultation took place over the summer. English Heritage objected due to the anticipated 'detrimental impact upon the significance and historic character of

## 9 Stanley Park, Blackpool

---

Stanley Park’, and requested that further information was sought to understand the nature and extent of this impact (English Heritage consultation response, 10/0853).

Whilst the Case Officer concluded that ‘the proposal would not have a detrimental impact upon the heritage value of the park’, the need for further assessment ‘of Stanley Park as a heritage asset and of the way in which the proposal may affect its heritage value’ was also accepted, and the Committee was recommended to defer the application for a later delegated approval (if appropriate), thereby allowing further information to be obtained (10/0853 Committee Report).

The application was accordingly deferred at the 6 September 2010 Committee meeting, but was withdrawn shortly afterwards:

*... on the basis of the anticipated detrimental impact the track would have on the historic and aesthetic value of this area of the park, given the prominence of the headland and the clear views across the site from the more formal areas at the heart of Mawson’s original design.*

10/1151 Committee Report

### *The Revised Proposal*

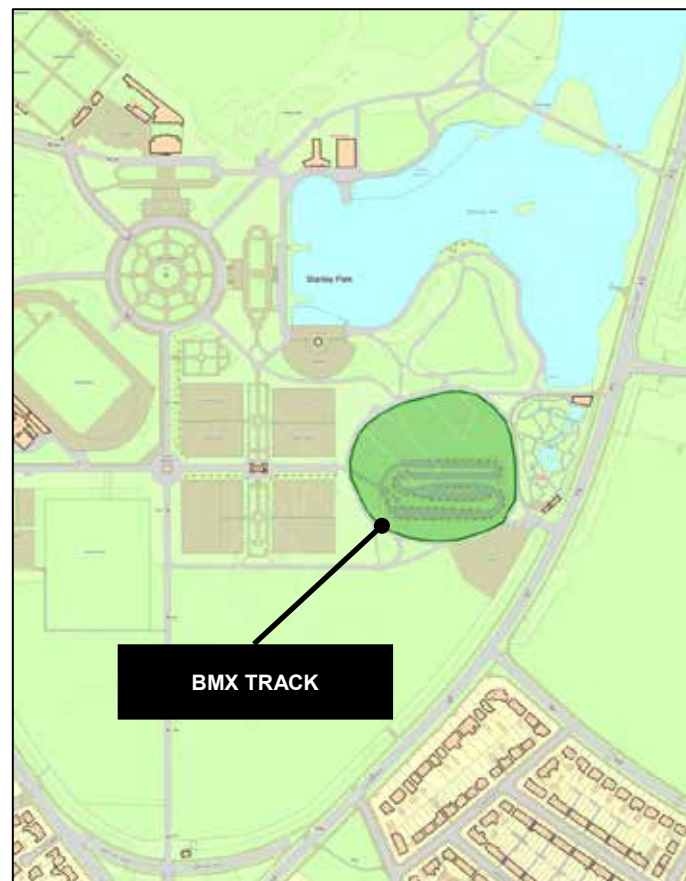
Within a fortnight of the Development Control Committee’s consideration of the initial proposal, a revised application had been submitted, which had ‘evolved out of further discussions between the case officer and other officers of the Council’ (*ibid.*): this was planning application reference 10/1151, registered by the Council on 17 September 2010.

The new application proposed an alternative location for the BMX track, on the cricket oval to the south of the trim trail site (the relationship between the

## 9 Stanley Park, Blackpool

---

two sites is shown in Fig. 70), and it is that application which is the focus of this case study. The application was considered positively by the Development Control Committee on 29 November, and finally granted consent (subject to conditions) on 6 January 2011 (10/1151 Committee papers and decision notice). The consent was implemented immediately: the location of the track within the former cricket oval can be seen in Fig. 73, and the track itself in Fig. 74.



*Fig. 73: BMX Track, Stanley Park*

Source: © Crown Copyright/database right 2013.  
An Ordnance Survey/EDINA supplied service.



*Fig. 74: View of the BMX Track from the Starting Ramp  
(September 2012)*

### **9.4 Significance**

Assessments of the significance of the cricket oval as an individual asset within the wider park, and the impact of the proposal on that significance, are necessary if the Council's decision is to be evaluated. This section undertakes those assessments using the methods developed in Chapters 3, 4 and 5.

#### ***9.4.1 Determining Significance***

The process begins with an evaluation of significance, drawing on a desk-based analysis of relevant resources, a field survey, and the application of findings to define significance.

##### *Desk Survey*

It is clear from a map regression analysis (supplemented by historic aerial photographs) that the cricket oval was a specific part of Mawson's original design, which remained in its original form and use until the implementation

of the BMX track in 2011 (Fig. 75). This survival reflects a wider trend: '[t]he features and facilities that seem to have survived best are those that have a very strong recreational or functional bias, such as grass pitches' (Urban Parks Forum, 2001, p. 4-49). Documentary analysis (using Mawson's own commentary on the design) reveals the intention behind the location and use of the space:

*Here there is an entire absence of formality, the aim being to reproduce the type of cricket ground seen in a gentleman's park.... the appearance of the park demands that the turf here be maintained in first-class condition. It could be leased to a cricket club in summer, and would form the ideal arena for demonstrations (political and otherwise), children's treats, garden fêtes, etc. Its proximity to the lake, bandstand and main through road marks its suitability for this purpose.*

Mawson, 1922, pp. 32-22

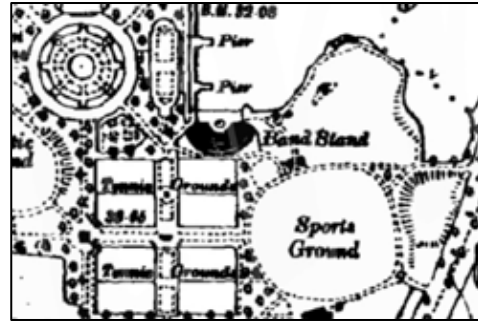
The continuity of use and direct link to the designer's original intention suggests that the space embodies historic interest; as part of the overall design for the park it also embodies aesthetic interest. The visual contribution made by the oval's well-maintained formality and role in long open views further contributes to aesthetic interest (in line with Mawson's view of cricket pitches having 'distinct decorative advantage' (*ibid.*, p. 32)), and the intended flexibility of use suggests similar potential for the site to embody both recreational and community interest. Archaeological interest is unlikely, the area having previously been agricultural, and levelled as part of the creation of the park.



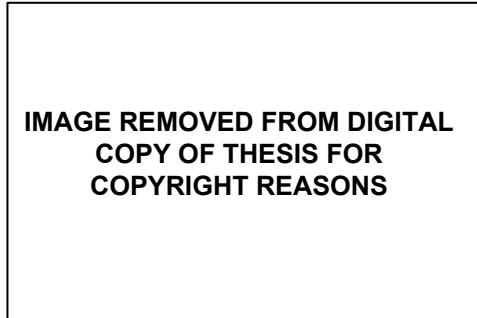
## 9 Stanley Park, Blackpool



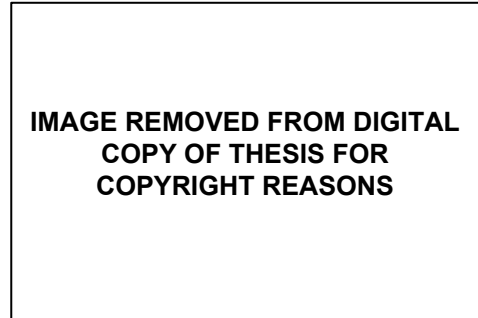
**1922: Original Mawson Plan**  
 Reproduced by kind permission of  
 Lancashire Archives (LQ41/BLA)



**1930s: Ordnance Survey**  
 © Crown Copyright/database right 2013  
 An Ordnance Survey/EDINA supplied service



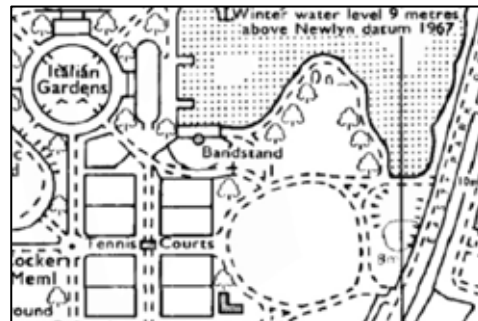
**1935 (WDB 86/L87a)**  
 Reproduced by kind permission of  
 Cumbria Archive Centre Kendal



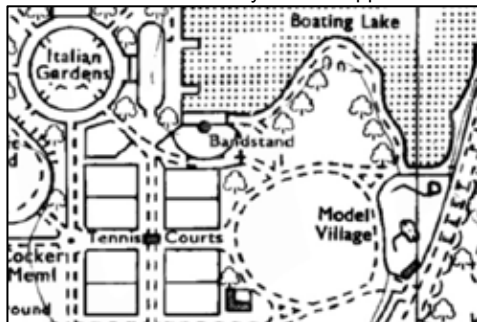
**1940 (WDB 86/L81)**  
 Reproduced by kind permission of  
 Cumbria Archive Centre Kendal



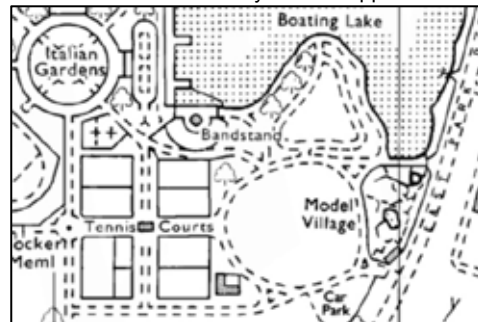
**1950s: Ordnance Survey**  
 © Crown Copyright/database right 2013  
 An Ordnance Survey/EDINA supplied service



**1970s: Ordnance Survey**  
 © Crown Copyright/database right 2013  
 An Ordnance Survey/EDINA supplied service



**1980s: Ordnance Survey**  
 © Crown Copyright/database right 2013  
 An Ordnance Survey/EDINA supplied service



**1990s: Ordnance Survey**  
 © Crown Copyright/database right 2013  
 An Ordnance Survey/EDINA supplied service

*Fig. 75: Map Regression, Stanley Park*

### *Field Survey*

Field survey evidence of the cricket oval before the construction of the BMX track is available, in the form of photographs taken by the Lancashire Gardens Trust (LGT), and the Trust's written description. Fig. 76 shows the view across the width of the cricket oval, looking to the West. In terms of a condition survey, the photograph shows that the site is well-maintained; the Blackpool Cricket Club described the site as 'an acceptable place to play [recreational] cricket' (Blackpool Cricket Club interview, 2013), and the Lancashire Gardens Trust also regarded it as 'playable' (LGT consultation response, 10/1151).



*Fig. 76: View West across the Cricket Oval (October 2010)*

Source: Reproduced by kind permission of the Lancashire Gardens Trust

Fig. 75 also shows that there was a small grove of trees to the South of the pitch, as well as the larger belt of trees to the West visible in Fig. 76. Map regression shows that the western trees were intended by Mawson and of

## 9 Stanley Park, Blackpool

---

longstanding implementation; the history of the southern treed area is less clear from map evidence, but it was shown on Mawson’s 1922 plan, and also referred to in the related text: ‘[i]t is an oval measuring 200 yards by 150, its boundaries being defined only by large clumps of trees’ (1922, p. 32). The surviving trees were not original, but still carried some horticultural interest by virtue of their adherence to the original design, and aesthetic interest by virtue of their contribution to the overall scene.

Analysis of the site’s contours on the Ordnance Survey map confirms that the cricket oval lies within the relatively low and flat southern portion of the park; the northern portion of the park (beyond the lake and Italian Garden) is 5-10 metres higher. Thus visibility across and into the southern portion is generally good.

Stakeholder evidence, obtained from representations on the planning application and interviews with selected participants, provides a number of insights into the interests embodied by the cricket oval. Perhaps foremost amongst these was community interest, stemming from its public status, flexibility of use, and the memories associated with it (Table 81).

ASPECT OF COMMUNITY INTEREST	SOURCE	QUOTATION
<b>Public Status</b>	Friends of Stanley Park interview, 2013	<i>My brother said, “who owns this park?”, and my dad said, “you do, you do, this is your park”.</i>
<b>Flexibility of Use</b>	Local Resident interview, 2013	<i>All ages, all interests.</i>
<b>Memories and Associations</b>		<i>You saw literally hundreds of families relaxing, playing games, or just having a picnic on a magnificent stretch of the park.</i>

*Table 81: Representative Quotations Relating to Community Interest*

## 9 Stanley Park, Blackpool

---

Related to this was recreational interest, as illustrated by statements such as ‘children used to play across it’, and ‘a small cricket team used to play on this on summer Saturdays’ (Friends of Stanley Park interview, 2013). The site was also regarded as having aesthetic interest:

*And [one of] the most scenic [places]. And you walked down there and the ground rolls away from you and then you’ve got the trees, you’ve got the lake, so the vista there was absolutely dramatic. Really dramatic. And so peaceful.*

Local Resident interview, 2013

The site’s historic interest was less clearly understood, with comments recognising the importance of the longevity of Mawson’s original design, but also understanding the historic value of the site to be primarily embodied in the formal and/or built features of the park, rather than the application site: ‘[i]t hasn’t got physical historical features – it is – it was – an oval, a green oval’ (Friends of Stanley Park interview, 2013).

Overall, the site’s former character may be described as being open, flexible, and an important transitional space between the formal and informal elements of the park.

### *Definition of Significance*

Analysis of the site, and of the sources referred to above, gives a clear understanding of both the fabric of this part of the park, and of its evolution: the space is defined by its relative location to other park features, by its surrounding path, and by the trees on its margin. It represents historic, aesthetic, horticultural and community interests, which are embodied in its turf, trees, openness, use, and role in views within the park.

## 9 Stanley Park, Blackpool

---

Determining the relative importance of those interests within the registered area (other elements of which are illustrated in Fig. 77) requires an assessment of their merits, and an understanding of how they have been regarded by users and other stakeholders.



*Main Entrance*



*Bandstand and Boating Lake*



*Italian Gardens*



*Golf Course*



*Athletics Track*



*Café*



*Carpet Bedding*



*Lake*

*Fig. 77: Various Elements of the Stanley Park Registered Area*

## 9 Stanley Park, Blackpool

---

Postcards are the prime source of evidence for twentieth century parks, and, given that ‘the frequency with which given sites are recorded is a reasonably reliable testimony to their popularity with visitors’ (Elliott, 2003, p. 221), the postcards of Stanley Park shown in Fig. 78 confirm the relatively low profile of the cricket oval within the park, as it is absent from the images. Stakeholders noted a hierarchy of spaces within the park (with the more formal features such as the Italian Gardens and the Rose Garden being more clearly recognised as ‘heritage’ (Friends of Stanley Park interview, 2013)), but also identified the particular value of the cricket oval: overall, it was not one of the principal spaces in the park, but did make an important contribution to the whole.

The importance of the cricket oval was appreciated all the more when the site was threatened with loss, as may be seen from English Heritage’s engagement in the process. The *Register* entry does not refer to the cricket oval directly, but only as part of the recreational portion of the park: ‘playing fields and sports facilities are concentrated in the south and west’ and ‘the remainder of the southern part of the park consists of informal grassed playing fields, as shown on the 1922 plan’ (English Heritage, 2012). In English Heritage’s response to the planning application for the BMX track, however, the cricket oval’s individual importance was recognised:

*... the Oval is an important feature as an area of informal open space linking the lake-side promontory and the southern end of the park. The installation of the BMX track would effectively sever this link and disrupt Mawson’s carefully constructed design which relies heavily upon these less formal open areas.*

English Heritage consultation response, 10/1151

## 9 Stanley Park, Blackpool

---



Posted 1928 (Valentine's)

**IMAGE REMOVED FROM DIGITAL  
COPY OF THESIS FOR  
COPYRIGHT REASONS**

Post-1936 (Bamforth & Co., Ltd. Holmfirth)

**IMAGE REMOVED FROM DIGITAL  
COPY OF THESIS FOR  
COPYRIGHT REASONS**

Post-1936 (Allen & Sons, Blackpool)

*Fig. 78: Multiple Views of Stanley Park in Historic Postcards*

It is also necessary to compare the park, and the spaces within it, to ‘other places sharing similar values’ (English Heritage, 2008b, p. 39). The importance of Stanley Park in this regard is in part determined by its designation: its Grade II\* status denotes it as being ‘particularly important, of more than special interest’ (English Heritage, 2010c, n. pag.). Importance is also determined by ‘how strongly ... the identified heritage values [are] demonstrated or represented by the place, compared with ... other places’ (English Heritage, 2008b, p. 39). The overall park is ‘particularly significant for the extent to which the original Mawson designed layout remains intact’ (English Heritage consultation response, 10/1151), and, within this context, the value of its component parts must be increased, irrespective of the existence of other cricket ovals elsewhere, whether in historic parks nationwide or contemporary parks more locally (although English Heritage noted in its response that Stanley Park is ‘one of only 14 grade II\* registered urban parks in England and one of only 3 to be found in the north-west’ (*ibid.*)).

Overall, therefore, and using the ICOMOS approach to value assessment (ICOMOS, 2011, pp. 14-16), the value of the park may be classed as ‘high’ (‘well preserved historic landscapes, exhibiting considerable coherence, time-depth or other critical factors’), and the importance of the cricket oval within the park as ‘medium’, on the basis that it is an integral but lower profile part of an intact design.

### ***9.4.2 Impact on Significance***

The next stage in the process, as outlined in Chapter 5, is to assess the impact of the proposal on the significance of the asset.



## 9 Stanley Park, Blackpool

---

A notable theme emerging from the stakeholder interviews was the frequency with which Mawson's original intentions were invoked, whether in support of the BMX track proposal, or in opposition: he was variously described as likely to be turning 'cartwheels' at the development (Applicant interview, 2013), or 'turning in his grave' (Local Resident interview, 2013). Many participants demonstrated an understanding of elements of the park design, for example the identification of the more formal elements 'that contain architectural and sculptural features or designs of gardens' as having 'Mawson's signature' on them (Friends of Stanley Park interview, 2013). This was rarely articulated fully in either consultation responses or interviews, however. Had the significance of the park (and the cricket oval within it) been more fully assessed, recourse to documentary sources and Mawson's own explanation of the proposals would have provided valuable insight. References in the 1922 report of some relevance to the BMX proposal have been collated thematically in Table 82, and demonstrate that there is indeed scope to invoke Mawson's intentions for or against the implementation of the track. Whilst he was supportive in principle of provision of a range of activities for all, including accommodation of the needs of the younger population and of new sports, his specific comments regarding the site of the cricket oval, and regarding the integrity of the park's plan, suggest a degree of opposition to the introduction there of a use such as the BMX track. These comments are best reconciled as suggesting that a BMX track was entirely appropriate somewhere in the park, but not in the cricket oval location – the very stance adopted by English Heritage, in fact, in its letter of objection.

## 9 Stanley Park, Blackpool

ISSUE	P.	ARGUMENTS IN SUPPORT	P.	ARGUMENTS IN OPPOSITION
<b>PROVISION FOR VARIETY</b>	xvii	... its use and attractiveness to all who are fond of open-air life and sports will, when realized, prove irresistible.		
	1	It is most important ... that all provision be made for the physical comforts of visitors, and abundant recreational facilities for body and mind.		
	12	... an open space ... including ample provision for every kind of recreation....		
<b>PROVISION FOR YOUTH</b>	32	... the well being of the rising generation is of the first importance, and football fields [a disruptive use] must be provided in plenty		
	33	Tennis is a game which is in the ascendant, and, as there is a shortage of tennis courts in Blackpool ... ample provision has advisedly been made for this form of recreation.		
	37	The playgrounds are placed near an entrance, so that the small children shall have the least distance to travel....		
	37	The aim being to make [the peripheral] playgrounds so attractive that the youngsters will have no desire to travel any further into the park, thus their abundant energies being possibly diverted from destructive channels in the park proper, to legitimate and healthy activities in their own domain.		
<b>SITE-SPECIFIC</b>			12	... an open space for ever laid out in a dignified and picturesque manner....
			32	... cricket grounds, with their well-kept turf, have distinct decorative advantages, but football is destructive to turf, and its general atmosphere of mud and noise foreign to the character of rest which should prevail.
			32	We have endeavoured only to limit the range of [noisy uses] disturbing influence by grouping them together at the southern portion of the park....
			32-33	[At the cricket oval] there is an entire absence of formality, the aim being to reproduce the type of cricket ground seen in a gentleman's park.... the appearance of the park demands that the turf here be maintained in first-class condition.

## 9 Stanley Park, Blackpool

ISSUE	P.	ARGUMENTS IN SUPPORT	P.	ARGUMENTS IN OPPOSITION
<b>SITE-SPECIFIC (CONTD.)</b>			33	[When not in use for cricket, the oval] would form the ideal arena for demonstrations (political and otherwise), children's treats, garden fêtes, etc. Its proximity to the lake, bandstand and main through road marks its suitability for this purpose.
	37	If additional space for playgrounds is required, it should be provided at or near the [existing]. There is economy in keeping them together, because it permits of organized oversight.		
<b>MAINTENANCE OF PLAN</b>	16	Two factors dominate the location of these recreation grounds: (1) The convenience of players (2) The cost of construction....	15	... a huge recreational centre which shall retain all the qualities of a beautiful pleasaunce.
	53	The plans show certain dominant features ... but for the rest they are in a measure indicators of the spirit in which the park is to be interpreted and developed.	15	The most important factor in the whole design is the convenient and economic development of a large number of recreational spaces, in such a manner as to suggest attractive natural playing fields set in a great natural reserve.
			15	... conscious design is the prevalent keynote.
			53	A successful park is only realized when the original designer controls the development, seizing every opportunity and turning them to good account.
<b>MITI- GATION</b>	32	... the education of the younger generation in constructive and protective habits.		
	37	[The playgrounds] are screened as much as possible from the rest of the park by closely planted trees and shrubs.		
<b>SPEED OF IMPL- MENTATION</b>	47	[Protracted construction] is not popular with the public, who mostly clamour for the completion within a few years, so that they themselves and not posterity alone may reap the benefits.	47	Laudable as [the desire for swift construction] is, it should only be encouraged when the balancing recoupment warrants an immediate and considerable outlay.
			47	Undue haste often means inferior materials, scamped work, and tardy insufficient furnishing of vegetation and architecture, creating an indefinable, but ever present, feeling of incompleteness which, subconsciously irritates and mars the full enjoyment of what should eventually be a generous prospect.

*Table 82: Relevant Views Articulated by Mawson*

Source: Mawson, 1922

## 9 Stanley Park, Blackpool

---

The Case Officer's report (subsequently endorsed by the Committee Members' decision) addressed the majority of the interests embodied by the cricket oval, albeit implicitly, and without a formal framework for the assessment of the impact upon them. The report concluded that 'concerns remain regarding the potential impact of the proposal on the heritage value of the park' (10/1151 Committee report); historic and aesthetic interest were both deemed to be adversely affected. The impact on community interest of the loss of flexibility and existing uses was not explicitly addressed in the report, but noted in responses and interviews, such as the following objection from a local resident:

*... the Park fields played a huge part in my childhood as I grew up, and [still do]. As a mother, I was able to relive those memories as my own child found the same sort of enjoyment and exercise. I wish to pass this legacy to my future grandchildren.*

Consultation response, 10/1151

Horticultural interest was indirectly addressed in a discussion of trees and park surfaces. These interests were not considered within a discussion of significance, and the impact on them not assessed from a heritage perspective.

What has the impact been in practice? Comments by stakeholders on the physical impact of the track on the park range from the very negative to the very positive. The Lancashire Gardens Trust noted that the finished track 'is ugly and incongruous, and does not integrate into the park's design' (LGT interview, 2013), and, when asked if it was as bad as had been anticipated, the Friends of Stanley Park representative stated, '[p]robably not, but I, along with many other Friends, deliberately avoid this area now' (Friends of Stanley Park interview, 2013). In contrast, the Bike Club representative advised that:

## 9 Stanley Park, Blackpool

---

*... as somebody who loves that park – even me, who wanted a BMX track in Blackpool ... I couldn't quite see how it was going to carry it off, but to me it has carried it off – it does seem to blend in with everything else.*

Bike Club interview, 2013

The impact on aesthetic interest from the interruption to long views is perhaps minimal: as anticipated in the Case Officer's report, whilst the green expanse is now interrupted, the track does not 'introduce an unacceptably incongruous and obtrusive feature within the landscape' (10/1151 Committee Report), at least from the south, as shown in Fig. 79 (although the difficulties in capturing on-site experience in photographs should be noted: the track is a little more visible than this image suggests). The grassed edges and lack of supporting infrastructure do mitigate the impact of the new landform, although, as anticipated by some respondents, consent was subsequently given for a surrounding fence (13/0007 Decision Notice).



*Fig. 79: View Towards BMX Track from South Entrance (April 2013)*

Closer to the track, though, the impact is much more pronounced, and former views across the cricket oval to the promontory and beyond (identified as

## 9 Stanley Park, Blackpool

---

important view lines in the historic environment assessment) are lost (Figs. 80a and 80b).



*Fig. 80a: 'Before': View North from Eastern Boundary of Cricket Pitch (October 2010)*

Source: Reproduced by kind permission of the Lancashire Gardens Trust



*Fig. 80b: 'After': View North from Eastern Boundary of BMX Track (April 2013)*

Other views are also adversely affected: intervisibility between the promontory and the sports pitches is now abruptly interrupted, and views across the park

## 9 Stanley Park, Blackpool

---

from the east and north are also much compromised: by way of illustration, the views westwards before and after the implementation of the BMX track are contrasted in Figs. 81a and 81b.



*Fig. 81a: 'Before': View West from Eastern Boundary of Cricket Pitch (October 2010)*

Source: Reproduced by kind permission of the Lancashire Gardens Trust



*Fig. 81b: 'After': View West from Eastern Boundary of BMX Track (April, 2013)*

## 9 Stanley Park, Blackpool

---

The disruption to the original design has adversely affected both the site’s historic interest and its aesthetic interest. Community interest has also been harmed: stakeholder interviews suggested that a valuable community space has been lost, and that the wider park is now used differently by many, due to the change in both appearance and atmosphere. Horticulturally, the site’s trees remain intact, and some of the turfed area survives. Using the ICOMOS classifications, the scale and severity of change as a result of the BMX track proposal may be characterised as ‘major change’ in respect of the cricket oval, and ‘moderate change’ for the park overall. When assessed against the value of these assets (‘medium’ for the cricket oval, and ‘high’ for the park), the overall significance of impact (again using the ICOMOS classifications) may be determined as ‘moderate/large’ for both the cricket oval and the park as a whole, as set out in Table 83 (ICOMOS, 2011, pp. 14-17).

VALUE OF HERITAGE ASSET	SCALE & SEVERITY OF CHANGE/IMPACT				
	NO CHANGE	NEGLIGIBLE CHANGE	MINOR CHANGE	MODERATE CHANGE	MAJOR CHANGE
VERY HIGH	NEUTRAL	SLIGHT	MODERATE/ LARGE	LARGE/ VERY LARGE	VERY LARGE
HIGH	NEUTRAL	SLIGHT	MODERATE/ SLIGHT	MODERATE/ LARGE	LARGE/ VERY LARGE
MEDIUM	NEUTRAL	NEUTRAL/ SLIGHT	SLIGHT	MODERATE	MODERATE/ LARGE
LOW	NEUTRAL	NEUTRAL/ SLIGHT	NEUTRAL/ SLIGHT	SLIGHT	SLIGHT/ MODERATE
NEGLIGIBLE	NEUTRAL	NEUTRAL	NEUTRAL/ SLIGHT	NEUTRAL/ SLIGHT	SLIGHT

*Table 83: Impact of BMX Track on Significance of Stanley Park*

Source: After ICOMOS, 2011

Had such an assessment been carried out during the consideration of the proposal, the relative weight assigned to heritage concerns in the Council’s decision-making process might have been increased; at the very least, it might



have enabled the impact on heritage to be assessed more fully against the other benefits and disbenefits of the proposal.

### **9.5 Analysis**

This section analyses the various aspects of the handling of the case study application by the Council, to determine the degree to which that handling relates to the models outlined in Chapters 2-5. As previously, it considers who participated, how significance was defined, the way in which the decision was made (and the influences upon it), and issues relating to the park's status as a registered site, pressure, informality, and the balance of uses.

The data sources used, as before, are application paperwork (including the information submitted in support of the application, consultation responses, and the Committee Report), the relevant policy documents, and the comments made by stakeholders in the semi-structured interviews conducted for the research.

#### ***9.5.1 The Role of the Council***

Firstly, it is important to note that for this case Blackpool Council was both the applicant (via its Leisure and Operational Services Department, responsible for Stanley Park and all leisure matters) and the determining authority (via its Planning Service, responsible for policy, conservation, and the determination of planning applications). This is permitted due to the separation of functions within the authority, and the consideration of the application in public, by a

Council committee of elected Members (in this case Blackpool Council's Development Control Committee).<sup>27</sup>

### **9.5.2 Consultation and Participation**

#### *Pre-Application Engagement*

No pre-application involvement was noted in English Heritage's submission to the planning application, but the planning application itself did note that the applicant had received guidance on 'existing proposals and potential planning issues requiring modification', and on 'information which would be required to consider the application' (planning application 10/1151).

#### *Consultation Requirements*

Procedurally, the relevant statutory consultation requirements were met in respect of the planning application for the BMX track: the park's Grade II\* registered status necessitated the consultation of both English Heritage and the Garden History Society, and, as the loss of a playing field was proposed (the cricket pitch), Sport England was also consulted, in accordance with the provisions of the *Town and Country Planning (Development Management Procedure) (England) Order 2010*. All three consultations evoked a response (the Garden History Society delegating the consultation to the Lancashire Gardens Trust), and all were objections (English Heritage's was not received in time to inform the Committee Report, and was reported in an Update Note at the meeting).

---

<sup>27</sup> It should be noted, however, that had this proposal involved the Council seeking listed building consent, or planning permission to demolish an unlisted building within a conservation area, it would have had to be referred to the Secretary of State for determination.

## 9 Stanley Park, Blackpool

---

At the time of the Committee meeting, Sport England had an outstanding objection to the loss of the cricket pitch, on the grounds that the relevant cricketing bodies had not been consulted, evidence had not been provided to demonstrate either a declining demand for cricket or a need for the BMX track, and the site selection process was poorly evidenced. Under the terms of the *Town and Country Planning (Consultation) (England) Direction 2009*, such an objection would prevent the Council from determining the application itself until the Secretary of State had been consulted and declined to call it in for his own determination (a provision not in force in respect of objections by English Heritage or the Garden History Society). In response to further evidence and a commitment by the Council to make qualitative improvements to offset the quantitative loss (specifically to upgrade and maintain the other cricket pitch, a commitment which was enshrined in a planning condition), Sport England withdrew its objection, and the Council's planning department was able to grant consent (Sport England consultation response, 10/1151).

The statutory neighbour consultation was also effective, resulting in around forty responses from members of the public (of which just over half were objections, and the remainder expressions of support), and the direct engagement of a number of specific interest groups (see Table 78, above). The detail of these objections was well summarised in the report prepared by the Case Officer for Committee, and the views which had been expressed by participants were therefore seen to be addressed in the Council's deliberations

(10/1151 Committee Report).<sup>28</sup> Two objectors opted to speak in opposition to the proposal at the Development Control Committee meeting.

A participation strategy was not developed, and minimum consultation requirements were not exceeded, but the Case Officer's engagement with respondents, and with the detail of their responses, suggests that the Case Officer was functioning as a 'mediator-facilitator' within the process.

### *Consultation Responses and Participant Profile*

Consideration of the consultation responses received within the influences on the implementation of the planning system identified in Chapter 2 (Fig. 82) reveals, once again, a strong professional influence, but also a much stronger community influence than seen in the other cases discussed, and, by virtue of the case being determined by the Development Control Committee, more political influence, too. The effectiveness and rigour of the political input was however questioned by some, with one resident remarking that the Committee process was '[c]omplete farce, absolute farce.... really the process is totally flawed. Totally flawed. It really is just a cosmetic exercise' (Local Resident interview, 2013).

---

<sup>28</sup> Expressions of support were not summarised, but analysis reveals that eight had no text, four related specifically to support for the provision of a BMX facility, and two commented more fully on wider issues.

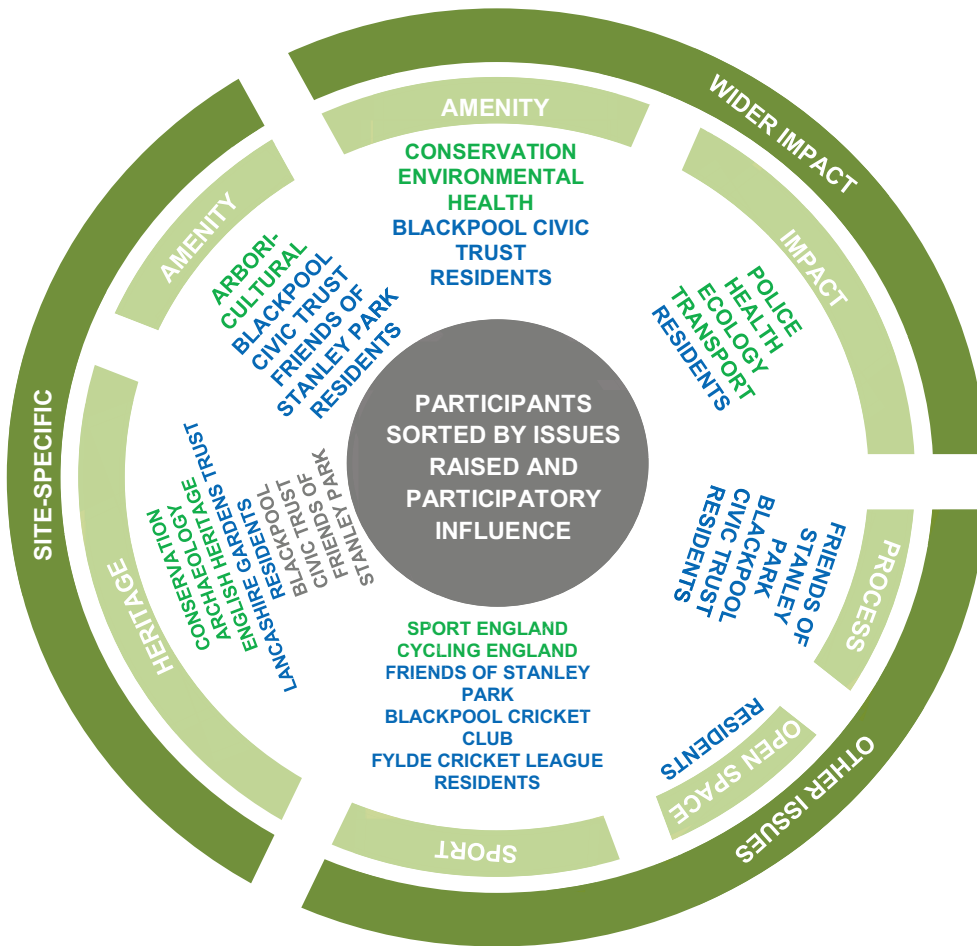
## 9 Stanley Park, Blackpool



*Fig. 82: Participants in the Decision-Making Stage, by Influence*

Considering the consultation responses received in light of the ‘customer clusters’ identified in Chapter 2 reveals that most relevant clusters participated. Internally, other Council departments and elected Members were very much part of the process. Externally, both local residents and the wider community were clearly aware and involved, along with various interest groups and agencies.

The range of issues raised by the participants in the process was extensive, and is illustrated in Fig. 83. Of particular note are the relatively limited engagement in heritage matters by local bodies which might have been expected to have more of a heritage focus, and the extent of engagement in the debate over sporting provision: this had an inevitable impact on the way in which significance – and the impact on that significance – was assessed, and by whom.



**KEY**

- Grouping of issues
- Specific issues
- ABC Professional participant raising a particular issue in consultation response
- ABC Community participant raising a particular issue in consultation response
- ABC Participant expected to raise an issue by virtue of area of interest, but not doing so

*Fig. 83: Participants in the Decision-Making Stage, by Issue Raised*

**9.5.3 Significance**

*The Concept of Significance*

References to significance were limited in the process of considering and determining the application. None of the members of the public responding to the consultation on the application articulated their comments explicitly in

## 9 Stanley Park, Blackpool

---

terms of significance, and only a minority of the professional respondents did so (Table 84).

RESPONDENT	EXPLICIT	IMPLICIT
<b>PROFESSIONAL RESPONDENTS</b>		
Archaeology	YES	YES
Bike Club	NO	YES
Conservation	NO	YES
Ecology	NO	YES
English Heritage	YES	YES
Environmental Health	NO	YES
Lancashire Constabulary	NO	YES
NHS Blackpool	NO	YES
Sport England	NO	YES
Transport	NO	NO
Trees	NO	YES
<b>COMMUNITY RESPONDENTS</b>		
Blackpool Civic Trust	NO	YES
Blackpool Cricket Club	NO	YES
Friends of Stanley Park	NO	YES
Fylde Cricket League	NO	YES
Lancashire Gardens Trust	NO	YES
Residents	NO	YES

*Table 84: Articulation of Significance by Consultees*

Explicit references to interests were also limited in the consultation responses (Table 85). No community groups used the terms adopted in PPS5, although all raised interests implicitly, and only two of the professional respondents (the County Council’s Archaeology representative, and English Heritage) used PPS5 terminology in articulating their comments (consultation responses, 10/1151). Implicit references to at least one interest were made by all respondents, however, with community interest being the most frequently referred to. No respondents identified archaeological interest.

## 9 Stanley Park, Blackpool

RESPONDENT	ARTICULATION		INTERESTS & ISSUES					
	EXPLICIT	IMPLICIT	AESTHETIC	ARCHAEOLOGICAL	COMMUNITY	HISTORIC	HORTICULTURAL	OTHER
<b>PROFESSIONAL RESPONDENTS</b>								
Archaeology	YES	YES	✓			✓		
Bike Club	NO	YES			✓			
Conservation	NO	YES	✓		✓	✓		✓
Ecology	NO	YES					✓	
English Heritage	YES	YES	✓		✓	✓		
Environmental Health	NO	YES	✓					✓
Lancashire Constabulary	NO	YES			✓			
NHS Blackpool	NO	YES			✓			
Sport England	NO	YES			✓			
Transport	NO	NO						✓
Trees	NO	YES					✓	
<b>COMMUNITY RESPONDENTS</b>								
Blackpool Civic Trust	NO	YES	✓					✓
Blackpool Cricket Club	NO	YES			✓			
Friends of Stanley Park	NO	YES			✓			✓
Fylde Cricket League	NO	YES			✓			
Lancashire Gardens Trust	NO	YES	✓		✓	✓	✓	✓
Residents	NO	YES	✓		✓	✓	✓	✓

*Table 85: Interests Raised by Consultees*

This overall emphasis on implicit references to the significance of the park was subsequently explained by the Conservation Officer as being ‘because it’s one of those things that’s just understood.... everyone understands that it is enormously significant’ (Conservation Officer interview, 2013).

### *Definition of Significance*

PPS5 is only mentioned in passing in the Committee Report, and not otherwise referred to explicitly. Given the changes in national policy that it represented,



and the lack of any equivalent policy in the (older) development plan, this was an important omission.

In accordance with Policy HE6 of PPS5, the Council did require the applicant to ‘provide a description of the significance of the heritage assets affected and the contribution of their setting to that significance’ (DCLG, 2010a, p. 6), in the form of the report by Janette Ray Associates (2010). The report concluded that ‘[t]he Oval should not be selected as the site for a BMX facility in the park as [it] is an irreplaceable element of the naturalistic environment of the park’ (*ibid.*, p. 15).

A *Design and Access Statement* (DAS) was submitted with the planning application, but this failed fully to assess the impact of the proposal on the historic environment as required, or even accurately to reflect the content of the Janette Ray Associates report. By way of illustration, the full extent of its reference to that report was as follows:

*An impact assessment of the track has been carried out and a statement has been prepared to satisfy the requirements of PPS5 Planning for the Historic Environment. This report considers the heritage of Stanley Park and the impact of the proposed BMX Track.*

Capital Projects & Regeneration, 2010, n. pag.

Given the existing concerns about the impact of the proposal on the historic environment, this failure is significant. The overall focus of the DAS was advocacy for the cycling proposal (some of it lacking in evidence and aspirational, as noted in the Janette Ray Associates report), and the availability of the funding was acknowledged as a key driver for the proposal:

## 9 Stanley Park, Blackpool

---

*Funding is only available until March 2011, however there is a pressing need to develop cycling facilities for young people in Blackpool, and a short time scale for proceeding on this facility is recommended.*

*Ibid.*

An assessment of alternative sites was briefly referred to: eleven sites were listed, and the report then advised that '[t]he option appraisal concluded that the Stanley Park area would provide the most beneficial site, and locations within Stanley Park were further considered in more detail' (*ibid.*). No further information was provided as to the site selection criteria, evidence, or decision-making process. The five sites then examined within or adjoining Stanley Park are listed in Table 86. No selection criteria were defined other than 'strengths' and 'weaknesses', and these were inconsistently defined and applied: for example, one of the cited weaknesses of the Trim Trail site was the fact that tree screening was required, whereas the ability to provide tree screening at the Cricket Oval site was deemed a strength; the weaknesses listed for the East and South Park Drive sites applied equally to the Cricket Oval site, and the Cricket Oval strengths largely applied to the East and South Park Drive sites. The overall impression is of a *post hoc* rationalisation rather than a rigorous and defensible site selection process which has taken all salient facts into account, particularly as the new site was the subject of a planning application submitted within a fortnight of the Committee meeting where the first site had been considered.

## 9 Stanley Park, Blackpool

SITE	STRENGTHS	WEAKNESSES
<b>TRIM TRAIL AREA</b>	<ul style="list-style-type: none"> <li>• Space</li> </ul>	<ul style="list-style-type: none"> <li>• No room for expansion</li> <li>• Tree loss</li> <li>• Screening required</li> <li>• Drainage required</li> <li>• Eyesore in view of gardens</li> </ul>
<b>CRICKET OVAL</b>	<ul style="list-style-type: none"> <li>• Space</li> <li>• Surroundings sufficient for event accommodation</li> <li>• Well drained</li> <li>• Level</li> <li>• Screening possible</li> <li>• Proximity to arena facilities</li> <li>• Adjoins BMX freestyle area</li> <li>• Still a spare cricket pitch</li> </ul>	<ul style="list-style-type: none"> <li>• Spare pitch upgrade needed</li> </ul>
<b>EAST PARK DRIVE</b>	<ul style="list-style-type: none"> <li>• Space</li> </ul>	<ul style="list-style-type: none"> <li>• Opposition by residents</li> <li>• Visually prominent</li> <li>• Arena facilities distant</li> </ul>
<b>SOUTH PARK DRIVE</b>	<ul style="list-style-type: none"> <li>• Space</li> <li>• Level ground</li> <li>• Good external access</li> <li>• Bounded by sports fields</li> </ul>	<ul style="list-style-type: none"> <li>• Opposition by residents</li> <li>• Distance from sports arena facilities</li> </ul>
<b>LAWSON'S FIELD (OPPOSITE PARK)</b>	<ul style="list-style-type: none"> <li>• Unused</li> <li>• Space</li> </ul>	<ul style="list-style-type: none"> <li>• Road between site/park</li> <li>• Unable to host big events</li> </ul>

*Table 86: Applicant's Stanley Park Site Assessment*

Source: Capital Projects & Regeneration, 2010

PPS5 also required that local planning authorities 'should not validate applications where the extent of the impact of the proposal on the significance of any heritage assets affected cannot adequately be understood from the application and supporting documents' (DCLG, 2010a, p. 6): despite the concerns raised by the Case Officer over the initial application, the second application was still validated in September 2010, apparently ahead of receipt of the Janette Ray Associates report (dated October 2010).

Policy HE7 of PPS5 required the local planning authority itself to 'identify and assess the particular significance of any element of the historic environment that may be affected by the relevant proposal', and the impact of the proposal upon that significance, 'to avoid or minimise conflict between the heritage

asset's conservation and any aspect of the proposals' (DCLG, 2010a, pp. 6-7). The Janette Ray Associates report was the only work done in this regard, and its recommendation was dismissed as impractical; significance itself was not debated in the Committee Report, nor conflict avoidance. The 'historic and aesthetic value' of the park was referred to briefly, but no other interests or values were referred to explicitly, although issues of amenity, recreation, horticulture and community were discussed (10/1151 Committee Report). The Committee Report relied on the Janette Ray Associates report for an assessment of the historic environment and the impact upon it.

That report itself drew on desk and field surveys; these were necessarily brief, given the timescales for the work, but adequate. Whilst not referring directly to particular interests or values (other than the historic), the report showed a strong understanding of the nature of the significance of both the site and the park, and the features within which it is embodied. It concluded that:

*The association with Thomas Mawson & Sons and the very carefully considered layout of the park, most of the structure that survives today, is the basis for the historical and design significance of the park.... Mawson is arguably the greatest of the early 20<sup>th</sup> century park designers which makes the park a heritage asset worthy of conservation.... Within the park, the form of the [cricket oval] is an exceptional survival from the original design. It is a key visual link between the southern edge of the lake and the more expansive playing fields in the southern sector of the park. The views into the oval from the heart of the park and from the two pedestrian entrances on the east side of the park are also very important in visually connecting the various parks of the park. The Oval furthermore forms part of the naturalistic designed area of the park which stretches the whole length of the east side of the park encompassing the golf course, lake, and the playing fields at the southern tip of the park.*

Janette Ray Associates, 2010, p. 12

An understanding of the relative significance of park features was also implicit in the conclusion that a BMX track would be ‘best located on the west side of the park’ (*ibid.*, p. 16). Overall, whilst a more detailed assessment would have been desirable, the report served as an adequate statement of significance, containing the requisite background, definition of significance, site description and chronology, and some supporting information.

It also started to apply an assessment of significance, and thereby contributed more proactively to decision making: the report related the defined significance to the BMX track proposal, and made a number of recommendations, notable amongst which is the statement that the cricket oval should not be the location of the proposed BMX track.

Policy HE7 also required local planning authorities to ‘take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment’ with particular reference to issues of design (DCLG, 2010a, p. 7). The potential for a positive contribution was not assessed, but mitigation – in the form of grassed slopes and tree planting – was carefully considered.

Overall, the policy requirements set out in PPS5 were not wholly adhered to, although the impact of the proposal on the historic environment was considered.

### *Comparison with the Proposed Method for Defining Significance*

The only work of any substance undertaken to define significance was set out in the report by Janette Ray Associates. This did follow elements of the

method proposed in Chapter 5, notably in its desk survey (in which a range of sources was consulted), its field survey, and its consideration of the proposal against the requirements of PPS5 (albeit without using PPS5 terminology in relation to the definition of interests). The report was then utilised in the wider decision-making process, but not given great weight.

### **9.5.4 Decision-Making**

#### *Policy Influences on Decision-Making*

With regard to the relevant requirements of PPS5, the Janette Ray Associates report provided a brief outline of the significance of the site, and the park's overall Grade II\* designation provided an indicator of quality, but the presumption in favour of conservation in Policy HE9 was not explicitly debated or applied in the consideration of this application, and nor was the harm to the heritage asset assessed, or a 'clear and convincing justification' provided in respect of that harm. Given that the test for Grade II\* parks and gardens is that 'substantial harm ... should be wholly exceptional', for which consent should be refused unless one of a number of special circumstances applies, this was another important omission (DCLG, 2010a, p. 8). Even if the harm was deemed 'less than substantial' (which was not what the assessment undertaken for this research concluded), PPS5 provided clear tests to be satisfied before approval could be granted, as well as guidance on how to regard the cricket oval as an element within a conservation area (*ibid.*, pp. 8-9).

Not all development plan policies of relevance to the proposal were addressed in the Committee Report (Table 87). Despite identifying views of 'features and

## 9 Stanley Park, Blackpool

---

buildings ... into and within Conservation Areas’ as being of strategic importance, the protection of which warrants the refusal of planning applications (Blackpool Council, 2006, p. 54), Policy LQ7 was omitted, and, although Policy BH7 addresses similar issues to those raised in the Sport England objection, it too was not referred to in the report. The other policies were referred to, but the assessment of the proposal’s compliance with them was largely left to a conclusion after a discussion of related issues, rather than an integral part of the analysis. Conservation area status was only addressed with reference to Policy LQ10.

POLICY	COVERAGE	CONSIDERED IN REPORT?
<b>LQ1</b>	Lifting the Quality of Design	YES
<b>LQ2</b>	Site Context	YES
<b>LQ6</b>	Landscape Design and Biodiversity	YES
<b>LQ7</b>	Strategic Views	NO
<b>LQ10</b>	Conservation Areas	YES
<b>BH3</b>	Residential and Visitor Amenity	YES
<b>BH5</b>	Protection of Public Open Space	YES
<b>BH7</b>	Playing Fields and Sports Grounds	NO
<b>AS1</b>	General Development Requirements	YES

*Table 87: Consideration of Relevant Development Plan Policies*

Source: Blackpool Council, 2006; 10/1151 Committee Report

Overall, the report appears to be structured primarily to address the objections raised (and it does this thoroughly), rather than working systematically through the relevant policy issues. Nevertheless, the reason for the recommended decision given in the Committee Report was that ‘[t]he BMX track proposed has been considered in relation to [the Local Plan policies cited above] and is in accordance with those policies and there are no other material considerations which weigh sufficiently against the proposal such as to warrant refusal’ (10/1151 Committee Report).

## 9 Stanley Park, Blackpool

---

### *Weighing of Factors*

The Committee Report opened with an explanation of the withdrawal of the previous application, based on concerns about its impact on the historic and aesthetic qualities of the site: this suggests a certain prominence to heritage issues in the ensuing debate which was not fulfilled in practice (Table 88). The ‘main planning issues’ were listed, and did not include heritage concerns; the subheadings used subsequently to structure the report did however include ‘impact on heritage’ (*ibid.*).

ISSUES USED TO STRUCTURE THE ASSESSMENT	CONCLUSION REACHED
<b>The principle of the development in Stanley Park</b>	Acceptable in principle
<b>Impact on amenity</b>	No conflict with Policy BH3
<b>Visual Impact and adequacy of design</b>	Acceptable
<b>Impact on traffic and highway safety</b>	Existing parking provision adequate No detrimental impact on highway safety
<b>Loss of facilities</b>	No conflict with Policy BH5
The acceptability of the proposed site	Most appropriate of the sites currently or imminently available
Impact on heritage	No conflict with Policy LQ10
Environmental Impact	No loss of trees or habitat, or impact on biodiversity
On-going maintenance	No future maintenance issue anticipated
Lack of facilities for spectators and riders	Existing facilities sufficient
Information submitted	All necessary information provided or in process of being submitted; clear and satisfactory
Consultation	Statutory consultation requirements discharged
Other	Current proposal must be assessed Track available for all to use Track use to be monitored

*Table 88: Issues Used to Structure the Planning Assessment  
(‘main planning issues’ shown in bold)*

The discussion relating to the impact on heritage accurately relayed the key findings of the Janette Ray Associates report, including its final



## 9 Stanley Park, Blackpool

---

recommendation. This was then considered against some of the comments made by the Council's professional conservation adviser. The adviser's acceptance of the main points and agreement that the cricket oval site was 'not ideal' were not referred to in the Committee Report, but the overall conclusions were, namely 'reservations about the practicality of implementing its recommendations', and a recommendation to:

*... accept the compromise offered by the southern side of the Cricket/Athletics oval which is a balance between locating the track on the Trim Trail at the heart of the formal landscaping and placing it on the residential south-western edge of the park where objections would be even greater.*

Conservation Officer consultation response, 10/1151

Without any further analysis, the overall conclusion on heritage impact reached in this section of the report was that the proposal 'would not conflict with the provisions of Policy LQ10' (10/1151 Committee Report), i.e. the policy relating to new development in conservation areas: this policy's requirements for development to preserve or enhance character and appearance, and retain 'trees and other landscape features contributing to the character and appearance' had not otherwise been explored in this assessment (Blackpool Council, 2006, p. 57). Thus, although the main discussion of heritage issues had involved a reference to concerns, the decision was made primarily on the basis of practical considerations and one element of the relevant policy.

Given that the report as a whole addressed each identified issue in turn, concluding on that issue at the end of each section, the dismissal of heritage concerns *within* a section could be seen to undermine its status in the overall debate: they did not survive intact as an issue to be clearly weighed against

## 9 Stanley Park, Blackpool

---

other relevant matters in the wider report. As all other concerns were also dismissed in the course of the report, the outcome was perhaps inevitable.

Surprisingly, though, heritage was again a prominent issue in the report's conclusion, the point at which all the issues could have been weighed against each other. The conclusion did not seek to balance the various issues, however, but merely repeated the debate from the 'impact on heritage' section, which appears to have determined the overall outcome:

*By virtue of its central location and its historical development as a hub for sporting and recreational activities, Stanley Park is considered to be the most appropriate location for the siting of a national standard BMX track within Blackpool. Within Stanley Park, the existing cricket oval is considered to be the most appropriate of the sites currently or imminently available to accommodate the proposed track. Although concerns remain regarding the potential impact of the proposal on the heritage value of the park, this site is considered to be far less sensitive than that previously proposed. The heritage concerns have also been balanced against the potential impacts on residential amenity which would arise from the use of sites in more peripheral areas. As the proposed track would not involve the demolition of any structures or the loss of trees, and would not require particularly invasive or extensive foundations, the works are not considered to be irreversible.*

10/1151 Committee Report

Thus heritage remained a high profile issue, but was not weighted as such in the final deliberations. Heritage was effectively 'scored' negatively, against which the very positive case assumed for the BMX track was able easily to prevail.

In addition, the heritage case was considered in light of strong amenity concerns. Table 89 lists the seven most frequently-raised issues in these objections, using the categories identified by the Case Officer in the Committee Report, and shows that, though heritage was important, issues

## 9 Stanley Park, Blackpool

---

associated with residential amenity dominated community representations, along with concern at the loss of facilities.

RANKING	CATEGORY	ISSUE
1	RESIDENTIAL AMENITY	Noise
2=	RESIDENTIAL AMENITY	Lack of parking
2=	VISUAL AMENITY	Park aesthetics
4	LOSS OF FACILITIES	Cricket
5=	HERITAGE	Impact on heritage value of park
5=	RESIDENTIAL AMENITY	Extra traffic and congestion
5=	LOSS OF FACILITIES	Open space

*Table 89: Issues Raised Most Frequently in Residents' Responses*

Source: 10/1151 Consultation Responses

### *Overview of the Decision-Making Process*

As in the other cases discussed, the Case Officer opted not to exceed statutory consultation requirements, and significance was once again defined by professionals in this case. Significance was addressed, and was a 'decision within a decision', but was not a high profile issue in the overall decision-making process. Some discretion was exercised with regard to policy, albeit in a tendency to refer only lightly to policy issues.

The Case Officer's approach may be characterised as pragmatist. Once again, the more communicative elements of pragmatism were less in evidence, but care was taken to ensure all views received were articulated and considered. The consideration of the case was context-specific, although the historic context arguably had less weight in the process than the wider social and economic context to the scheme. The consideration of the evidence and the stakeholder engagement denotes a rational bias in the decision-making process, but, although professional influence was pervasive, community and

political influences also had a high profile in this case. The influences on the decision-making process in this case are illustrated in Fig. 84.

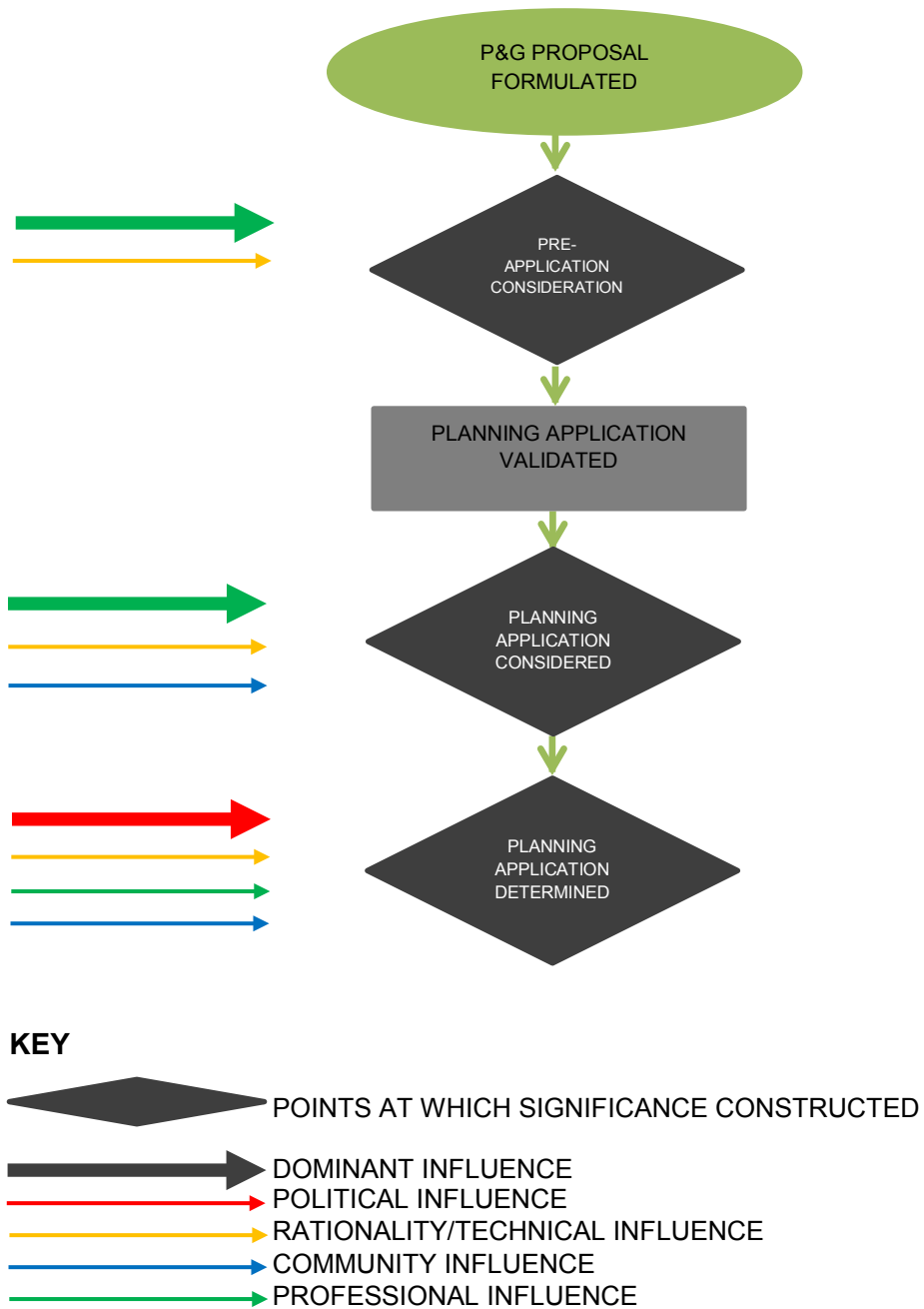


Fig. 84: Influences on the Decision-Making Process

### 9.5.5 Other Issues

A number of other issues emerged from the analysis, some relating to the Council's roles as applicant and decision-maker (pressure, and informality),

some to the suitable balance of uses in the park, and some to the relative status of the registered area.

### *Pressure*

Pressure can be seen to have manifested itself in a number of ways throughout this project:

#### *i) Funding*

The existence of available funding was seen by some as a driver even for the inception of the project (although others identified it as a response to real need in the area), with a perception that those acting for the Council were ‘looking over their shoulder at the budget bit, where could they get grants from, and then being persuaded to some extent by that – over-persuaded I think, in a sense....’ (Local Resident interview, 2013).

The funding was also severely time-limited, and this created a particular pressure which informed much of the ensuing process: ‘There [are] no two ways about it. It was rushed’ (Bike Club interview, 2013). Inexperience with the planning process meant that Leisure only involved Planning colleagues ‘when a scheme became feasible, though this was quite late in the development process because the scheme moved rapidly from concept to detail and the Council wished to realise the delivery quickly’ (Agent interview, 2013). The Planning perspective on this was that:

*I think if one Council department gets the funding for something, they then start running with it, and there’s a bit of trepidation that ‘if we consult people, maybe we’ll have to stop’, and panic sets in, and I think they perhaps went a little*

*bit too far along the line with it without consulting us. We put the brakes on, as Planning are always blamed for doing!*

Case Officer interview, 2013

This combination of speed and inexperience had an impact on the submission of the requisite technical information, which was ‘very much evolving as the application was live’, as ‘they hadn’t understood what they needed to put forward as part of the planning application’ (*ibid.*).

### *ii) Corporate Agenda*

The project was described by the then Cabinet Member for Culture and Communities as ‘a corporate ambition shared by the NHS’ (Cabinet Member interview, 2013). There did seem to be general corporate support, albeit whilst observing the appropriate professional division of responsibilities, and, for the second application at least, this support appeared to be genuinely shared, rather than the result of inter-departmental pressure:

*I think [the first application] was a steamroller in the wrong location, but I don’t think – if there had been that much pressure to get it through, [the first application] would have gone through rather than [the second]. So there was a pressure to try and support it, but not so much that we couldn’t get it right, or as right as it could be for something that I think everyone did want.*

Case Officer interview, 2013

### *iii) External Perceptions*

Externally, the ambition was seen to be more forcefully imposed, and less corporate in origin. Comments on the inevitability of the BMX track included the statement that ‘[Our Chairman] was warning us that this BMX track was likely to go ahead.... this is what the Council wanted to do’ (Friends of Stanley Park interview, 2013). The project’s origins were identified very

## 9 Stanley Park, Blackpool

---

strongly with the Leisure department by a number of external participants, and particularly with that department's 'Sports Village' concept for the park, in which heritage and sports facilities are apparently to be balanced:

*... it was the right thing to spend the heritage money on the rose gardens and Cocker Clock and all those things. It's also been [right] to spend [money] on leisure provision and trying to encourage greater physical activity and opportunities for children and young people. We're also not finished with Stanley Park, because we also want Stanley Park to be a major outdoor pursuit centre.*

Applicant interview, 2013

The 'Sports Village' concept is itself seen as a pressure, as this desire for more facilities to supplement those already in place is widely known, and regarded by some as ill-conceived and lacking in transparency in its implementation:

*It's by stealth. It's all done by stealth. And if you look in the park and you actually look round, for example, the grass court tennis playing areas, there must be, what, a dozen or so? They're vastly unused. There's not been a step back in terms of where the right facilities should be situated, given even the fact that – forgetting the BMX track – there is a lack of vision in the planning, it seems to be a fragmented ad hoc approach to 'OK, let's do this, let's have the skate park in there, oh, let's have the BMX track'.*

Local Resident interview, 2013

### *Informality*

Some of the omissions in the Committee Report are in part explained by the way in which the application was handled internally, and the way in which those involved in the case understood the site and the issues.

With regard to deliberations on matters of policy, the Case Officer advised that 'there was quite a lot of discussion' before and after the applications had been submitted, 'so maybe there was enough informal understanding that [the deliberations] didn't actually get documented' (Case Officer interview, 2013).

## 9 Stanley Park, Blackpool

---

In relation to a subsequent application (for a fence to surround the Stanley Park BMX track, a further development that had been anticipated by a number of objectors to the original scheme), the Case Officer noted that:

*... there's been no discussion of 'you have to do it because it says so in the NPPF' – it's more been a case of 'I'll get on the phone and give you a bit of earache until you agree'. It's all friendly earache.*

*Ibid.*

This tacit handling of policy matters does not translate well to formal reports, but does denote a strong informal network within the Council, used both to prompt the required actions in respect of a scheme ('It is very much informal emails flying around' (*ibid.*)) and to support colleagues in undertaking those actions, or 'trying to walk them through the process' (*ibid.*).

This informal network also extended beyond the Council, with strong linkages between the Blackpool Civic Trust and the Friends of Stanley Park, which had the same Chairman at the time of the application, who was 'extremely proactive' in engaging directly with the Council (Friends of Stanley Park interview, 2013).

Returning briefly to the issue of the Council's corporate operation, the whole environment was described as 'a good working environment....' (Case Officer interview, 2013). Irrespective of the atmosphere internally, due process was followed: in response to a suggestion that perhaps such a good relationship might lead the Planning department to trust statements by their Leisure colleagues, rather than requiring evidence, the answer was an emphatic '[n]o, I think we wanted to see evidence!' (*ibid.*), whilst the Conservation Officer



noted that '[w]e've got a very good dialogue with planners', but also that '[t]hey don't always do what we want' (Conservation Officer interview, 2013).

### *Balance of Uses in a Multipurpose Space*

The stakeholder commentary on the application reveals a wide range of perceived roles for the park. Often these roles were understood by participants to be in conflict, and effectively dichotomised in representations as 'active' sport versus 'passive' recreation, sport versus sport (BMX versus cricket), free versus paid spaces, and sport versus heritage, the latter summarised as 'we are a great Grade II listed [*sic*] park, we are not a Grade II listed sports complex' (Friends of Stanley Park interview, 2013).

The resulting tensions between these competing uses appear to have served as influences on the substantive frames which stakeholders brought to the debate on the BMX track proposal, particularly in determining which features in the park were regarded by each stakeholder as the most important (these were supplemented in some cases by process frames, reflecting concerns about the way in which the decision was being made, and the likelihood of the Council refusing its own proposal).

At a more fundamental level, participants demonstrated an understanding that a range of uses in a park was entirely appropriate. The Applicant's agent noted that:

*... a successful park does need to offer different values to different people and should be capable of balancing those needs. There is a place to enjoy ornate gardens, for families to enjoy play activity and for more strenuous sporting activities.*

Agent interview, 2013

## 9 Stanley Park, Blackpool

---

The Park Manager advised that ‘my job is to look at the park in its entirety, and ensure that everything is balanced and even’ (Park Manager interview, 2013), and the Blackpool Civic Trust observed that:

*... on the park there are already a lot of sporting activities.... That brings the park alive, and we're not objecting to activity that is already there... people come and play here, whether it's on the sports activities or in the playground, but there are other parts of the park that we wanted to keep as quiet areas, for people to walk around, and enjoy, enjoy the original plans of the park, and everything that it has to offer.*

Blackpool Civic Trust interview, 2013

In fact, it was a concern at a shift in the *balance* of these uses that appeared to underpin otherwise single-issue objections, and this concern was raised by a number of interviewees. A local resident stated that the BMX track ‘really tips the balance drastically ... and once you lose the balance in terms of a park then I think you're down a slippery slope’ (Local Resident interview, 2013). Thus the various uses in the park were not themselves regarded as an issue, but rather their relationship to each other, and the overall ambience and appearance of the park. This further suggests that the BMX track itself, had it been proposed in a less sensitive location, and not as the latest in a series of sports developments (themselves replacing other uses or features as well as changing the atmosphere of the park), would have received wider support. As noted by Conway and Lambert, ‘[t]he emphasis on sports provision in urban parks has profound implications for the general park user’ (1993, p. 20); they further advised that:

*A particularly difficult form of development threat is that posed by leisure development proposals; difficult first because leisure use can appear to be compatible with the function of a park, second because the proposals are often put forward by the local authority itself. While some parks can indeed*

## 9 Stanley Park, Blackpool

---

*accommodate new buildings, often the proposals are on a scale which would harm the character and the open space of the site.*  
*Ibid.*, p. 10

Overall, the right balance between elements may be seen as a key contributor to a park's significance, as expressed by the Park Manager in relation to Stanley Park:

*The heritage is not just all the beautiful architecture, all the natural features; it's about how a place feels, how it's remaining true to design concepts, it's about retaining the feel and the integrity of the park, and the way it links, and the way people use it; then the community heritage, the wildlife – there's so many different aspects of it.*

Park Manager interview, 2013

### *Registered Status*

The formal status of the Grade II\* registered park (and conservation area) was widely misunderstood. Representations on the planning application variously referred to it being a 'grade II listed park for recreation', a 'designated conservation area ... meant to be a place of peace and quiet that can be enjoyed by all', and 'surely some sort of National Heritage site' not intended for 'this kind of complex' (consultation responses, 10/1151). As already noted, the heritage elements were seen by stakeholders primarily to be the formal aspects of the park. The park was generally referred to as a 'Grade II listed park' by interviewees.

Some of those who well understood the registered status of the park expressed concern at the effectiveness of the designation. A local resident asked if the registered status actually meant anything: '[i]f it does, where's the teeth of English Heritage ... what's their role?' (Local Resident interview, 2013). The Lancashire Gardens Trust stated that:

*The Register Grade II\* status has great importance for us. We find that most Core Strategies/Local Plans promise to take care of Listed Buildings and Registered Parks and Gardens, but in practice the lack of statutory protection for the latter means that Local Authorities will build on them if they wish.*

LGT interview, 2013

Overall, the profile of the designation was low. The disparate reasons understood to be behind the park's 'listed status' potentially prevented a stronger and more unified articulation of heritage concerns which might have offset amenity concerns in the Council's deliberations, although probably not the prevailing sport and regeneration-themed discourse. This case suggests that some parts of the community may have been disenfranchised to a greater or lesser degree by a limited relevant vocabulary.

Expectations of the designation – informed by experience – were also low, and suggest an appetite for greater controls (in this reflecting the findings of the LPA questionnaire survey carried out for this research). They also suggest a desire for a champion on heritage matters, perhaps in recognition of the technical nature of some of the issues, and the disenfranchising discourse referred to above.

### **9.6 Conclusions**

Analysis of the Stanley Park case has confirmed that, once again, significance was not well understood in planning practice. It was not defined by the Council, primarily as a result of a lack of familiarity with the policy, and of an apparent preoccupation with the wider planning issues raised. Nor was significance thoroughly or explicitly defined by other parties, although English Heritage and the Council's consultant did touch on it in their submissions.

## 9 Stanley Park, Blackpool

---

There was instead a tacit understanding of significance by a wide range of participants, including community respondents who instinctively understood key concepts such as the balancing of heritage and community interests, and of one type of community interest with another. This implicit understanding was not fully articulated, however, and the Council's limited engagement with significance-based policy meant that any such partial articulation was not understood to be a definition of significance. As a result, significance was neglected in decision-making, and heritage issues not enabled to be weighed appropriately against other planning factors such as amenity and sports provision (itself a source of dissent, due to the displacement of one sporting activity with another).

The decision taken – when compared against that generated using the method proposed in this research – may be regarded as the 'wrong' one: careful analysis suggests that a BMX track could have been accommodated within Stanley Park, but that the location in which it was ultimately built was not optimal, and has had a negative impact on significance, including the very qualities of 'open space, scenery and peacefulness' which had previously been identified as the key attractions of the park (Blackpool Council, 2001, p. 136). In this case, the planning system – the only mechanism which had the potential to bring heritage issues forcefully into the Council's decision-making processes – was not used to protect the significance of a historic park.

All of which suggests, again, that the provision of guidance would enable both professionals and members of the community to engage more fully with the definition of significance, and to give heritage matters a higher profile in

subsequent decision-making. If significance had been more widely understood in this case, as well as the importance of defining it (rather than relying on an assumption that it was known and appreciated), it could have been considered on an appropriate footing against the other relevant planning issues of the case. As it was, the ‘decision within a decision’ on heritage matters was made without the necessary evidence and weight, and the resulting decision was made more on the grounds of perceived need (both sporting and economic) and a desire to avoid an impact on residential amenity. Any future decisions might still prioritise sport over heritage, but, if carried out under the auspices of significance-based policy, would do so consciously, deliberately, and – given the concerns expressed by participants about process in this case – transparently.

The next chapter reflects on the issues raised by all three case studies, and discusses the research findings.

### CHAPTER 10: DISCUSSION OF FINDINGS

The apparent strength of conservation today is also a danger that leads to complacency.

*Baxter, 2000, p. 6*

#### 10.1 Introduction

This chapter introduces the final, review phase of the research. It presents the key findings from the empirical research undertaken, with particular reference to the questionnaire survey (Appendix X) and the case studies (the evidence from which is discussed in Chapters 7-9, and also summarised and compared in Appendix XVII). The findings are related to the theories discussed earlier in the research (Chapters 2-5), and particularly those regarding the typology of interests of relevance to historic parks and gardens, the definition of significance, the effectiveness of planning tools, and the decision-making process; those theories are then confirmed or amended as appropriate.

#### 10.2 Key Research Findings

##### *10.2.1 The Profile of Historic Parks and Gardens*

The research confirms that the ‘registered park or garden’ designation is not universally visible or understood. Amongst local authorities, there is some uncertainty as to the existence of registered sites within their administrative areas, with a small minority of respondents to the questionnaire survey believing incorrectly that they had none, and around a fifth unable to provide the precise number of registered sites in their areas (most of these

## 10 Discussion of Findings

---

underestimating the total): these findings suggest an initial obstacle to the implementation of informed conservation (Section 10.2.3).

The case studies further confirm some uncertainty amongst stakeholders (both professional and community) as to the existence of the designation, its purpose, and the grade of the registered site under consideration; in contrast, the ‘listed building’ and ‘conservation area’ designations are widely understood. The disparity in the relative weight given to listed buildings and conservation areas, and to registered parks and gardens, is further apparent in the technical information submitted in support of the case study applications. Listed buildings and conservation areas were consistently referred to and the impact upon them assessed, whilst registered parks and gardens were often overlooked. The way in which the information on the former was presented and assessed suggests that the stronger statutory powers relating to listed buildings and conservation areas make them more visible as designations, and more important to consider in the decision-making process: the lack of such powers for historic parks and gardens undermines the message of parity between designated assets provided by national policy.

### *10.2.2 Typology of Interests*

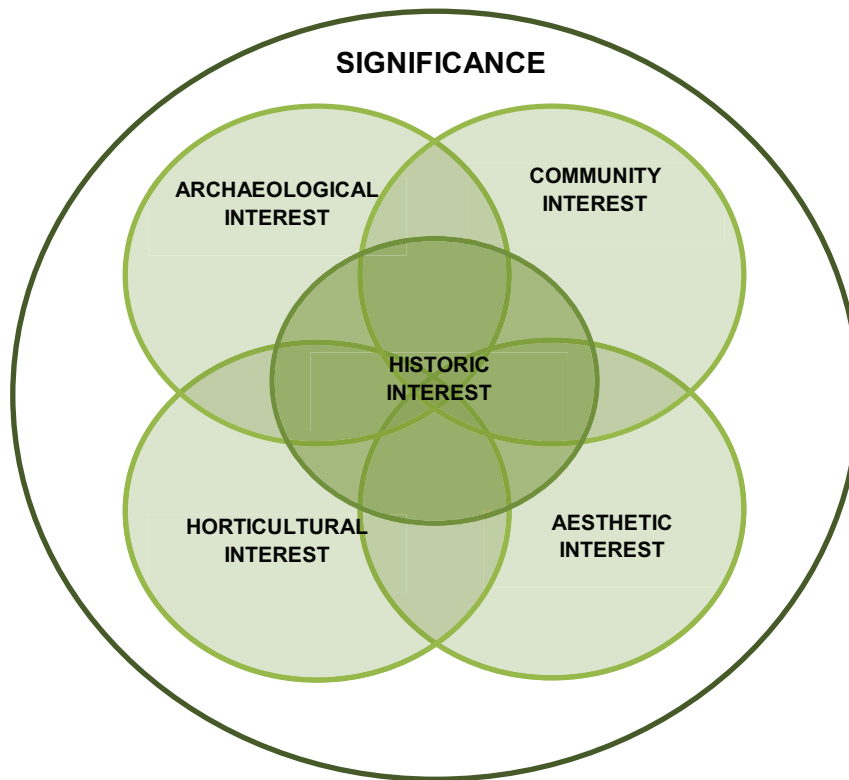
The typology of interests proposed in this research to support the definition of the significance of historic parks and gardens (discussed in Chapter 4, and illustrated in Fig. 85, below) is strongly founded in the literature, and in empirical work on the origins of the desire – and tools – to protect such historic assets. The further empirical work undertaken as part of the case studies suggests that this typology (both primary and constituent interests)



## 10 Discussion of Findings

---

relates well to the interests embodied in historic parks and gardens, and understood to be so embodied by stakeholders.



*Fig. 85: Typology of Interests for Parks and Gardens*

The range of interests raised by participants in the cases studied accords well with the typology, and no new interests emerged, suggesting that a further extension of the typology is not necessary. Although the overall articulation of significance in each case was itself limited in both scope and participants, the implicit acknowledgement of interests, particularly, was sufficiently broad in its coverage to alleviate concerns that a more extensive and inclusive attempt to define significance would yield the identification of further relevant interests for inclusion in the typology.

Consideration was given to the merits of reclassifying recreational interest as a primary rather than a constituent interest, due to the prominence of

## 10 Discussion of Findings

---

issues associated with it in the case studies, and a concern that the ‘weight’ given to this issue might have been unfairly minimised in the overall classification. In light of the strong linkages between community and recreational interest, and the clarity deriving from keeping the range of primary interests small and each with a clear individual identity, it was concluded that the existing classification remained appropriate. Both the breadth of coverage within each primary interest, and the clear distinctions between them, serve to ensure that interests can be weighted with some sensitivity within determinations of significance on a case-by-case basis.

Given the degree to which both the NPPF and English Heritage typologies of interest and value are used (discussed further in Section 10.2.8), and the low overall levels of reference to significance and interests (discussed in Sections 10.2.9 and 10.2.10), the proposal of a further typology would be unhelpful. The typology of interests proposed in this research is however strongly associated with that in the NPPF, and represents more of a variation to the existing than a wholly new typology (the innovation being in the addition of an interest, the articulation of the constituent interests, and the confirmation of the revised typology’s applicability to historic parks and gardens).

In addition to the benefits of simplicity and clarity for practitioners, the broad adherence to the NPPF typology gives greater policy weight to the proposed typology. As discussed in Chapter 4, the terms proposed for the primary interests all appear within the definitions of the NPPF interests, with the exception of horticultural interest, which the research shows to be a

## 10 Discussion of Findings

---

necessary addition, of direct relevance to the conservation of parks and gardens. Whilst it is proposed here as a primary interest, if strict adherence to the NPPF approach is required, it could be considered under the aegis of historic or aesthetic interest, as an important dimension of both history and appearance. Given the profile of horticultural interest with case study respondents, however, the retention of horticultural as a primary interest is recommended, to give this issue the profile it merits in the consideration of the significance of historic parks and gardens, and to support the appropriate consideration of parks and gardens within the wider planning framework.

### ***10.2.3 Informed Conservation***

The importance of informed conservation was noted in Chapter 1, as was the anticipated difficulty in achieving it within the under-researched field of historic parks and gardens.

The questionnaire survey findings suggests that LPAs, at least, are well aware of a wide range of sources for undertaking research into parks and gardens, although three-quarters of authorities have not produced statements of significance for registered parks and gardens. Instead, much reliance is placed on the material submitted in support of planning applications. Each of the case study applications was certainly supported by research using a range of sources: the necessary information is accessible, to both LPAs and applicants. The case studies confirm that the difficulty emerged in then applying that information to the definition of significance, and the assessment of impact upon that significance: the research was not analysed, or used to *inform* conservation.

## 10 Discussion of Findings

---

Thus, although the questionnaire survey found that the majority of LPAs required the submission of statements of significance from applicants before planning applications were validated, the adequacy of those submissions must be questioned. As over half of LPAs did not assess their adequacy, the information available to the planning officer making or recommending a decision on the applications may be assumed – as in the case studies – to be suboptimal in many cases.

In light of the wider issues surrounding the definition of significance (Section 10.2.10), the promotion by the Joint Conservation Committee of the GHS and AGT of the production of brief Statements of Significance for every registered or locally listed designed landscape might provide a very useful starting point for both applicants and developers (GHS JCC Chairman interview, 2014).<sup>29</sup> These may be produced during local ‘research and recording’ projects, such as that being undertaken by the Bucks Gardens Trust (Fig. 86), although detailed assessments, ideally produced with the relevant stakeholders, and addressing the particular impact of individual proposals, are still needed within the planning process.

---

<sup>29</sup> Further initiatives by the GHS, AGT, and others in the sector to increase the availability of information and expertise include the training of CGT volunteers (discussed in Section 10.2.7), the use of the Parks and Gardens UK website ([www.parksandgardens.org](http://www.parksandgardens.org)) as a national repository of publicly available information, and the development of a Conservation Management Plan reference list.

## 10 Discussion of Findings

**Bucks Gardens Trust**      **Association of Gardens Trusts**      **LOTTERY FUNDED**

### Understanding old gardens in Buckinghamshire Calling Historians & Garden Lovers!

Everyone has heard of famous Buckinghamshire gardens, Waddesdon and Stowe, but our county has a huge number of lesser-known but locally important historic parks, gardens and designed open spaces.

The government has asked local authorities to work with special interest groups like ours to identify these local heritage assets and to make them better known by researching them and recording the findings so that they will be better understood if in the future they are threatened by change. The Buckinghamshire Garden Trust has started to identify these sites and is now recruiting volunteers to train in the research and recording of them. The pilot project, will run for a year and commence in May 2014 with a study of fifteen gardens in the Wycombe district, before it is extended to cover parks and gardens in the rest of Buckinghamshire over the coming years.

*Astor Clinton Park before demolition its grounds survive as part of The Green Park Training Centre.*

*In the old gardens, investigating a water feature*      *Photograph of the Fairy Glen c.1910*

We have received a grant from THE HERITAGE LOTTERY FUND and are looking to train more recorders for this worthwhile project. If you are fascinated by history and old gardens, why not join us? If you could spare some time and would like to be involved, contact:

Project Co-Ordinator: [Redacted]

For the background to the project: [www.bucksgardentrust.org.uk](http://www.bucksgardentrust.org.uk)  
<http://www.english-heritage.org.uk/caring/listing/local/local-designations/local-lis/>

Fig. 86: A County Gardens Trust Research and Recording Project

Source: BGT, 2014 (reproduced by kind permission of the Bucks Gardens Trust)

### 10.2.4 Policy Effectiveness: National

The research demonstrates that the protection offered by national policy to registered parks and gardens as designated heritage assets – initially in PPS5 and more recently in the NPPF – is not fully utilised in planning practice. Whilst the questionnaire survey revealed that two-thirds of respondents believed NPPF policy to be ‘effective’ or ‘very effective’, the NPPF was not identified as one of the most effective planning tools, and examination of the detailed application of the policy in the case studies demonstrates that it is only partially adhered to in practice.

## 10 Discussion of Findings

---

In all three of the cases studied, the requirement under PPS5 policy HE6 for applicants to define significance prompted some research, but limited or flawed analysis of the findings of that research. The requirement under Policy HE7 for LPAs to assess significance and impact upon it was also not wholly fulfilled in any of the cases studied, with the requirement addressed by English Heritage's comprehensive consultation response in the Woburn Abbey case. In the Prior Park case, existing planning tools were used, and acted very effectively as a proxy for the significance-based policy, thereby raising the question of whether PPS5 and the NPPF are in fact needed at all. The range of existing planning tools available in that case was unusually comprehensive, however, and their application by the Case Officer was thoroughly considered; the Case Officer was also aware of the policy, which clearly informed deliberations to some degree, albeit not explicitly. Policy HE9, relating to the presumption in favour of the conservation of designated heritage assets, was partially fulfilled in the Prior Park and Woburn Abbey cases, but not in the Stanley Park case. As Policy HE9 was the policy largely determining whether or not planning permission was to be granted, this again demonstrates the extent to which PPS5 was not being implemented in practice as intended.

At the time of the decisions on the case study applications PPS5 had been in force for between eight and eighteen months: it was not so new as to justify its omission, in whole or in part, from the decision-making process. Lack of experience in its application was however raised by participants, and also a lack of clarity as to how it should be applied, which reinforces the findings from the questionnaire survey relating to the need for guidance: the majority of respondents advised that they would welcome general practice guidance on the

## 10 Discussion of Findings

definition of significance, with 84% seeking specific guidance on the definition of significance in respect of historic parks and gardens. The current lack of guidance, and the lack of specialist advice (Section 10.2.7), leaves planning officers unsupported in dealing with heritage, which, as discussed in Chapter 2, is just one area of policy amongst many. The result in practice, as demonstrated in this research, is a lack of confidence in the definition of significance, and an incomplete and inconsistent application of policy.

Some national guidance has been issued since the bulk of this research was undertaken, but it is too general to address the identified needs. The online *Planning Practice Guidance* which was produced in March 2014 to accompany the NPPF merely notes that significance is ‘important in decision-taking’, and that its assessment ‘is likely to need expert advice’ (DCLG, 2014, n. pag.). Three draft ‘good practice advice notes’ were subsequently published for consultation by English Heritage in July 2014 (Table 90).

NO.	HISTORIC ENVIRONMENT GOOD PRACTICE ADVICE IN PLANNING NOTES
1	The Historic Environment in Local Plans
2	Decision-Taking in the Historic Environment
3	The Setting of Heritage Assets

*Table 90: Historic Environment Good Practice Advice Notes*

Source: English Heritage, 2014a-c

Once finalised, they are intended to replace the 2010 *PPS5 Planning Practice Guide* (English Heritage Government Advice Director interview, 2014) – which itself did not provide detailed guidance on the assessment of significance.

## 10 Discussion of Findings

---

*Advice Note 2* is of some relevance: it discusses the terminology to be used in the assessment of significance (referring to both interests and values), the importance of the assessment, and potential sources of information, and in doing so reflects elements of the method proposed in this research in relation to desk and field survey, and understanding significance. Although the presentation of the necessary actions as a process is clear and to be welcomed, the guidance is not particularly specific, and makes no reference to parks and gardens, nor to involving the community in the definition of significance (other than an attempt to reinstate the passing reference to consulting communities in specific circumstances originally contained in PPS5, and to involving them in archaeological investigations). It emphasises the role of the expert, and also suggests that ‘[i]t is good practice to ... comply with relevant standards and guidance’, although the only guidance referred to is a professional standard for the provision of archaeological advice (English Heritage, 2014c, p. 8). *Advice Note 3* suggests a more structured and detailed process in relation to the assessment of proposals affecting the setting of heritage assets. Together, the two advice notes offer some useful guidance that can be applied to the assessment of historic parks and gardens, but do not yet constitute the specific guidance which this research has identified as necessary.

### ***10.2.5 Policy Effectiveness: Local***

The questionnaire survey findings demonstrate that local development plan policy of direct relevance to the protection of historic parks and gardens is both prevalent (with nearly all respondents having an adopted or emerging policy for parks and gardens and/or the historic environment generally) and



## 10 Discussion of Findings

---

effective (being identified as the most effective of the planning tools available to LPAs); other development plan policy is also regarded as effective in providing protection where needed.

The case study authorities all had an adopted historic environment protection policy (although only one had a specific policy for the protection of historic parks and gardens), and all had other policies of relevance to the protection of the sites in question, albeit invoked to varying degrees: development plan primacy was not universally apparent in practice. This suggests that, as with national policy, the available protection mechanisms are not being fully utilised in planning practice.

### *10.2.6 Effectiveness of Other Planning Tools*

The questionnaire survey confirms that listed building, conservation area, and scheduled monument provisions are all used by LPAs to protect historic parks and gardens when needed, as well as tree preservation orders, Article 4 directions, and natural environment provisions. Those regarded as most effective (after development plan policy) are TPOs, and the controls relating to listed buildings, conservation areas, and scheduled monuments.

Each of the case study sites had at least one of these designations in force, but the degree to which they were invoked ranged from an almost complete reliance, in lieu of PPS5 (Section 10.2.4), to limited recognition. They are therefore clearly relevant to the protection of historic parks and gardens, but not themselves determinative of an approach or outcome.

## 10 Discussion of Findings

---

A designation which was not addressed in the questionnaire survey, but which applied to two of the three case studies, was that of ‘playing field’ (subject to the *Town and Country Planning (Consultation) (England) Direction 2009*). Given that an objection by Sport England under this Direction required the planning application to be referred to the Secretary of State (if being recommended for approval by the LPA), this proved to be an important additional tool in the decision-making process.

### ***10.2.7 Capacity***

There was a reduction of 35% in the number of specialists providing conservation advice to local authorities in England between 2006 and 2014 (and a drop of 26% in relation to specialists providing archaeological advice), suggesting a related shortfall in access to professional expertise (IHBC, EH and ALGAO, 2014). This research confirms that there is indeed a shortage of conservation expertise available to those participating in the planning process in relation to historic parks and gardens. The 2012 questionnaire survey of local planning authorities revealed that very few authorities have dedicated parks and gardens staff resources, and just under a quarter have no staff with specific parks and gardens responsibility at all; for the majority of respondents, parks and gardens are just one element of a wider range of responsibilities.

This, considered alongside the general reduction in Conservation Officer capacity in recent years, may provide at least part of the explanation for the generally low level of involvement of Conservation Officers in the case study planning applications, all of which related to designated assets ‘of the

## 10 Discussion of Findings

---

highest significance' (DCLG, 2012, p. 31; 2010a, p. 8). Conservation Officer capacity within local authorities is clearly under pressure, but the research suggests that the available capacity is not necessarily being applied to cases involving parks and gardens. Stakeholder interviews in relation to the Prior Park case implied that the larger cases, and/or those involving listed building consent, were prioritised for Conservation Officer input. Further work would be needed to confirm this in wider practice.

The research also confirms that the paucity of in-house local authority specialist capacity is not offset by access to external expertise. The 2012 questionnaire survey revealed that most responding authorities have no access to specialist external historic parks and gardens advice. Respondents noted varying degrees of reliance on input from consultees to address this shortfall, but the potential extent of this reliance was revealed in the cases studied, where considerable use was made of the English Heritage input. Access to other consultee advice was variable, in part as a result of a misunderstanding of the statutory consultation requirements. The questionnaire survey findings show that a third of local planning authorities do not appear to be undertaking the necessary consultations, a proportion which is also reflected in the case studies.

The statutory consultees themselves have limited resources, however. English Heritage responds only to those Grade I- and II\*-related applications that most require attention, within a role that also now includes a remit to manage heritage at risk (English Heritage Landscape Architect and Senior Landscape Advisor interviews, 2014). The Garden History Society (GHS) now delegates

## 10 Discussion of Findings

---

much of its responsibility on applications relating to Grade I, II\* and II parks and gardens to the County Gardens Trusts (CGTs) – themselves operated wholly by volunteers – as demonstrated in the Stanley Park case study. This approach is increasingly being adopted to increase overall capacity, and – in a potentially valuable model for other heritage and amenity organisations – is being underpinned by additional training for County Gardens Trusts so that they can respond credibly and with the endorsement of the Garden History Society:

*So now, mainly, the GHS role is to get the information out there, train the people up in the CGTs ... rather than us responding to everything all the time, our main focus is on building capacity out in the field, because we know we can't do it all.*

GHS JCC Chairman interview, 2014

This represents an interesting reversal of the usual trend for grass-roots bodies to initiate legislation (Batey, 2000): instead, the implementation of that legislation is in large part reliant on that sector. Such subsidiarity encourages the dissemination of knowledge and experience, and the wider involvement of community members in the planning process, but may also be seen by local planning authorities as a diminution of expertise. As demonstrated in the stakeholder interviews, English Heritage advice is highly regarded by LPAs, and GHS comments should also be recognised as statutory consultation responses. The report by David Tyldesley & Associates confirmed that ‘70% of Local Planning Authorities give English Heritage and GHS comments additional weight because they are statutory consultees’ (1998, p. 7). There must be a degree of concern as to whether – even with the imprimatur of the GHS – responses from County Gardens Trusts will be accorded the same weight by LPAs, particularly as the 1998 report also noted that ‘some

## 10 Discussion of Findings

---

respondents said they would not give as much weight to GHS responses as to English Heritage' (*ibid.*). Again, further work in this area is desirable.

Overall, the research suggests that specialist input to planning decisions on historic parks and gardens proposals is limited, and the current financial climate means that any increase in specialist capacity is unlikely. The disadvantages of this in terms of the profile of parks and gardens – and the likely protection they receive as a result – are clear, but that same limitation may also provide an opportunity. In the Woburn Abbey case, the well-articulated and timely response submitted by English Heritage was given great weight in the decision-making process in lieu of extensive in-house input.

### ***10.2.8 Community Access to the Decision-Making Process***

The importance of public participation in the planning system was noted in Chapter 2, both as a means of exercising democratic principles, and as a means of enhancing the decision-making process itself, through improved inputs, and the development of greater transparency and profile to the issues under discussion. The general lack of consultation which exceeded the statutory requirements was also noted, however, despite the influence that the format of consultation is known to have on the nature and extent of participation. The development or application of consultation techniques targeted both to audiences and to the specific matters on which views were being sought was identified as an important precursor to successful consultation, and one of particular relevance to discussions of significance, which benefit particularly from 'open discourse' (Allmendinger, 2002 p. 118).

## 10 Discussion of Findings

---

The research confirms that the quality and degree of community participation in the planning process varies, but that community participation in the definition of significance is itself very limited. The results from the questionnaire survey demonstrate that four out of five LPAs do not directly engage with the community in the definition of the significance of registered parks and gardens, other than through the standard statutory consultation processes; a lack of resources being cited as a reason for this by a number of respondents. For those that do so engage, the mechanisms to encourage participation are varied, and appear, for the most part, to include work with the relevant amenity societies in the designation of locally listed parks and gardens or conservation areas, or consultation with them on specific proposals. These engagements may have explored issues associated with significance, explicitly or implicitly, and aided the LPAs' understanding of what the community valued, but they do not appear to have been exercises held specifically for the purpose of its definition. One example which emerged of a specific project to determine significance with the community related to a park in London, where meetings were held 'with local amenity groups and other interested parties to examine ... the significance of and threats to [the park] and particular elements that contribute to its overall character/nature' (questionnaire survey response, 2012); this work was undertaken to inform the preparation of a Conservation Statement.

A general lack of direct engagement with the community was also a feature of the case studies: only in the Prior Park case was there additional consultation over the statutory minimum requirement, and that was a generic pre-application consultation (albeit well-received), rather than a dedicated

## 10 Discussion of Findings

---

discussion of significance. Overall, no specific methodologies for engaging in the definition of significance were identified. Thus ‘spaces of negotiation’ for the construction of significance with the community were limited in practice (Murdoch, 1998, p. 358): there was no direct prompt for a discussion of significance.

Even if the opportunity for a dedicated discussion of significance were created, the overall accessibility of that discussion might still be limited if confined to the parameters of the professional terminology, as discussed in Chapter 2. An examination of the representations on the case study planning applications submitted by various stakeholders revealed that no community respondents made explicit reference to significance, or to its constituent interests, using the terminology in either PPS5 or English Heritage’s *Conservation Principles*. All however described concerns that clearly related implicitly to both significance and a range of specific interests, thereby emphasising the importance of sensitivity in the analysis and presentation of the responses made by participants, as discussed in Chapter 2. Whilst community comments are more easily represented in the planning process using the ‘technical’ terms, it is important to recognise their relevance howsoever they may initially be articulated. Use of the more formal terminology was limited in responses from the public in the cases studied, but community responses were still well conveyed. The findings suggest that the professional discourse around the concept of significance is not itself accessible, but that communities are well able to articulate their views on significance, and that planners are receptive enough to this to be able to take them accurately into account. This provides a strong basis for future, more comprehensive attempts to define significance

## 10 Discussion of Findings

---

and apply policy, which might also challenge the current professional domination of the process.

Any attempt to make a more proactive discourse around significance more accessible may be hampered by the continued parallel operation of the two extant definitions of significance. English Heritage participants were the most consistent of all respondents in explicitly articulating significance, which they did using the terminology of the *Conservation Principles*, whilst the case study decision reports generally used NPPF terminology. The questionnaire survey confirms that, when LPAs are defining significance themselves, three-quarters used both approaches. Given the prevailing lack of understanding and application of the concept of significance in practice, such duplication is perhaps unhelpful. English Heritage is aware of this as an issue, and considering action to address it (English Heritage Government Advice Director interview, 2014).

### ***10.2.9 Articulation of Interests***

Before considering the degree to which different interests are articulated by different stakeholder types, it is necessary to consider who participates in the planning process. The range of participants in each of the case study planning applications – and the extent of their engagement – varied. Some of this variation was an inevitable result of different consultees being deemed relevant to different cases, but some of those who might have been expected to be consulted were not (such as local County Gardens Trusts), suggesting that the definition of the ‘public’ in each case was not optimal. Some of those who were consulted failed to engage in the process as might have been expected.



## 10 Discussion of Findings

---

The level of public participation does not appear to be predictable. The Case Officer for the Prior Park application – which involved a potentially response-reducing pre-application consultation – was surprised at the low level of responses to the application, given the profile of the site and the scale of the proposal. There was no public participation at all in relation to the Woburn Abbey case, which however generated the most strongly articulated professional response; examination of other recent planning applications confirms that the lack of public engagement was however normal for this particular site, which lacks immediate neighbours (CB/10/01416/LB and CB/13/03837/LB Delegated Reports). As a public park, the higher level of public engagement in relation to Stanley Park might be expected, but even this was not a given: the original proposal, on a more visible site within the park, did not receive any representations from members of the public (10/0853 Committee Report).

The comments made in responses to the case study planning applications were categorised according to the typology of interests proposed in this research. This revealed some clear trends, such as the likelihood of respondents outside the heritage sector who held a very specific remit only raising the interest associated with that remit; for example, Sport England, health, police and sports club respondents all made reference solely to community interest. In contrast, English Heritage responses generally alluded to the highest number of interests. Neither of these results is surprising, but the lack of any apparent trend in the remainder of the field of participants suggests that any interest may be raised by any participant: members of the public are as likely to raise aesthetic interest as professional respondents, and professional respondents to

## 10 Discussion of Findings

---

raise community interest, particularly when interests raised implicitly are considered alongside those raised explicitly. This suggests that the definition of significance is potentially a very accessible process, with great capacity to elicit and distil a community's wide-ranging views, and to apply that distillation effectively to the planning process through a strongly-framed element of policy.

The interests most frequently articulated by respondents also varied. Perhaps unsurprisingly, community interest was the most often referred to in relation to the Stanley Park proposal, followed by aesthetic and historic interest. Historic and aesthetic interests were the most frequently raised in relation to Prior Park and Woburn Abbey.

The research also considered the communities of interest revealed in the representations submitted, and demonstrated a primary focus on heritage in the Prior Park and Woburn Abbey cases, and on sport and impact in the Stanley Park case. In all cases, the issue of amenity was also raised in responses, and this is a reminder that the debate on even a heritage-focused case will not be limited to heritage matters: amenity is a key concern within the planning process, and with a more direct personal relevance to most community participants.

Overall, these findings suggest that the level of engagement by various potential stakeholders, and the focus of that engagement, cannot be anticipated. Maximising the field of potential participants is therefore advisable, as is maintaining a receptivity to what those participants then contribute.

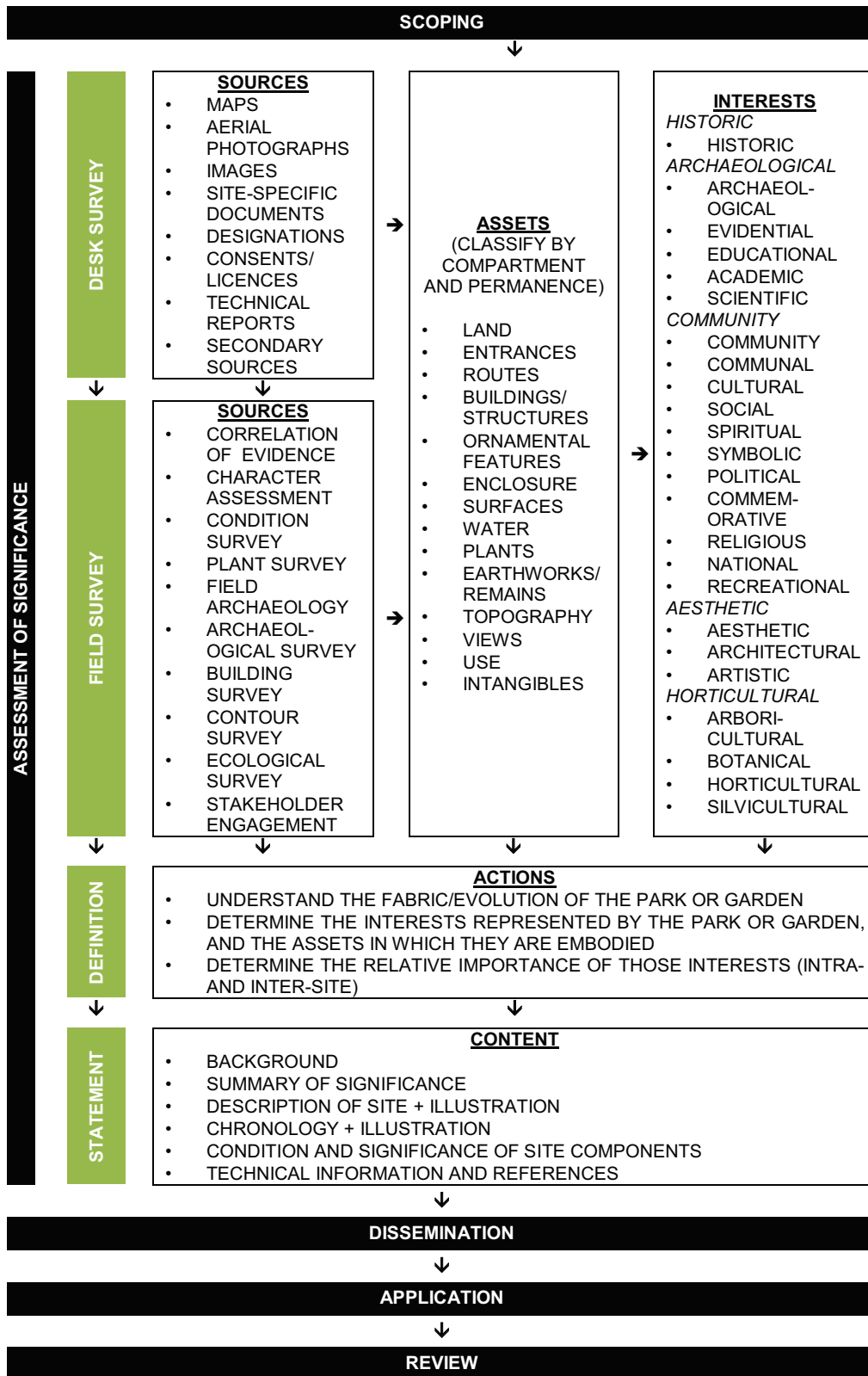
### *10.2.10 Significance*

It became apparent during the course of the research (specifically, during the assessment of planning applications for case study selection) that the initial research focus on *how* significance was being defined was too narrow, and that an important related question was *if* it was in fact being defined.

The case studies demonstrate that the definition of significance in practice is limited (Section 10.2.4), being partially defined if defined at all, implicitly rather than explicitly, or without direct reference to the requirements of PPS5 policy. In the Prior Park case, significance was implicitly understood, through the use of extensive research and the use of other designations to inform assessments of the relative importance of elements within the site; in the Woburn Abbey case, the submitted technical work was incomplete, and English Heritage's assessment was relied on instead; and in the Stanley Park case, an assessment was provided (albeit presented without direct use of much of the PPS5 terminology), which was then neglected in the decision-making process.

In each case, the efforts to define significance were informed by desk and field survey, and some attempt at defining the relative value of site elements, and therefore reflected, to a greater or lesser degree, key stages of the methodology for the definition of significance proposed in this research (Fig. 87); all failed to develop these fully, however, and to bring their respective findings together in a clearly-stated, well-supported statement of significance.

## 10 Discussion of Findings



*Fig. 87: Proposed Model for the Definition, Assessment and Application of Significance of Historic Parks and Gardens*

## 10 Discussion of Findings

---

This suggests that there is at least some understanding in the professional community of what is needed, and that the concept of significance is beginning to be recognised as a basis for conservation practice; this in turn provides a good foundation for future guidance, in which the focus need not be the principle, but the detail of implementation. That guidance is needed in this respect is further confirmed by the generally poor quality of assessments of significance assessed in this research, and the variation in their methodology, coverage, and consistency. This variation is a result not of the requirement in PPS5 for the ‘level of detail [to] be proportionate to the importance of the heritage asset and no more than is sufficient to understand the potential impact of the proposal on the significance of the heritage asset’ (DCLG, 2010a, p. 6), but of a lack of practical detail in the existing guidance, and a lack of confidence amongst practitioners in its detailed interpretation. This last point is further confirmed by the fact that only seven out of twenty-five professional stakeholders made explicit reference to significance in their representations on the case study planning applications, and eight to its constituent interests.

The model proposed in this research (and illustrated in Fig. 87, above) would serve to address at least part of the need for more detailed guidance on the determination of significance. The existing, intuitive understanding of some of the key activities needed to define significance – which are developed in more detail in the recommended approach – suggests that its application would be an evolution rather than a revolution in practice, and thus more easily adopted. The model was used to inform the assessments of significance in this research, and proved effective: it enabled the production of definitions of significance

## 10 Discussion of Findings

---

which were consistent, robust (due in large part to its foundation in existing best practice in related fields), and strongly evidence-based.

The process proposed in the model is envisaged as being coordinated by a planning officer, with various stakeholders participating in each stage as appropriate in individual circumstances. Thus the local community could participate in stakeholder engagement during the ‘field survey’ stage, perhaps in focus groups, but could also participate in the ‘definition of significance’ stage, and in the preparation of the statement of significance.

### *10.2.11 The Role of the Planning Officer*

Political involvement in decision making was shown to be limited in the case study planning application processes. Two of the three decisions were delegated to officers, but within these, opportunities did exist for elected members to participate actively over and above the decision on whether or not to call in the applications, such as the pre-application consultation stage in relation to the Prior Park application. Community involvement was also limited, but, again, was increased via the pre-application consultation, and also by the decision made by Committee, at which members of the public were able to speak, albeit briefly. Frames were apparent in the majority of community responses to the planning applications, with substantive or ‘doom and gloom’ frames being common to both Prior Park and Stanley Park; as this frame is one deemed capable of change by Kaufman and Smith (1999), a more active engagement with community stakeholders might have enabled a greater degree of resolution.

## 10 Discussion of Findings

---

The primary influence on decision-making in the case study applications was the professional (supplemented by the technical): the planning officer defined the process to be followed, the nature and extent of public participation, the scope of the decision, and, in the Prior Park and Woburn Abbey cases, the decision itself (with an officer recommendation being accepted by councillors in the Stanley Park case). The majority of the consultation respondents were also professionals, and, in the Woburn Abbey case, only professionals were involved. With reference to the typology of idea sources discussed in Chapter 2, the influences on the planning officers themselves included reference groups (professional stakeholders), influence-wielders (the corporate policy in the Stanley Park case was undoubtedly an influence), and client groups (consultation responses). The primary influences appeared however to be the source classified as ‘one’s self’, i.e. the officers’ own knowledge, reason, values and intuition.

Overall, the case studies confirm the assertion by Allmendinger cited in Chapter 2, that planning officers have a ‘powerful role’ (1996, p. 231). The way in which the case study planning officers exercised that role may be characterised as *tentatively pragmatist*. There were some efforts to promote a communicative approach, including the encouragement of additional consultation in relation to the Prior Park case, and a high degree of sensitivity to the representations made by stakeholders in two of the three cases. The exercise of discretion by the case officers was however limited, and the prevailing emphasis was on the rational and technocratic: as suggested by Tewdwr-Jones (2002), the planners’ role was primarily procedural.

## 10 Discussion of Findings

---

The scope for flexibility in the application of the planning system (such as employing innovative consultation techniques to elicit a discussion of significance) was not utilised, and, although the extent and quality of the deliberation on the planning issues raised by the case studies varied, the potential of PPS5 policy was also not fully realised. Whilst the consideration of all three cases was context-specific, the tools used, and the way in which they were applied, were largely drawn from pre-PPS5 practice. The limited experience of, and confidence in using, PPS5 discussed in Section 10.2.4 goes some way to explain this, but the issues around capacity discussed in Section 10.2.7 are also relevant: limited access to expertise, and high caseloads, all militate against creativity and innovation in practice. Two of the three case officers exercised an Mediator-Facilitator role, however, which, again, provides a good basis for more active future application of policy, and more proactive efforts to engage and support the community in the construction of significance.

### ***10.2.12 Decision-Making***

The transactive rationality model of decision-making (Kuruvilla and Dorstewitz, 2010) was introduced in Chapter 2 as potentially having philosophical and operational relevance to the process of defining significance within wider planning decisions, and being both descriptive and normative. The empirical work undertaken for this research, however, suggests that the model is currently more normative than descriptive.

The process of making a decision on a planning application does fit within the broad structure of the model, namely the transition from habitual equilibrium,



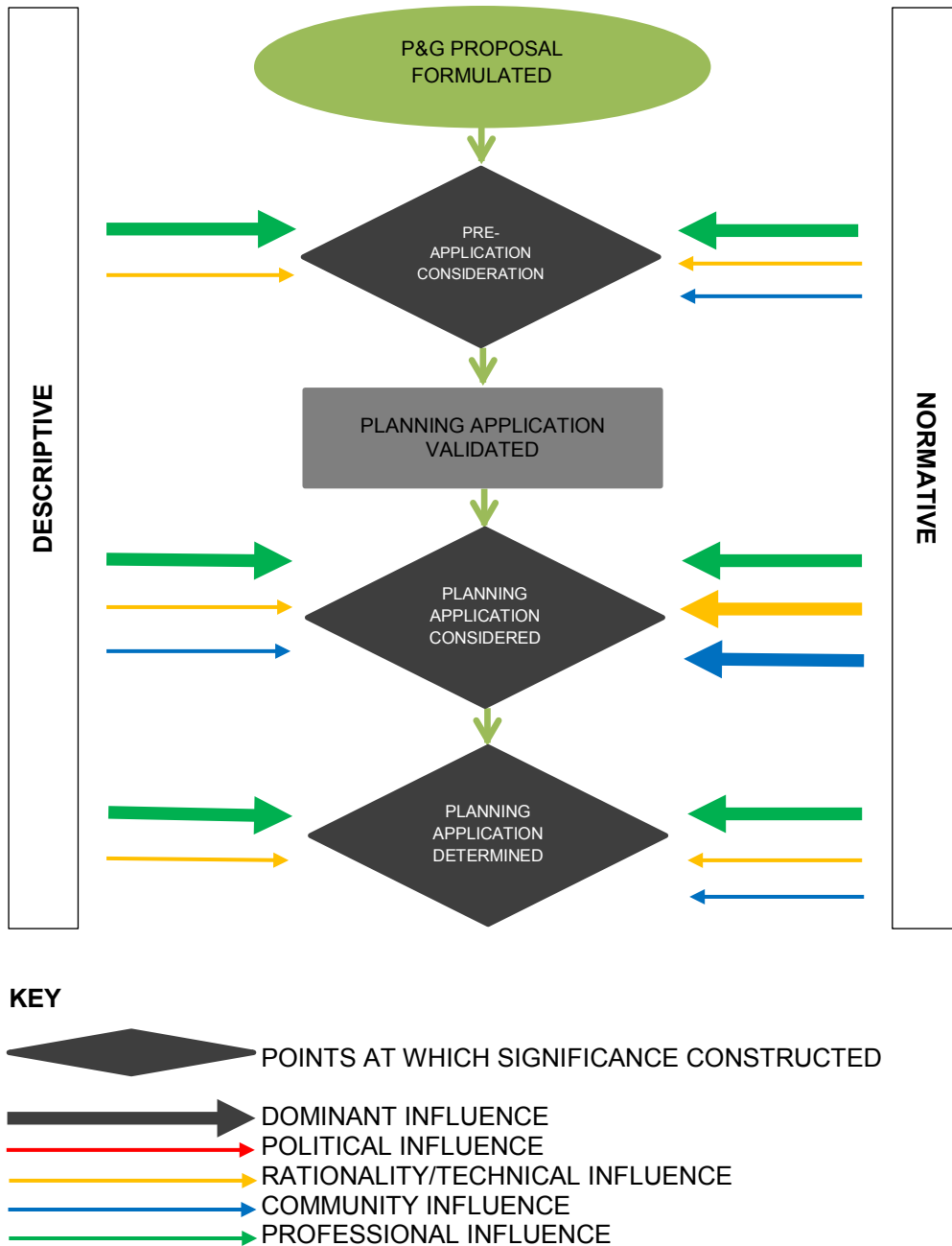
## 10 Discussion of Findings

---

through an indeterminate or problematic situation, to a new equilibrium, but it is in the way that the problematic situation is resolved that it remains an appropriate normative model with regard to decisions on significance. Whilst practice does not yet fully reflect the opportunities provided by a more comprehensive recognition of communities of interest, it does respond directly to context. It is its potential for reflecting the ‘multiple dimensions’ of significance, however, that justifies the assumption of the model as providing the basis for a valuable normative approach (*ibid.*, p. 267). The process of deliberation – itself informed by design, definition, and realisation – provides a mechanism for simultaneously encouraging more communicative and accessible practice, and reconciling different values and interests. It therefore accords with the concept of significance, both as defined in English planning policy, and as practiced under the auspices of the *Burra Charter*.

Within the context of this overarching theory, a more specific decision-making theoretical model was proposed in Chapter 2 to address the stages in the planning process at which conservation issues might be considered and significance constructed, and the influences on that construction. This was applied to each of the case studies, and used to determine the relevant influences at each stage, including which was the most dominant. The findings from that application have informed revisions to the model, as illustrated in Fig. 88, which is intended to be one of the major contributions to knowledge arising from this research.

## 10 Discussion of Findings



*Fig. 88: The Final Model of Influences on the Construction of Significance in the Decision-Making Process on Planning Applications*

The revised theoretical model has both descriptive and normative components. The descriptive component demonstrates the dominance of professional influence in current determinations of significance, at each stage of the decision-making process (supported by the rational application of evidence), and also the minimal community influence. The normative component

## 10 Discussion of Findings

---

demonstrates the recommended influences at each stage of the process, reflecting the findings from the literature review and the empirical work regarding the importance of participation to both planning and the construction of significance, and the value of a pragmatist approach. The model recognises an ongoing role for the professional planning officer throughout the decision-making process, with a high profile in coordinating both pre-application discussions and the final decision. It is in the consideration stage that the greatest change is proposed, however, as here the professional, evidence-based and community influences are all proposed to be equally dominant, within an open discourse in which a workable solution is sought.

This is entirely permissible under current planning policy and procedures, requiring alterations in practice rather than fundamental change to the underlying system. As noted by Pendlebury:

*Addressing the concerns raised here does not necessarily suggest rapid institutional change. In the short term, it might be the same professionals administering the same systems but in a more critically reflexive way, more systematically engaging wider stakeholders and cultural communities....*

2009, p. 221

Such alterations are however subject to the availability of expertise and confidence, and the political will to support a more creative – and potentially resource-intensive – approach to the consideration of planning applications. For the full benefits of this approach to be realised, resources are needed to support training, the allocation of staff time, and potentially more innovative engagement techniques, but resources need not be an obstacle to a more measured implementation of the approach. The availability of appropriate guidance would go some way to offsetting the need for training, minimal

## 10 Discussion of Findings

---

additional staff time would be needed to prompt the consultation of a wider range of stakeholders, and a re-framing of the consultation request itself might support a more structured and informed discussion of the issues, such as a request – using the typology of interests proposed in this research, themselves clearly explained – to consider the particular qualities of the park or garden affected by a development proposal, and the anticipated impact upon those qualities.

Political influence is not explicitly included in Fig. 88, primarily in recognition of the limited input by politicians which was seen in practice. It can however be added to the process at any stage.

### *10.2.13 Planning and Conservation*

The research confirms that conservation matters are considered wholly within a wider planning debate. This is not surprising given the reliance on planning officers rather than specialist staff to handle applications. The research also confirms that decisions on conservation (if not significance, as this was less fully articulated) did indeed generally constitute decisions within decisions. Each of the cases studied involved at least one high status designated heritage asset, and, in accordance with PPS5 policy, these sub-decisions on conservation matters would be expected to be highly visible in the decision-making process. This was certainly the case in relation to the Prior Park and Woburn Abbey proposals, where the conservation decisions dominated the whole and determined the outcome. In the consideration of the Stanley Park proposal, however, conservation matters were marginalised before the final point of decision, in part because of the perceived importance of other issues

## 10 Discussion of Findings

---

(sports provision, and the protection of amenity), and in part because the significance of the site, and the anticipated impact upon that significance, were underplayed by key participants in the process. Had significance been more fully articulated, debated and understood in this case, it should – in accordance with PPS5 – have been given a higher profile in the final decision, and perhaps changed the outcome.

The way in which PPS5 was framed, and in which NPPF policy still is, gives conservation policy a high profile within planning decisions, if it is properly applied. Even without PPS5's 'presumption in favour of conservation' (DCLG, 2010a, p. 8), the statements in the NPPF relating to substantial harm to grade II registered parks and gardens being 'exceptional', and to grade I and II\* parks and gardens 'wholly exceptional' (DCLG, 2012, p. 31), are themselves amongst the most unequivocal in planning policy, and suggest an acceptance in principle of both the importance of conservation, and its place within the planning system. The approach recommended in Fig. 87 is intended to underpin this in practice: by supporting the transformation of deliberations on significance from a subjective to a more objective, or technocratic, decision process, and further enabling conservation discussions to be considered on a more equal footing with other technocratic planning issues, conservation issues may be more readily assigned a higher profile within decision-making by practitioners.

### 10.3 Conclusions

The original conceptual framework for this research outlined in Chapter 1 identified decisions on significance as a ‘black box’ within the planning process. The research sought to determine the way in which those decisions were being made in practice, and how they might be made more effectively in future. The findings set out in this chapter demonstrate that, when significance is constructed, it is constructed in a number of ways, but that it is not always considered at all. This suggests that a greater degree of consistency, policy application, and robustness is needed if significance is to be utilised fully as an effective planning tool. The fact that a mechanism exists is not sufficient to ensure the protection of historic parks and gardens: it must also be correctly applied. The models and theories outlined above are proposed to support the application of the policy as intended in the NPPF.

The final chapter considers the degree to which the research’s aims and objectives have been met, and outlines the original contribution made. Recommendations are made, and suggestions for further work, and reflections offered on the methodology used in the research.

### CHAPTER 11: CONCLUSIONS AND RECOMMENDATIONS

... in this country we do not quite do ourselves justice as regards gardens.

*Mr. (later Sir) Jasper More (Ludlow), Hansard, Parl. Debs. (series 5):  
HC Deb 01 June 1962 vol. 660 c. 1765*

#### 11.1 Introduction

This chapter concludes the account of the research into the definition of significance in relation to historic parks and gardens in England, and the ability of the planning system to protect that significance. It starts by determining the degree to which the research aims and objectives were addressed, before summarising the findings and outlining the research's contribution to knowledge, and making recommendations for practice. It then offers some reflections on the design and conduct of the research, before outlining some suggestions for further work, and some final conclusions.

#### 11.2 Research Aims and Objectives

The two aims of the research were to evaluate the concept of significance as a basis for protecting historic parks and gardens in England, and to assess the effectiveness of the planning system in sustaining that significance. Five objectives were defined in order to deliver these aims: this section addresses the degree to which the aims and objectives were satisfied.

### *11.2.1 Objectives*

#### *Development of a Theoretical Framework*

The first research objective was to develop a theoretical framework of significance and the development and application of relevant planning policy and practice, with a particular focus on the conservation of historic parks and gardens. The development of this framework was informed by a review of the relevant literature, and by documentary analysis, and the resulting framework comprised a number of elements.

A model was developed which showed the points in the decision-making process on planning applications at which significance might be constructed, and the influences on that construction (Chapter 2). This was subsequently applied to the investigation of the three case study proposals, and the particular influences at play in each case determined; these determinations informed final revisions to the model, as presented in Chapter 10. The research demonstrated that professional influences are dominant in the decision-making process at each stage, but that opportunities could be created for enhanced community and political participation, which could in turn improve the quality and transparency of decisions involving the conservation of the historic environment.

The quality and transparency of such decisions could also be enhanced through the application of a second element of the theoretical framework, the model for the definition and application of significance in English conservation practice developed in Chapter 3, further developed in Chapter 5 in respect of the 'assessment' stage, and intended to be used in conjunction



## 11 Conclusions and Recommendations

---

with a method (adapted from existing practice) for assessing the impact of development proposals on significance.

The model was then applied to the case study sites, to enable the production of definitions of significance which acted as ‘benchmarks’ against which the case study assessments and decisions could then be compared. The overall model, and the detailed framework for the application of its assessment stage, were consolidated in Chapter 10. It is this model which both enables the articulation of a definition of significance of relevance to historic parks and gardens, and forms the basis of the advice for practitioners which the research proved to be much needed.

The model was underpinned by a third element of the theoretical framework, a typology to understand the dimensions of significance, and render it more easily applicable to practice (Chapter 3). This typology was further developed in Chapter 4 to include the particular interests which define the significance of historic parks and gardens.

Analysis of legislation and policy generated an understanding of the development and application of the protection mechanisms for historic parks and gardens within the planning system. This served to explain the weak status and profile of parks and gardens in English conservation which had already been identified from the literature and a comparison of policy and legislative measures. The effectiveness in practice of past and present policy and legislation was assessed via both a review of the literature and empirical work (including a questionnaire survey of local planning authorities). The research concluded that the planning mechanisms for the protection of historic parks

## 11 Conclusions and Recommendations

---

and gardens were weak in both absolute and relative terms, albeit with the potential to provide more effective protection if properly applied.

### *Development of Site Selection Criteria*

The second research objective was to develop site selection criteria for case studies which would enable empirical investigation of policy implementation and definitions of significance in practice. As discussed in Chapter 6, the selection criteria were informed by literature review and documentary analysis, undertaken within the theoretical framework discussed above.

The application of these criteria to a population of planning applications affecting registered parks and gardens which were notified to English Heritage between the adoption of PPS5 in 2010 and the end of 2011 resulted in a shortlist of eighteen potential cases, and a final selection of three cases: the sports centre at Prior Park, Bath; the access drive at Woburn Abbey, Bedfordshire; and the BMX track at Stanley Park, Blackpool. These three cases were deemed sufficient to enable the investigation of practice, being both representative of the shortlisted cases, and providing variety in park and garden and proposal type, geographical spread, and the themes raised.

### *Development of Research Methods*

The third objective was to develop appropriate research methods to undertake the investigation. Within the case study research design, a methodologically pluralist approach was adopted, albeit with an emphasis on qualitative methods. Documentary analysis of planning applications, related sources and archival material was undertaken, supplemented with field surveys. Semi-

## 11 Conclusions and Recommendations

---

structured interviews conducted with key stakeholders in each case, and the resulting data analysed using NVivo software. The model for the definition of significance developed within the research and outlined above was also applied to each of the case studies, and enabled both the testing of the proposed approach, and the development of a definition of significance in each case against which the determinations by the local planning authorities could be compared.

### *Application of Research Methods*

The fourth objective was to apply the research methods to an investigation of practice in the selected historic parks and gardens, and to evaluate the findings to understand the differences between theory (as identified in the more detailed theoretical framework) and practice.

The application of the research methods, and the evaluation of the findings, revealed distinct differences between theory and practice, as discussed in Chapter 10. These related particularly to the points at which stakeholders were able to access the planning process, the degree to which definitions of significance were attempted, and the way in which any such attempts were conducted. Overall, practice was found to be suboptimal in the identification and protection of significance.

### *Theoretical and Practical Contributions*

The fifth objective was to recommend and test a framework to be used to identify and conserve significance in relation to historic parks and gardens – including alternative means of protection, if there were found to be important

## 11 Conclusions and Recommendations

---

gaps in the protection the planning system provides – and to contribute to wider theories of significance.

The research concluded that national planning policy (as originally set out in PPS5, and subsequently in the NPPF) provides a valuable tool for protecting historic parks and gardens, if implemented correctly. Such implementation requires the definition of significance, and an assessment of the impact of a development proposal on that significance, and this was shown to be the key weakness in implementation and thus protection. The methods proposed in the research for the assessment of significance, and impact on significance, are intended to address this shortcoming in practice. Their application in the course of the research proved useful.

Both these methods would be enhanced in their application by increased stakeholder participation, and the revised model of decision-making in the planning process proposed in Chapter 10 outlines the points in the process at which this may occur under the auspices of current policy and legislation.

The creative use of other planning tools by local planning authorities was confirmed by the research, and this practice goes some way to addressing the gaps in protection which may result from the suboptimal application of the significance-based policy tool: development plan policy relating to the historic environment and to other relevant areas (such as recreation, Green Belt, and open space) was found to be well used, as were other historic environment designations such as listed buildings or conservation areas, where available and appropriate.

## 11 Conclusions and Recommendations

---

Such were the findings in relation to the protection of parks and gardens from development proposals which needed planning permission, but the wider gap in protection relating to proposals which do not require an application for planning permission remains unaddressed. Support was found to be strong for the introduction of a dedicated consent regime for historic parks and gardens, but this was also confirmed as unlikely, at least in the foreseeable future (Chief Planner and English Heritage Government Advice Director interviews, 2014). Such a regime must be regarded as *desirable*, but, in recognition of the difficulties experienced to date in both formulating and introducing appropriate mechanisms, and the prevailing deregulatory climate, perhaps not currently *essential*: better use of the existing tools (and notably of significance-based policy) will itself provide much-enhanced protection.

The model for the construction of significance, and the theory regarding the incorporation of significance within planning decision-making constitute the research's primary contribution to wider theories of significance. Existing theory in this field relates primarily to the construction of significance, with particular reference to the methods to be used and the extent of community and expert participation. The model for the construction of significance proposed in this research makes a contribution to this general theory, being a consolidation and development of good practice in English and international conservation, with a particular focus on application in practice. Its major innovation is however its specific relevance to historic parks and gardens. The contribution in respect of the incorporation of significance within planning decision-making is also original: existing theory in this field relates primarily

## 11 Conclusions and Recommendations

---

to decision-making in planning, but does not consider the implications of this new area of policy for the decision-making process.

### *11.2.2 Aims*

Overall, the aims of the research were met. With regard to the first research aim, the concept of significance was found to be a potentially very effective tool in protecting historic parks and gardens in England. This effectiveness is however contingent on the construction of significance at the appropriate points in the decision-making process, with the appropriate stakeholder input, utilising the appropriate evidence base, and reflecting an appropriate range of interests.

The way in which significance is articulated within English planning policy – and supported by English planning practice – permits but does not always encourage this, but the policy is strongly phrased, and does enable the conservation of historic parks and gardens to be considered appropriately alongside other relevant planning issues within decision-making if the determinations of significance that underpin the policy are themselves robust. If the requisite information is identified and used to inform the decision-making process, the policy on significance can enable informed conservation practice.

The findings in respect of the second research aim are perhaps less clear cut. The research suggests that significance is not generally well understood and applied within the planning system, and that the protection of historic parks and gardens may suffer as a result: it is the implementation rather than the concept itself that causes concern. The creative use of other planning tools

## **11 Conclusions and Recommendations**

---

may offset this, if applied with the requisite skill and commitment, which suggests that the planning system offers a degree of flexibility to respond to circumstances, but the imaginative use of mechanisms designed for other purposes does not offer a blanket solution, and enhanced use of the dedicated (and potentially very effective) tool remains preferable: the research advocates improved guidance and support to achieve this.

### **11.3 Summary of Findings**

The detailed findings of this research were discussed in Chapter 10, but are summarised here as context for the subsequent discussion of the research's contribution to knowledge.

Significance was found to be a potentially valuable concept for the protection of the historic environment, premised on the identification and understanding of the various interests embodied in historic assets. The particular significance of historic parks and gardens was defined using a specific typology of interests, this typology being intended to relate to a wide range of structural park and garden features, and recognising the 'planted' quality of the majority of parks and gardens.

The identified potential of significance as a policy was found to be unfulfilled, however. This was a result, in part, of the inherent subjectivity of the concept, which operates differently to most other policy areas within the largely rational and objective planning system. It was transplanted from an international and often theoretical conservation context to the English planning system without the requisite supporting mechanisms or guidance, and remains somewhat anomalous and poorly understood as a result. The application of the policy to

## **11 Conclusions and Recommendations**

---

the protection of historic parks and gardens has itself suffered from the relatively low status of parks and gardens within the conservation field: parks and gardens are less well protected in legislation than other heritage assets such as listed buildings, and are also less well researched and understood. As significance relies on informed conservation for its effective application, parks and gardens were inevitably found to be disadvantaged.

### **11.4 Contribution to Knowledge**

This research has sought to address the gaps in knowledge discussed above and identified in Chapter 1, including an assessment of the special qualities of historic parks and gardens, the way in which they should be addressed in conservation practice within the planning system, and the degree to which that practice has been effective in protecting them. In so doing, the research makes a number of original contributions to knowledge, empirically and theoretically, and of both practical and academic relevance.

#### ***11.4.1 Contributions of Academic Relevance***

The evolution and content of relevant planning policy and legislation for the protection of historic parks and gardens has not previously been investigated in depth: the analysis presented in Chapter 4 provides a detailed insight into the development of this area of protection, and into the opportunities missed.

Similarly, the analysis of the emergence of interests in conservation legislation in Chapter 4 has not previously been undertaken, and provides a record of wider conservation trends in England. It also provides an overview of the interests believed by legislators to be embodied in historic parks and gardens,



## 11 Conclusions and Recommendations

---

used to underpin the typology of interests proposed in this research. That typology is itself a contribution of this research, in itself and in its application to the method for defining the significance of historic parks and gardens.

The effectiveness of planning tools in the protection of historic parks and gardens has not been empirically assessed in depth since Stacey's work in 1992, since which time the planning system has been reformed and the concept of significance introduced. The data emerging from the questionnaire survey of local planning authorities undertaken for this research constitute a further contribution to knowledge with regard to current practice and the comprehension of the available planning tools for the conservation of historic parks and gardens.

The method for the assessment of significance (as collated in Chapter 10) has both practical and academic relevance. Its practical relevance is discussed below, but its academic relevance relates to its distillation of a wide range of existing practice, and its potential for use in the assessment of other case studies, thereby enabling further investigations of significance and comparisons.

The primary contribution is the theory outlined in Chapter 10 regarding the influences on the construction of significance in the decision-making process on planning applications, which brings together research into the construction and meaning of significance, the role of the planning system – and planners within it – and decision-making theory. The descriptive component reflects the findings of the research with regard to current practice, and the normative component proposes an approach in which professional and community

## 11 Conclusions and Recommendations

---

influences are both prominent, and which supports the more effective delivery of policy on significance in practice.

### *11.4.2 Contributions of Practical Relevance*

The proposals in this research for a typology of interests of relevance to historic parks and gardens, and for a method for defining significance, have direct relevance to practice. The typology provides a framework for structuring an understanding of the important qualities of these historic assets, and the method for the assessment of significance provides detailed guidance on the way in which higher-level policy guidance should be interpreted and applied. It is also of relevance to non-designated historic parks and gardens, and, with some adaptations, to other forms of heritage asset.

Used in conjunction with the proposed method for assessing the impact of development proposals on significance, the assessment tool enables the effectiveness of national planning policy to be maximised, and contributes to filling an identified gap in guidance on significance. This gap was confirmed in both the questionnaire survey findings, where 84% of respondents identified a need for practice guidance on the definition of significance specifically relating to historic parks and gardens, and in the case studies, where the need was identified implicitly – from a widespread failure to address significance – and explicitly, from calls for a protocol or checklist for the assessment of significance (Bath Preservation Trust interview, 2013).

Also of potential relevance to practice are the recommendations outlined in the next section regarding the ways in which significance can be assessed and applied more effectively within the planning and conservation process.

## 11 Conclusions and Recommendations

---

### *11.4.3 Recommendations*

The research has prompted the development of a number of practical recommendations, discussed below. These are primarily intended for practitioners, including those dealing with planning applications (whether working in local planning authorities or consultancies, or for consultee organisations), those in policy-making organisations (such as English Heritage and DCLG), and those undertaking garden conservation projects. They also have relevance to those in academia, however, and particularly Recommendation 5.

#### *Recommendation 1: Increase the profile of historic parks and gardens*

The research has confirmed that historic parks and gardens have a lower profile than other heritage assets such as buildings and monuments, and that they are not as well researched or understood as a result. This extends to the designation used to protect them: the existence of the *Register*, and the implications of registered status, are also not fully appreciated, with particular reference to the policy that applies to them, and the statutory consultation requirements on planning applications that affect them. The result of this can include the prioritisation of the conservation of listed buildings rather than parks and gardens, failure to obtain the full benefits of planning policy through attempts at ill-informed conservation, and failure to consult the relevant specialists and gain access to their expertise.

Greater promotion of the designation by bodies such as English Heritage, both generally and to local planning authorities, would help in communicating their parity with other designated heritage assets. Some efforts are already being

## 11 Conclusions and Recommendations

---

made to this end, such as the Garden History's Society's reminders to all LPAs regarding the statutory consultation requirements, and the combined GHS and Association of Gardens Trusts initiative (part-funded by English Heritage) to promote capacity building in the County Gardens Trusts (GHS JCC Chairman interview, 2014), but a broader, perhaps more sustained message is needed to increase awareness, understanding and interest. This might be supported by the wider dissemination of the findings from this research, and discussions of parks and gardens issues generally to raise the awareness of both the problem and the potential solutions (the article attached as Appendix IV being an initial step in this direction).

The inclusion of parks and gardens issues in wider heritage discussions would also reinforce the message of parity between heritage assets. An example would be the consistent inclusion of parks and gardens in texts on conservation policy and practice, and in conservation education.

### *Recommendation 2: Improve access to advice*

Access to information sources does not appear to be an issue, at least amongst Conservation Officers: the questionnaire survey findings suggest that the respondents are well aware of the key sources needed to investigate the significance of parks and gardens. Instead, it is the application of this information in the definition of significance, and the confidence and capacity to do it, that is at issue, and much of the necessary support needs to be directed towards the non-specialist planning officers who are most likely to be dealing with parks and gardens-related applications. This is an important dimension of the decision-making process, as much of the debate about the definition of

## 11 Conclusions and Recommendations

---

significance discussed in Chapter 3 assumed input by professional experts. This research demonstrates that, in English practice, decisions on significance are managed by planning professionals, but not by conservation experts. The production of more specific guidance would help to address this deficiency in conservation expertise.

An increase in staff resources in English Heritage, the Garden History Society, and the local planning authorities would also be helpful in increasing capacity, but this remains unlikely, further underscoring the value of guidance to be used in their absence. Assuming that the requisite notifications are being made to English Heritage and the Garden History Society, the direction of available staff resources to consultation responses is recommended, as this is depended on by LPAs as a source of expertise (Appendix X), and increases the profile given to parks and gardens issues in subsequent deliberations, as well as supporting debates on significance. This is increasingly likely to be supplemented in future by input from the County Gardens Trusts, on behalf of the Garden History Society and Association of Gardens Trusts. This is a valuable initiative, but an assessment will be needed of the quality and consistency of that input, and the degree to which it is seen by LPAs to replace the advice of the Garden History Society, where the CGTs are deputising for the statutory consultee.<sup>30</sup>

---

<sup>30</sup> The future of statutory consultee status is one of a number of issues being debated as the Garden History Society and Association of Gardens Trusts consider a merger, due for implementation in 2015 if agreed (GHS and AGT, 2014).

## 11 Conclusions and Recommendations

---

### *Recommendation 3: Clarify the terminology*

Given the limitations in understanding and applying current significance-based policy, and the identified need for guidance, the promulgation of only one definition of significance is recommended. The research has shown that both the English Heritage ‘values’ and the NPPF ‘interests’ are currently in use. English Heritage uses the values to express its opinion as a consultee, whilst the planning system requires the use of the interests to articulate and defend decisions on significance. The two are not incompatible, and, indeed, can readily be reconciled (as illustrated in Fig. 11, Chapter 3), but this is an unnecessary additional hurdle to clarity and the application of policy, and the use of just the NPPF interests is advocated.

### *Recommendation 4: Apply policy*

Whilst to some degree contingent on the above, a stronger use of the available policy (and the use of discretion in relation to the application of the available consultation methods) is also recommended. As discussed above, the policy on significance currently set out in the NPPF has the potential to provide effective protection to historic parks and gardens if suitably implemented, but this requires a commitment to gathering and assessing the necessary information, and weighing it appropriately against other planning factors.

### *Recommendation 5: Undertake further research*

Further research into both parks and gardens and their protection will enable informed conservation and raise the profile of these heritage assets, as

## 11 Conclusions and Recommendations

---

discussed in recommendation 1, above. A number of areas that might be addressed in future work are outlined in Section 11.6.

### 11.5 Reflections on Research Design and Conduct

The case study research design, supplemented by the nationwide questionnaire survey of local planning authorities, enabled both depth and breadth in the analysis of practice, and yielded valuable insights into the way in which significance is interpreted, and the effectiveness of the planning system in protecting historic parks and gardens.

The questionnaire survey was not originally a part of the research design, but emerged from the case study selection process when the need to understand the wider context to the case studies became apparent. Whilst its development, circulation and analysis took considerable additional time, it generated a relatively high response rate, and proved to be a useful update on the state of parks and gardens conservation practice in local planning authorities, following the work by Stacey in 1992. There was considerable interest in the findings from this survey, from both respondents and organisations such as the Garden History Society and English Heritage (the summary note sent to respondents is attached as Appendix X to this research, and the paper for *Garden History* at Appendix IV).

The application of the site selection criteria resulted in a good cross section of cases, raising a range of issues to illustrate a number of aspects of practice. One limitation in the cases selected was that none involved a detailed LPA-led discussion of significance. The selection criteria in relation to discussions of significance were that English Heritage should have made a substantive

## 11 Conclusions and Recommendations

---

response (effectively guaranteeing a fuller debate of the issues by at least one stakeholder), and that significance should have been explicitly addressed within the planning process. It was initially assumed that this last criterion would ensure discussions of significance that included the LPA, but, as particularly demonstrated by the Woburn case, a discussion of significance within a planning report does not itself denote active engagement in the issue by the LPA. Whilst the criteria would be revised to address this issue in any future research, it would not necessarily have changed the outcome in this research, as none of the shortlisted cases included a reasoned discussion of significance by the LPA, which is of course a finding in itself.

Fewer interviews than expected were conducted in the Prior Park and Woburn Abbey cases. The intention behind the purposive sampling was to identify stakeholders representing key perspectives within the focus of the research. All were identified, and the majority interviewed, in relation to the Stanley Park case, but this was not possible to the same degree in the other cases, partly because of reduced overall participation (fewer bodies and individuals engaged in the Prior Park and Woburn Abbey cases), and partly because of reluctance or inability to participate, itself due primarily to workload, ongoing issues with the case, or the individual having left the organisation. In all cases, though, reports and/or representations expressing that individual's view of the case were available, and functioned as a sufficient proxy.

The majority of requests for interview, with regard to both the case studies and the high-level stakeholders, were met positively, and all interviewees gave freely of their insights and time, as did the LPA respondents to the



## 11 Conclusions and Recommendations

---

questionnaire survey: this was of great value to the research, and very much appreciated. With only a few limitations imposed on the use of interview transcripts, the interviewees expressed themselves with candour, and the result was a series of informative and open interviews.

Elements of the research which perhaps did not go entirely as planned included the analysis of historic legislation, for which the time required was greater than expected, although the work yielded important results for the research. An early proposal to produce a checklist for use in practice which matched park and garden features to the likely interests they might embody was partly developed before being abandoned as both unworkable and inflexible.

Potential limitations of the research include the questionnaire survey's focus on Conservation Officers: sending the questionnaire to Conservation Officers, Development Control Officers and Policy Officers was considered, but proved logistically difficult, and requesting that the questionnaire was circulated within each LPA was also deemed to be likely to inhibit responses.

Turning to the community respondents to the case study planning applications, it was not possible to determine whether those interviewed were representative of their communities in terms of socio-economic status, ethnicity, and so on. It would also have been interesting to study a case where significance was defined in conjunction with the community, but no cases in which this was achieved were identified. Some respondents to the questionnaire survey suggested that it was too soon to judge the effectiveness of NPPF policy (which had been in force for seven months when the questionnaire survey was

## 11 Conclusions and Recommendations

---

circulated); this, and the fact that all the case study applications were determined under PPS5, suggests that further work would be beneficial in which subsequent practice was examined, and comparisons made to see if the policy has bedded in more successfully, but the policy on significance which is the focus of this research had been in place long enough at the time of the study (in either PPS5 form for the case studies, or the NPPF for the questionnaire survey) for the conclusions drawn to date to be valid. Other opportunities for further work are addressed below.

### 11.6 Areas for Further Work

The value of a comparison between these research findings and those obtained from a study of more recent cases under a better established NPPF has already been noted; a further study assessing the impact of the emerging guidance from English Heritage would also be of value in the future. Although presenting some logistical difficulties in terms of access to stakeholders and the extent of their recollection after a lengthy interval, a comparison between pre- and post-PPS5 cases would also be of interest, to elicit the real difference in practice between the application of significance to parks and gardens which are recognised as equal to listed buildings in policy terms, and previous practice in which the *Register* was merely a material consideration and protection was almost wholly reliant on other planning tools.

An obvious extension of the current research would be the wider trialling of the method proposed for the assessment of significance. Whilst it was applied in the assessments of the case study sites in this research, and proved helpful in generating robust definitions of significance, its wider application, by

## 11 Conclusions and Recommendations

---

community representatives and case officers, would provide valuable opportunities to test and refine it. The way in which community participation in the construction of significance might be undertaken would be a particularly useful piece of research, given the lack of work in this area, in academia or practice. By way of illustration, an assessment of guided focus group discussions, in the vein promoted by Clark (2012), would provide insights into resourcing, community interest, and the dynamics of the construction of significance.

It would also be interesting to undertake a comparative study, in which the handling of parks and gardens applications is directly assessed against the handling of applications relating to other historic assets, such as listed buildings, to determine the degree to which understanding, priority and practice differ between them, and why. The current research design and proposed methods would need little adaptation for such an investigation.

This research has focused on the protection offered by the planning system, but an assessment of the impact on a garden's significance of all changes in a defined sample, whether they needed an application for planning permission or not, would generate important insights regarding the overall threats to parks and gardens, and the degree to which effective planning protection would in fact address the main threats. That sample could relate to a particular typology, or geographical area, but, unless particularly well-recorded sites could be found, the work would need to be longitudinal in order to confirm a baseline against which subsequent changes could be monitored. This would also address the call for research made by Pendlebury, in which he sought 'a

## 11 Conclusions and Recommendations

---

systematic and statistical digest ... demonstrating numbers of sites undergoing damaging change and the rate at which it is occurring' (1996, p. 74).

Finally, decision-making theory was used in this research to aid in the examination of the construction of significance in the planning process. The information gathered was such that some of it could be refocused and developed to make a more direct contribution to decision-making theory, i.e. looking more at the mechanics of the decisions per se, and not their implications for the determination of significance.

### 11.7 Final Conclusions

The statement quoted at the opening of this chapter was accurate at the time that the *Local Authorities (Historic Buildings) Bill* was going through Parliament in 1962, and retains a certain resonance now. There have been a number of important policy and legislative developments in the intervening period, and these have, without doubt, increased both the profile of historic parks and gardens and the protection available to them, but this research has demonstrated that the full potential of the available tools is not yet being utilised, and that, as a result, parks and gardens remain more vulnerable to development proposals than should be the case. The value of these tools should not be overlooked, but further work is needed to promote their use, and to increase awareness of historic parks and gardens more generally, if, as suggested in 1962, practitioners and the community are in fact to 'do ourselves justice' in the conservation of historic parks and gardens.

## **APPENDICES**

## Appendix I – UK Protection of Historic Parks and Gardens

### APPENDIX I: UK PROTECTION OF HISTORIC PARKS AND GARDENS

The table below summarises the key provisions in relation to the protection of historic parks and gardens in England, Wales, Scotland and Northern Ireland.

PROVISION	ENGLAND	WALES	SCOTLAND	NORTHERN IRELAND
<b>REGISTER</b>				
<b>List format</b>	Register	Register	Inventory	Register
<b>Statutory</b>	Yes	No	Yes	No
<b>Prepared by</b>	English Heritage	Cadw/ICOMOS	Historic Scotland	Northern Ireland Environment Agency
<b>Setting identified</b>	No	Yes	No	No
<b>Interests/ values for inclusion</b>	Historic	Historic	Historic	Historic
			Horticultural, arboricultural, silvicultural	Horticultural/ arboricultural
			Architectural	Architectural
			Scenic	Aesthetic/scenic
			Nature conservation	Nature conservation/ scientific
			Archaeological	Archaeological
			Value as an individual work of art	Integrity of the site's design
				Contribution to local landscape character
<b>Quality for inclusion</b>	Special	Special	National importance	Exceptional importance
			Surviving condition	
<b>Grades</b>	I	I	-	-
	II*	II*	-	-
	II	II	-	-
<b>Approx. no.</b>	1600	400	400	150
<b>POLICY</b>				
<b>Addressed in national planning policy</b>	Yes	Yes	Yes	Yes
<b>Planning status</b>	Designated heritage asset	Material consideration	Material consideration	Material consideration

## Appendix I – UK Protection of Historic Parks and Gardens

PROVISION	ENGLAND	WALES	SCOTLAND	NORTHERN IRELAND
<b>PROCESS</b>				
<b>Dedicated consent regime</b>	No	No	No	No
<b>Statutory consultation on applications</b>	English Heritage (I/II*)	-	Historic Scotland (all)	-
	Garden History Society (all)	-	-	-
<b>Voluntary consultation on applications</b>	-	Cadw (I/II*)	Garden History Society (all)	-
	-	Garden History Society (all)	-	-

Source: Cadw, 2014; Historic Scotland, 2014;  
Northern Ireland Environment Agency, 2014; Parks & Gardens UK, 2014.

**APPENDIX II: PPG17 OPEN SPACE TYPOLOGY**

The table below summarises the typology of open spaces presented in *Planning Policy Guidance 17 (PPG17): Planning for Open Space, Sport and Recreation* (ODPM, 2002). PPG17 extended the definition of open space set out in primary legislation: instead of merely referring to ‘any land laid out as a public garden, or used for the purposes of public recreation, or land which is a disused burial ground’ (Great Britain. *Town and Country Planning Act 1990*, s. 336(1)), the concept of open space was developed to include ‘all open space of public value, including not just land, but also areas of water such as rivers, canals, lakes and reservoirs which offer important opportunities for sport and recreation and can also act as a visual amenity’ (ODPM, 2002, p. 11). This was then clarified with reference to the typology reproduced below of ‘open spaces that may be of public value’ (*ibid.*), ‘public value’ being the defining characteristic in this conception of open space. PPG17 was subsequently superseded by the NPPF (DCLG, 2012).

TYPE	DESCRIPTION
<b>PARKS AND GARDENS</b>	<ul style="list-style-type: none"> <li>• Urban parks</li> <li>• Country parks</li> <li>• Formal gardens</li> </ul>
<b>NATURAL AND SEMI-NATURAL URBAN GREENSPACES</b>	<ul style="list-style-type: none"> <li>• Woodlands</li> <li>• Urban forestry</li> <li>• Scrub</li> <li>• Grasslands (e.g. downlands/commons/meadows)</li> <li>• Wetlands</li> <li>• Open and running water</li> <li>• Wastelands and derelict open land</li> <li>• Rock areas (e.g. cliffs, quarries and pits)</li> </ul>
<b>GREEN CORRIDORS</b>	<ul style="list-style-type: none"> <li>• River and canal banks</li> <li>• Cycleways</li> <li>• Rights of way</li> </ul>
<b>OUTDOOR SPORTS FACILITIES</b>	<ul style="list-style-type: none"> <li>• Tennis courts</li> <li>• Bowling greens</li> <li>• Sports pitches</li> <li>• Golf courses</li> <li>• Athletics tracks</li> <li>• School and other institutional playing fields</li> <li>• Other outdoor sports areas</li> </ul>
<b>AMENITY GREENSPACE</b>	<ul style="list-style-type: none"> <li>• Informal recreation spaces</li> <li>• Greenspaces in and around housing</li> <li>• Domestic gardens</li> <li>• Village greens</li> </ul>
<b>PROVISION FOR CHILDREN AND TEENAGERS</b>	<ul style="list-style-type: none"> <li>• Play areas</li> <li>• Skateboard parks</li> <li>• Outdoor basketball hoops</li> <li>• Other more informal areas (e.g. 'hanging out' areas, teenage shelters)</li> </ul>
<b>ALLOTMENTS, COMMUNITY GARDENS, AND CITY (URBAN) FARMS</b>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>
<b>CEMETERIES AND CHURCHYARDS</b>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>



## Appendix II – PPG17 Open Space Typology

---

TYPE	DESCRIPTION
<b>ACCESSIBLE COUNTRYSIDE IN URBAN FRINGE AREAS</b>	<ul style="list-style-type: none"><li>• N/A</li></ul>
<b>CIVIC SPACES</b>	<ul style="list-style-type: none"><li>• Civic and market squares</li><li>• Other hard surfaced areas designed for pedestrians</li></ul>

Source: ODPM, 2002, p. 11

**APPENDIX III: PARLIAMENTARY MATERIAL**

Given the volume of parliamentary material consulted for this research, it is listed in this appendix rather than in the main bibliography, for ease of reference. All sources (Bills, Acts, Committee discussions, and Parliamentary debates) are grouped by the Act of Parliament to which they relate.

**1847 Towns Improvement Clauses Act**

- *Towns Improvement Clauses Act 1847* (10 & 11 Vict., c. 34)

**1847 Cemeteries Clauses Act**

- *Cemeteries Clauses Act 1847* (10 & 11 Vict., c. 65)

**1848 Public Health Act**

- *Public Health Act 1848* (11 & 12 Vict., c. 63)

**1859 Recreation Grounds Act**

- *Recreation Grounds Act 1859* (22 Vict., c. 27)

**1866 Metropolitan Commons Act**

- *Metropolitan Commons Act 1866* (29 & 30 Vict., c. 122)

**1868 Artisans' and Labourers' Dwelling Act**

- *Artisans' and Labourers' Dwelling Act 1868* (31 & 32 Vict., c. 130)

**1869 Metropolitan Commons Amendment Act**

- *Metropolitan Commons Amendment Act 1869* (32 & 33 Vict., c. 107)

**1872 Public Health Act**

- *Public Health Act 1872* (35 & 36 Vict., c. 79)

**1874 Sanitary Law Amendment Act**

- *Sanitary Law Amendment Act 1874* (37 & 38 Vict., c. 89)

**1875 Public Health Act**

- *Public Health Act 1875* (38 & 39 Vict., c. 55)

**1876 Commons Act**

- *Commons Act 1876* (39 & 40 Vict., c. 56)
- Hansard, Parl. Debs. (series 3):
  - HC Deb 01 June 1876 vol. 229 cc. 1523-36
  - HC Deb 29 May 1876 vol. 229 cc. 1379-400
  - HC Deb 25 May 1876 vol. 229 cc. 1219-53
  - HC Deb 18 February 1876 vol. 227 cc. 525-43

**1877 Metropolitan Open Spaces Act**

- *Metropolitan Open Spaces Act 1877* (40 & 41 Vict., c. 35)

**1881 Metropolitan Open Spaces Act**

- *Metropolitan Open Spaces Act 1881* (44 & 45 Vict., c. 34)

**1882 Ancient Monuments Protection Act**

- *Ancient Monuments Protection Act 1882* (45 & 46 Vict. c. 73)
- Great Britain. *Ancient Monuments Bill*. HC Bill (1882) [263]
- Great Britain. *Ancient Monuments Bill*. HC Bill (1882) [207]
- Great Britain. *Ancient Monuments Bill*. HC Bill (1878-79) [52]
- Great Britain. *Ancient Monuments Bill*. HC Bill (1878) [63]
- Great Britain. *Ancient Monuments Bill*. HC Bill (1877) [16]
- Great Britain. *Ancient Monuments Bill*. HC Bill (1876) [21]
- Great Britain. *Ancient Monuments Bill*. HC Bill (1875) [9]
- Great Britain. *Ancient Monuments Bill*. HC Bill (1874) [1]
- Great Britain. *Ancient Monuments Bill*. HC Bill (1873) [5]

**1884 Disused Burial Grounds Act**

- *Disused Burial Grounds Act 1884* (47 & 48 Vict., c. 72)

**1887 Open Spaces Act**

- *Open Spaces Act 1887* (50 & 51 Vict., c. 32)

**1890 Open Spaces Act**

- *Open Spaces Act 1890* (53 & 54 Vict., c. 15)

**1890 Public Health Acts Amendment Act**

- *Public Health Acts Amendment Act 1890* (53 & 54 Vict., c. 59)

**1890 Working Classes Act**

- *Working Classes Act 1890* (53 & 54 Vict., c. 70)

**1892 Ancient Monuments Protection (Ireland) Act**

- *Ancient Monuments Protection (Ireland) Act 1892* (55 & 56 Vict., c. 46)
- Great Britain. *Ancient Monuments Protection Act (1882) Amendment Bill*. HC Bill (1892) [405]
- Hansard, Parl. Debs. (series 4):
  - HL Deb 24 June 1892 vol. 5 c. 1886
  - HL Deb 23 June 1892 vol. 5 c. 1792
  - HC Deb 10 June 1892 vol. 5 c. 824

**1899 Commons Act**

- *Commons Act 1899* (62 & 63 Vict., c. 30)

**1900 Ancient Monuments Protection Act**

- *Ancient Monuments Protection Act 1900* (63 & 64 Vict., c. 34)
- Hansard, Parl. Debs. (series 4):
  - HL Deb 15 May 1900 vol. 83 cc. 153-6

**1906 Open Spaces Act**

- *Open Spaces Act 1906* (6 Edw. VII, c. 25)

**1907 Advertisements Regulation Act**

- *Advertisements Regulation Act 1907* (7 Edw. VII, c. 27)

**1907 Public Health Acts Amendment Act**

- *Public Health Acts Amendment Act 1907* (7 Edw. VII, c. 53)

**1907 National Trust Act**

- *National Trust Act 1907* (7 Edw. VII, c. 136)

**1909 Housing, Town Planning, &c. Act**

- *Housing, Town Planning, &c. Act 1909* (9 Edw. VII, c. 44)

**1910 Ancient Monuments Protection Act**

- *Ancient Monuments Protection Act 1910* (10 Edw. VII & 1 Geo. V, c. 3)

**1913 Ancient Monuments Consolidation and Amendment Act**

- *Ancient Monuments Consolidation and Amendment Act 1913* (3 & 4 Geo. V, c. 32)

**1919 Housing, Town Planning, &c. Act**

- *Housing, Town Planning, &c. Act 1919* (10 Geo. V, c. 35)

**1923 Housing, &c. Act**

- *Housing, &c. Act 1923* (13 & 14 Geo. V, c. 24)

**1925 Housing Act**

- *Housing Act 1925* (15 & 16 Geo. V, c. 14)

**1931 Ancient Monuments Act**

- *Ancient Monuments Act 1931* (21 & 22 Geo. V, c. 16)

**1932 Town and Country Planning Act**

- *Town and Country Planning Act 1932* (23 Geo. V, c. 48)

**1935 Restriction of Ribbon Development Act**

- *Restriction of Ribbon Development Act 1935* (25 & 26 Geo. V, c. 47)

**1936 Public Health Act**

- *Public Health Act 1936* (26 Geo. V & 1 Edw. VIII, c. 49)

**1937 Physical Training and Recreation Act**

- *Physical Training and Recreation Act 1937* (1 Edw. VIII & 1 Geo. VI, c. 46)

**1943 Town and Country Planning (Interim Development) Act**

- *Town and Country Planning (Interim Development) Act 1943* (6 & 7 Geo. VI, c. 29)

**1944 Town and Country Planning Act**

- *Town and Country Planning Act 1944* (7 & 8 Geo. VI, c. 47)
- Great Britain. *Town and Country Planning Bill*. HC Bill (1943-44) [47]
- Great Britain. *Town and Country Planning Bill*. HC Bill (1943-44) [31]
- Hansard, Parl. Debs. (series 5):
  - HC Deb 16 November 1944 vol. 404 cc. 2178-84, 2191-208
  - HL Deb 08 November 1944 vol. 133 cc. 911-25, 927-1006
  - HC Deb 18 October 1944 vol. 403 cc. 2390-410, 2432-3, 2461-73
  - HC Deb 09 October 1944 vol. 403 cc. 1511-8

**1946 New Towns Act**

- *New Towns Act 1946* (10 Geo. VI, c. 68)

**1947 Town and Country Planning Act**

- *Town and Country Planning Act 1947* (10 & 11 Geo. VI, c. 51)
- Great Britain. *Town and Country Planning Bill*. HC Bill (1946-47) [104]
- Great Britain. *Town and Country Planning Bill*. HC Bill (1946-47) [79]
- Great Britain. *Town and Country Planning Bill*. HC Bill (1946-47) [61]
- Great Britain. *Town and Country Planning Bill*. HC Bill (1946-47) [26]
- Hansard, Parl. Debs. (series 5):
  - HL Deb 05 August 1947 vol. 151 cc. 979-81, 985-93
  - HC Deb 01 August 1947 vol. 441 cc. 836-8
  - HC Deb 20 May 1947 vol. 437 cc. 2190-287
  - HC Deb 14 May 1947 vol. 437 cc. 1615-7
  - HC Deb 12 May 1947 vol. 437 cc. 1127-8
  - HC Deb 30 January 1947 vol. 432 cc. 1129-241, 1249-52
  - HC Deb 29 January 1947 vol. 432 cc. 947-1075
  - SC Deb (D) 18 March 1947 c. 548
  - SC Deb (D) 12 March 1947 cc. 381-408

**1949 National Parks and Access to the Countryside Act**

- *National Parks and Access to the Countryside Act 1949* (12, 13 & 14 Geo. VI, c. 97)

**1953 Historic Buildings and Ancient Monuments Act**

- *Historic Buildings and Ancient Monuments Act 1953* (1 & 2 Eliz. II, c. 49)
- Hansard, Parl. Debs. (series 5):
  - HC Deb 31 July 1953 vol. 518 cc. 1687-8
  - HL Deb 30 July 1953 vol. 183 cc. 1173-88
  - HL Deb 27 July 1953 vol. 183 cc. 908-45
  - HL Deb 23 July 1953 vol. 183 c. 878
  - HC Deb 22 July 1953 vol. 518 cc. 383, 515-46
  - HC Deb 16 July 1953 vol. 517 cc. 2248-52
  - HC Deb 03 July 1953 vol. 517 cc. 753-818

- HC Deb 16 June 1953 vol. 516 c745
- SC Deb (A) 16 July 1953 cc. 599-652
- SC Deb (A) 14 July 1953 cc. 547-598
- SC Deb (A) 9 July 1953 cc. 495-546

**1954 Town and Country Planning Act**

- *Town and Country Planning Act 1954* (2 & 3 Eliz. II, c. 72)

**1959 Town and Country Planning Act**

- *Town and Country Planning Act 1959* (7 & 8 Eliz. II, c. 53)

**1962 Local Authorities (Historic Buildings) Act**

- *Local Authorities (Historic Buildings) Act 1962* (10 & 11 Eliz. II, c. 36)
- Great Britain. *Local Authorities (Historic Buildings) Bill*. HC Bill (1961-62) [84]
- Great Britain. *Local Authorities (Historic Buildings) Bill*. HC Bill (1961-62) [20]
- Hansard, Parl. Debs. (series 5):
  - HC Deb 19 July 1962 vol. 663 cc. 715-6
  - HL Deb 16 July 1962 vol. 242 c. 491
  - HL Deb 12 July 1962 vol. 242 cc. 388-9
  - HC Deb 12 July 1962 vol. 662 cc. 1519-26
  - HL Deb 03 July 1962 vol. 241 cc. 1172-6
  - HL Deb 26 June 1962 vol. 241 cc. 927-33
  - HL Deb 04 June 1962 vol. 241 c. 393
  - HC Deb 01 June 1962 vol. 660 cc. 1733-814
  - HC Deb 09 February 1962 vol. 653 cc. 778-864
  - HC Deb 22 November 1961 vol. 649 c. 1352
  - SC Deb (C) 21 March 1962 cc. 55-102
  - SC Deb (C) 14 March 1962 cc. 1-54

**1962 Town and Country Planning Act**

- *Town and Country Planning Act 1962* (10 & 11 Eliz. II, c. 38)
- Great Britain. *Town and Country Planning Bill*. HC Bill (1961-62) [125]
- Hansard, Parl. Debs. (series 5):
  - HC Deb 19 July 1962 vol. 663 cc. 715-6
  - HC Deb 16 July 1962 vol. 663 c. 67
  - HC Deb 10 July 1962 vol. 662 c. 1282
  - HL Deb 28 June 1962 vol. 241 c. 1022
  - HL Deb 07 June 1962 vol. 241 c. 724
  - HL Deb 30 May 1962 vol. 241 c. 266
  - HL Deb 27 March 1962 vol. 238 c. 850
  - HL Deb 20 March 1962 vol. 238 c. 461

**1963 Local Authorities (Land) Act**

- Great Britain. *Local Authorities (Land) Act 1963: Elizabeth II. Chapter 29* (1963) London: HMSO

**1965 Commons Registration Act**

- Great Britain. *Commons Registration Act 1965: Elizabeth II. Chapter 64* (1965) London: HMSO

**1967 Civic Amenities Act**

- Great Britain. *Civic Amenities Act 1967: Elizabeth II. Chapter 69* (1967) London: HMSO
- Great Britain. *Civic Amenities Bill*. HC Bill (1966-67) [304]
- Great Britain. *Civic Amenities Bill*. HC Bill (1966-67) [189]
- Great Britain. *Civic Amenities Bill*. HC Bill (1966-67) [27]
- Hansard, Parl. Debs. (series 5):
  - HC Deb 27 July 1967 vol. 751 cc. 1121-2
  - HC Deb 21 July 1967 vol. 750 c. 2737
  - HC Deb 08 July 1966 vol. 731 cc. 839-921
  - HL Deb 06 July 1967 vol. 284 cc. 865-9
  - HL Deb 29 June 1967 vol. 284 c. 287
  - HL Deb 19 June 1967 vol. 283 cc. 1176-94, 1209-33
  - HC Deb 15 June 1966 vol. 729 c. 1459
  - HL Deb 04 May 1967 vol. 282 cc. 1078-141
  - HL Deb 17 April 1967 vol. 282 c. 50
  - HC Deb 14 April 1967 vol. 744 cc. 1514-83
  - SC Deb (C) 8 February 1967 cc. 105-138
  - SC Deb (C) 1 February 1967 cc. 89-104
  - SC Deb (C) 25 January 1967 cc. 11-38

**1968 Town and Country Planning Act**

- Great Britain. *Town and Country Planning Act 1968: Elizabeth II. Chapter 72* (1968) London: HMSO
- Great Britain. *Town and Country Planning Bill*. HC Bill (1967-68) [142]
- Great Britain. *Town and Country Planning Bill*. HC Bill (1967-68) [57]
- Hansard, Parl. Debs. (series 5):
  - HL Deb 23 May 1968 vol. 292 c. 885
  - HC Deb 31 January 1968 vol. 757 cc. 1361-479
  - HC Deb 19 December 1967 vol. 756 c. 1092
  - SC Deb (G) 2 April 1968 cc. 775-859

**1968 Countryside Act**

- Great Britain. *Countryside Act 1968: Elizabeth II. Chapter 41* (1968) London: HMSO

**1971 Town and Country Planning Act**

- Great Britain. *Town and Country Planning Act 1971: Elizabeth II. Chapter 78* (1971) London: HMSO

**1972 Town and Country Planning (Amendment) Act**

- Great Britain. *Town and Country Planning (Amendment) Act 1972: Elizabeth II. Chapter 42* (1972) London: HMSO
- Great Britain. *Town and Country Planning (Amendment) Bill*. HC Bill (1971-72) [133]
- Great Britain. *Town and Country Planning (Amendment) Bill*. HC Bill (1971-72) [56]
- Hansard, Parl. Debs. (series 5):
  - HL Deb 24 July 1972 vol. 333 cc. 1131-52
  - HC Deb 26 January 1972 vol. 829 cc. 1479-532
  - HL Deb 16 December 1971 vol. 326 cc. 1308-19
  - HL Deb 07 December 1971 vol. 326 cc. 741-77
  - HL Deb 18 November 1971 vol. 325 cc. 760-803
  - SC Deb (D) 4 May 1972 cc. 141-156
  - SC Deb (D) 2 May 1972 cc. 108-140

**1972 Local Government Act**

- Great Britain. *Local Government Act 1972: Elizabeth II. Chapter 70* (1972) London: HMSO

**1974 Town and Country Amenities Act**

- Great Britain. *Town and Country Amenities Act 1974: Elizabeth II. Chapter 32* (1974) London: HMSO
- Great Britain. *Town and Country Amenities Bill*. HC Bill (1974) [76]
- Great Britain. *Town and Country Amenities Bill*. HC Bill (1974) [18]
- Great Britain. *Town and Country Amenities Bill*. HC Bill (1973-74) [84]
- Great Britain. *Town and Country Amenities Bill*. HC Bill (1973-74) [18]
- Hansard, Parl. Debs. (series 5):
  - HL Deb 15 July 1974 vol. 353 cc. 844-58
  - HC Deb 25 January 1974 vol. 867 cc. 2050-110
  - SC Deb (C) 26 June 1974 cc. 1-42
  - SC Deb (C) 6 February 1974 cc. 1-64

**1976 Local Government (Miscellaneous Provisions) Act**

- Great Britain. *Local Government (Miscellaneous Provisions) Act 1976: Elizabeth II. Chapter 57* (1976) London: HMSO

**1979 Ancient Monuments and Archaeological Areas Act**

- Great Britain. *Ancient Monuments and Archaeological Areas Act 1979: Elizabeth II. Chapter 46* (1979) London: HMSO
- Great Britain. *Ancient Monuments and Archaeological Areas Bill*. HC Bill (1978-79) [127]
- Hansard, Parl. Debs. (series 5):
  - HL Deb 19 March 1979 vol. 399 cc. 941-63
  - HL Deb 20 February 1979 vol. 398 cc. 1737-87



**1980 National Heritage Act**

- Great Britain. *National Heritage Act 1980: Elizabeth II. Chapter 17* (1980) London: HMSO
- Great Britain. *National Heritage Bill*. HC Bill (1979/80) [169]
- Great Britain. *National Heritage Bill*. HC Bill (1979/80) [126]
- Great Britain. *National Heritage Bill*. HC Bill (1979/80) [83]
- Hansard, Parl. Debs. (series 5):
  - HL Deb 10 March 1980 vol. 406 cc. 633-55
  - HL Deb 28 February 1980 vol. 405 cc. 1521-613
  - HL Deb 12 February 1980 vol. 405 cc. 16-112
  - HC Deb 03 December 1979 vol. 975 cc. 55-166
  - SC Deb (F) 18 December 1979 cc. 49-54

**1980 Local Government, Planning and Land Act**

- Great Britain. *Local Government, Planning and Land Act 1980: Elizabeth II. Chapter 65* (1980) London: HMSO
- Great Britain. *Local Government, Planning and Land Bill*. HC Bill (1979/80) [128]

**1981 Wildlife and Countryside Act**

- Great Britain. *Wildlife and Countryside Act 1981: Elizabeth II. Chapter 69* (1981) London: HMSO

**1981 Local Government and Planning (Amendment) Act**

- Great Britain. *Local Government and Planning (Amendment) Act 1981: Elizabeth II. Chapter 41* (1981) London: HMSO

**1983 National Heritage Act**

- Great Britain. *National Heritage Act 1983: Elizabeth II. Chapter 47* (1983) London: HMSO [as amended by National Heritage Act 2002 [2002 c. 14]]
- Great Britain. *National Heritage Bill*. HC Bill (1982/83) [120]
- Great Britain. *National Heritage Bill*. HC Bill (1982/83) [85]
- Great Britain. *National Heritage Bill*. HL Bill (1982/83) [55]
- Great Britain. *National Heritage Bill*. HL Bill (1982/83) [54]
- Great Britain. *National Heritage Bill*. HL Bill (1982/83) [10]
- Hansard, Parl. Debs. (series 5):
  - HL Deb 12 May 1983 vol. 442 cc. 559-84
  - HC Deb 05 May 1983 vol. 42 cc. 452-513
  - HC Deb 24 February 1983 vol. 37 cc. 1064-115
  - HL Deb 15 February 1983 vol. 439 cc. 110-2, 122-80
  - HL Deb 31 January 1983 vol. 438 cc. 519-87, 601-71
  - HL Deb 27 January 1983 vol. 438 cc. 373-5, 378-448
  - HL Deb 21 December 1982 vol. 437 cc. 930-8, 942-92, 1000-42
  - HL Deb 16 December 1982 vol. 437 cc. 738-76, 793-834
  - HL Deb 14 December 1982 vol. 437 cc. 501-36, 545-90
  - HL Deb 25 November 1982 vol. 436 cc. 984-1052
  - HL Deb 09 November 1982 vol. 436 cc. 100-1
  - SC Deb (F) 29 March 1983 cc. 249-306

- SC Deb (F) 24 March 1983 cc. 211-248
- SC Deb (F) 22 March 1983 cc. 189-210
- SC Deb (F) 8 March 1983 cc. 1-36
- Parliamentary Archives, HL/PO/PU/2/494 (Bill files, 1983, c. 47-50, 1983):
  - Amendment to be Moved on Consideration of Commons Amendments 11 May 1983 London: HMSO
  - Commons Amendments 6 May 1983 London: HMSO
  - Marshalled List of Amendments to be Moved on Third Reading [55-I] 14 February 1983 London: HMSO
  - Second Revised Marshalled List of Amendments to be Moved on Report [54-III] 28 January 1983 London: HMSO
  - Revised Marshalled List of Amendments to be Moved on Report [54-II] 26 January 1983 London: HMSO
  - Third Marshalled List of Amendments to be Moved in Committee [10-III] 20 December 1982 London: HMSO
  - Second Marshalled List of Amendments to be Moved in Committee [10-II] 15 December 1982 London: HMSO
  - Marshalled List of Amendments to be Moved in Committee [10-I] 10 December 1982 London: HMSO

#### **1984 Town and Country Planning Act**

- Great Britain. *Town and Country Planning Act 1984: Elizabeth II. Chapter 10* (1984) London: HMSO

#### **1985 Wildlife and Countryside (Amendment) Act**

- Great Britain. *Wildlife and Countryside (Amendment) Act 1985: Elizabeth II. Chapter 31* (1985) London: HMSO

#### **1986 Housing and Planning Act**

- Great Britain. *Housing and Planning Act 1986: Elizabeth II. Chapter 63* (1986) London: HMSO

#### **1990 Town and Country Planning Act**

- Great Britain. *Town and Country Planning Act 1990: Elizabeth II. Chapter 8* (1990) London: HMSO

#### **1990 Planning (Listed Buildings and Conservation Areas) Act**

- Great Britain. *Planning (Listed Buildings and Conservation Areas) Act 1990: Elizabeth II. Chapter 9* (1990) London: HMSO
- Great Britain. *Planning (Listed Buildings and Conservation Areas) Bill*. HC Bill (1989/90) [128]

#### **1991 Planning and Compensation Act**

- Great Britain. *Planning and Compensation Act 1991: Elizabeth II. Chapter 34* (1991) London: HMSO

**1995 Environment Act**

- Great Britain. *Environment Act 1995: Elizabeth II. Chapter 25* (1995) London: HMSO

**2000 Countryside and Rights of Way Act**

- Great Britain. *Countryside and Rights of Way Act 2000: Elizabeth II. Chapter 37* (2000) London: HMSO

**2004 Planning and Compulsory Purchase Act**

- Great Britain. *Planning and Compulsory Purchase Act 2004: Elizabeth II. Chapter 5* (2004) London: HMSO

**2006 Natural Environment and Rural Communities Act**

- Great Britain. *Natural Environment and Rural Communities Act 2006: Elizabeth II. Chapter 16* (2006) London: HMSO

**2006 Commons Act**

- Great Britain. *Commons Act 2006: Elizabeth II. Chapter 26* (2006) London: HMSO

**2007 Sustainable Communities Act**

- Great Britain. *Sustainable Communities Act 2007: Elizabeth II. Chapter 23* (2007) London: HMSO

**2008 Housing and Regeneration Act**

- Great Britain. *Housing and Regeneration Act 2008: Elizabeth II. Chapter 17* (2008) London: HMSO

**2008 Planning and Energy Act**

- Great Britain. *Planning and Energy Act 2008: Elizabeth II. Chapter 21* (2008) London: HMSO

**2008 Planning Act**

- Great Britain. *Planning Act 2008: Elizabeth II. Chapter 29* (2008) London: HMSO

**2008 Heritage Protection Bill**

- Great Britain. Department for Culture, Media and Sport (2008) *Draft Heritage Protection Bill*. London: The Stationery Office (Cm 7349)

**2009 Local Democracy, Economic Development and Construction Act**

- Great Britain. *Local Democracy, Economic Development and Construction Act 2009: Elizabeth II. Chapter 20* (2009) London: HMSO

**2011 Localism Act**

- Great Britain. *Localism Act 2011: Elizabeth II. Chapter 20* (2011) London: HMSO

**2013 Enterprise and Regulatory Reform Act**

- Great Britain. *Enterprise and Regulatory Reform Act 2013: Elizabeth II. Chapter 24* (2013) London: HMSO

Appendix IV - published paper - removed from electronic version

**APPENDIX V: INTERNATIONAL CONSERVATION CHARTERS**

As discussed in Chapter 3, charters are produced by a number of bodies, at the international and national scales, and in a number of forms. The most relevant in respect of conservation are those produced by the Council of Europe, United Nations Educational, Scientific and Cultural Organization (UNESCO), and the International Council on Monuments and Sites (ICOMOS); depending on the originating body, and format adopted, charters have varying degrees of influence. Those of particular relevance to historic conservation are listed below.

## Appendix V: International Conservation Charters

DATE	UNESCO		ICOMOS			OTHER INTERNATIONAL STANDARDS
	INTERNATIONAL CONVENTIONS	RECOMMENDATIONS	DECLARATIONS	CHARTERS ADOPTED BY THE GENERAL ASSEMBLY OF ICOMOS	RESOLUTIONS AND DECLARATIONS	
1931						Athens Charter for the Restoration of Historic Monuments
1954	Hague Convention: Convention for the Protection of Cultural Property in the Event of Armed Conflict (First Protocol)					
1956		Recommendation on International Principles Applicable to Archaeological Excavations				
1962		Recommendation concerning the Safeguarding of Beauty and Character of Landscapes and Sites				
1964		Recommendation on the Means of Prohibiting and Preventing the Illicit Export, Import and Transfer of Ownership of Cultural Property		Venice Charter: The International Charter for the Conservation and Restoration of Monuments and Sites		
1967						Final Report of the Meeting on the Preservation and Utilization of Monuments and Sites of Artistic and Historical Value (Quito)

## Appendix V: International Conservation Charters

DATE	UNESCO		ICOMOS			OTHER INTERNATIONAL STANDARDS
	INTERNATIONAL CONVENTIONS	RECOMMENDATIONS	DECLARATIONS	CHARTERS ADOPTED BY THE GENERAL ASSEMBLY OF ICOMOS	RESOLUTIONS AND DECLARATIONS	
1968		Recommendation concerning the Preservation of Cultural Property Endangered by Public or Private works				
1969						European Convention on the Protection of the Archaeological Heritage
1970	Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property					
1972	Convention concerning the Protection of the World Cultural and Natural Heritage	Recommendation concerning the Protection, at National Level, of the Cultural and Natural Heritage			Resolutions of the Symposium on the Introduction of Contemporary Architecture into Ancient Groups of Buildings	
1975					Resolutions of the International Symposium on the Conservation of Smaller Historic Towns	Declaration of Amsterdam (Congress on the European Architectural Heritage)
						European Charter of the Architectural Heritage (Council of Europe)



## Appendix V: International Conservation Charters

DATE	UNESCO		ICOMOS			OTHER INTERNATIONAL STANDARDS
	INTERNATIONAL CONVENTIONS	RECOMMENDATIONS	DECLARATIONS	CHARTERS ADOPTED BY THE GENERAL ASSEMBLY OF ICOMOS	RESOLUTIONS AND DECLARATIONS	
1976		Recommendation concerning the International Exchange of Cultural Property				
		Recommendation concerning the Safeguarding and Contemporary Role of Historic Areas				
		Nairobi Recommendation: Recommendation on Participation by the People at Large in Cultural Life and their Contribution to It				
1978		Recommendation for the Protection of Movable Cultural Property			<i>[Resolutions of the 5<sup>th</sup> General Assembly of ICOMOS: informed Burra]</i>	
1979					The Australia ICOMOS Charter for the Conservation of Places of Cultural Significance	
1981				Florence Charter: Historic Gardens		
1982					Tlaxcala Declaration on the Revitalisation of Small Settlements	Deschambault Declaration: Charter for the Preservation of Quebec's Heritage
					Declaration of Dresden on the 'Reconstruction of Monuments Destroyed by War'	

## Appendix V: International Conservation Charters

DATE	UNESCO		ICOMOS			OTHER INTERNATIONAL STANDARDS	
	INTERNATIONAL CONVENTIONS	RECOMMENDATIONS	DECLARATIONS	CHARTERS ADOPTED BY THE GENERAL ASSEMBLY OF ICOMOS	RESOLUTIONS AND DECLARATIONS		CHARTERS ADOPTED BY ICOMOS NATIONAL COMMITTEES
1983					Declaration of Rome	Appleton Charter for the Protection and Enhancement of the Built Environment (ICOMOS Canada)	
1985							Convention for the Protection of the Architectural Heritage of Europe
							European Convention on Offences relating to Cultural Property
1986							Council of Europe Committee of Ministers Recommendation on Urban Open Space
1987				Washington Charter: Charter for the Conservation of Historic Towns and Urban Areas			
1988						The Australia ICOMOS Charter for the Conservation of Places of Cultural Significance	
1989		Recommendation on the Safeguarding of Traditional Culture and Folklore					

## Appendix V: International Conservation Charters

DATE	UNESCO		ICOMOS			OTHER INTERNATIONAL STANDARDS
	INTERNATIONAL CONVENTIONS	RECOMMENDATIONS	DECLARATIONS	CHARTERS ADOPTED BY THE GENERAL ASSEMBLY OF ICOMOS	RESOLUTIONS AND DECLARATIONS	
1990				Charter for the Protection and Management of the Archaeological Heritage		
1992						European Convention on the Protection of the Archaeological Heritage (Revised)
1993					Guidelines for Education and Training in the Conservation of Monuments, Ensembles and Sites	
1994					The Nara Document on Authenticity	
1996				Charter on the Protection and Management of the Underwater Cultural Heritage	Declaration of San Antonio	The European Convention on the Protection of Archaeological Heritage
					Principles for the Recording of Monuments, Groups of Buildings and Sites	
1997			Declaration on the Responsibilities of the Present Generations Towards Future Generations			First Brazilian Seminar About the preservation and Revitalization of Historic Centers
1998					Stockholm Declaration	

## Appendix V: International Conservation Charters

DATE	UNESCO			ICOMOS		OTHER INTERNATIONAL STANDARDS
	INTERNATIONAL CONVENTIONS	RECOMMENDATIONS	DECLARATIONS	CHARTERS ADOPTED BY THE GENERAL ASSEMBLY OF ICOMOS	RESOLUTIONS AND DECLARATIONS	
1999	Hague Convention: Convention for the Protection of Cultural Property in the Event of Armed Conflict (Second Protocol)			International Cultural Tourism Charter		The Australia ICOMOS Charter for the Conservation of Places of Cultural Significance
				Principles for the Preservation of Historic Timber Structures		
				Charter on the Built Vernacular Heritage		
2000						European Landscape Convention
2001	Convention on the Protection of the Underwater Cultural Heritage					
2003	Convention for the Safeguarding of the Intangible Cultural Heritage		UNESCO Declaration concerning the Intentional Destruction of Cultural Heritage	Principles for the Analysis, Conservation, and Structural Restoration of Architectural Heritage		Indonesia Charter for Heritage Conservation
			Charter on the Preservation of Digital Heritage	ICOMOS Principles for the Preservation and Conservation-Restoration of Wall Paintings		
2004					Principles for the Conservation of Heritage Sites in China	

## Appendix V: International Conservation Charters

DATE	UNESCO		ICOMOS			OTHER INTERNATIONAL STANDARDS
	INTERNATIONAL CONVENTIONS	RECOMMENDATIONS	DECLARATIONS	CHARTERS ADOPTED BY THE GENERAL ASSEMBLY OF ICOMOS	RESOLUTIONS AND DECLARATIONS	
2005	Convention on the Protection and Promotion of the Diversity of Cultural Expressions				Xi'an Declaration on the Conservation of the Setting of Heritage Structures, Sites and Areas	Faro Convention: The Council of Europe Framework Convention on the Value of Cultural Heritage for Society
2008				ICOMOS Charter on Cultural Routes	Quebec Declaration on the Preservation of the Spirit of the Place	
				ICOMOS Charter on the Interpretation and Presentation of Cultural Heritage Sites		
2010					Lima Declaration for Disaster Risk Management of Cultural Heritage	Charter for the Conservation of Places of Cultural Heritage Value (ICOMOS New Zealand)
2011		Recommendation on the Historic Urban Landscape		Principles for the Conservation of Industrial Heritage Sites, Structures, Areas and Landscapes	Paris Declaration on Heritage as a Driver of Development	
				The Valletta Principles for the Safeguarding and Management of Historic Cities, Towns and Urban Areas		

## Appendix V: International Conservation Charters

DATE	UNESCO			ICOMOS		OTHER INTERNATIONAL STANDARDS
	INTERNATIONAL CONVENTIONS	RECOMMENDATIONS	DECLARATIONS	CHARTERS ADOPTED BY THE GENERAL ASSEMBLY OF ICOMOS	RESOLUTIONS AND DECLARATIONS	
<b>2013</b>						<b>The Australia ICOMOS Charter for Places of Cultural Significance</b>

Source: Council of Europe (2012); ICOMOS (2012); UNESCO (2012 a; b; c; e; f)

## **Appendix VI – Definition of ‘Interests’ and ‘Values’ in English Conservation Practice**

---

### **APPENDIX VI: DEFINITION OF ‘INTERESTS’ AND ‘VALUES’ IN ENGLISH CONSERVATION PRACTICE**

The table below lists the ‘interests’ and ‘values’ defined by Government in national planning policy, and by English Heritage in *Conservation Principles*, and provides the definitions for each. Drawing on the ‘mapping’ of interests shown in Fig. 11, Chapter 3, these interests are then reconciled (along with revised definitions), to create a preliminary typology of interests in use in English conservation practice.

Source: DCLG, 2012, p. 50; DCLG, 2010a, pp. 13-14; English Heritage, 2008b, p. 72

## Appendix VI – Definition of ‘Interests’ and ‘Values’ in English Conservation Practice

GOVERNMENT INTERESTS (PPS5/NPPF)	ENGLISH HERITAGE PRIMARY HERITAGE VALUES (CONSERVATION PRINCIPLES)	RECONCILED DEFINITION OF INTERESTS
<p><b>ARCHAEOLOGICAL:</b> An interest in carrying out an expert investigation at some point in the future into the evidence a heritage asset may hold of past human activity. Heritage assets with archaeological interest are the primary source of evidence about the substance and evolution of places, and of the people and cultures that made them. These heritage assets are part of a record of the past that begins with traces of early humans and continues to be created and destroyed.</p>	<p><b>EVIDENTIAL:</b> Value deriving from the potential of a place to yield evidence about past human activity</p>	<p><b>ARCHAEOLOGICAL:</b> An interest in the potential of a place to yield evidence about past human activity (the substance and evolution of places, and of the people and cultures that made them) through future investigation.</p>
<p>These are interests in the design and general aesthetics of a place. They can arise from conscious design or fortuitously from the way the heritage asset has evolved</p>	<p><b>ARCHITECTURAL:</b> More specifically, architectural interest is an interest in the art or science of the design, construction, craftsmanship and decoration of buildings and structures of all types.</p> <p><b>ARTISTIC:</b> Artistic interest is an interest in other human creative skill, like sculpture.</p>	<p><b>AESTHETIC:</b> Interest deriving from design of a place and the ways in which people draw sensory and intellectual stimulation from it. Subsets are <b>ARCHITECTURAL</b> and <b>ARTISTIC</b> interest.</p>
<p><b>HISTORIC:</b> An interest in past lives and events (including pre-historic). Heritage assets can illustrate or be associated with them. Heritage assets with historic interest not only provide a material record of our nation’s history, but can also provide an emotional meaning for communities derived from their collective experience of a place and can symbolise wider values such as faith and cultural identity.</p>	<p><b>HISTORICAL:</b> Value deriving from the ways in which past people, events and aspects of life can be connected through a place to the present</p> <p><b>COMMUNAL:</b> Value deriving from the meanings of a place for the people who relate to it, or for whom it figures in their collective experience or memory</p>	<p><b>HISTORIC:</b> An interest deriving from the way in which past lives, events and aspects of life can be connected through a place to the present, through illustration or association.</p> <p><b>COMMUNITY:</b> Stems from heritage assets with historic interest. Emotional meaning of a place for the people who relate to it, derived from their collective experience or memory of a place; can symbolise wider values such as faith and cultural identity.</p>



## Appendix VII – Sources for the ‘Definition and Application of Significance’ Model

### APPENDIX VII: SOURCES FOR THE ‘DEFINITION AND APPLICATION OF SIGNIFICANCE’ MODEL

The following sources were used to inform the development of the model for the definition and application of significance in English conservation (Figs. 14, 27 and 87). Full bibliographical information for each of these sources is contained in the Bibliography.

AUTHOR	DATE	TITLE
<b>CONSERVATION AREA ASSESSMENTS</b>		
<b>English Heritage</b>	2011	<i>Understanding place: conservation area designation, appraisal and management</i>
<b>Oxford City Council, Oxford Preservation Trust and EH</b>	n.d.	<i>Oxford character assessment toolkit</i>
<b>CONSERVATION MANAGEMENT PLANS</b>		
<b>GHS</b>	n.d.	<i>PCAN 14: management plans</i>
<b>HLF</b>	2008	<i>Conservation management planning</i>
<b>Kerr</b>	2013	<i>Conservation plan: a guide to the preparation of conservation plans for places of European cultural significance</i>
<b>Watkins and Wright</b>	2007	<i>The management and maintenance of historic parks, gardens and landscapes</i>
<b>EUROPEAN LANDSCAPE CONVENTION</b>		
<b>Council of Europe</b>	2000	<i>European Landscape Convention</i>
<b>English Heritage</b>	2007	<i>European Landscape Convention: a framework for implementation</i>
<b>English Heritage</b>	2009	<i>The European Landscape Convention: The English Heritage action plan for implementation</i>
<b>HISTORIC AREA ASSESSMENTS</b>		
<b>English Heritage</b>	2010	<i>Understanding place - historic area assessments: principles and practice</i>
<b>English Heritage</b>	2012	<i>Understanding place: historic area assessments in a planning and development context</i>
<b>Oxford City Council, Oxford Preservation Trust and EH</b>	n.d.	<i>Oxford character assessment toolkit</i>
<b>LANDSCAPE ASSESSMENT</b>		
<b>Aldred &amp; Fairclough</b>	2003	<i>Historic landscape characterisation: taking stock of the method</i>
<b>Clark, Darlington, &amp; Fairclough</b>	2004	<i>Using historic landscape characterisation</i>
<b>Dobson &amp; Selman</b>	2012	<i>Applying historic landscape characterisation in spatial planning: from remnants to remanence</i>
<b>Fairclough</b>	2005	<i>Boundless horizons: historic landscape characterisation</i>
<b>GHS</b>	n.d.	<i>PCAN 13: briefs for historic landscape assessments</i>
<b>LI/IEMA</b>	2013	<i>Guidelines for landscape and visual impact assessment</i>
<b>Scott</b>	2008	<i>Assessing public perception of landscape</i>
<b>Swanwick</b>	2002	<i>Landscape character assessment: guidance for England and Scotland</i>
<b>PARKS AND GARDENS</b>		
<b>AGT</b>	2011	<i>Historic landscape project: researching historic designed landscapes for local listing</i>

## Appendix VII – Sources for the ‘Definition and Application of Significance’ Model

AUTHOR	DATE	TITLE
<b>English Heritage</b>	2011	<i>Conservation principles, policies and guidance for historic parks, gardens and designed landscapes (draft)</i>
<b>GHS</b>	n.d.	<i>PCAN 13: briefs for historic landscape assessments</i>
<b>GHS</b>	n.d.	<i>PCAN 14: management plans</i>
<b>GHS</b>	n.d.	<i>PCAN appendices</i>
<b>Goodchild</b>	1990	<i>Draft document for discussion purposes: some principles for the conservation of historic landscapes</i>
<b>Goult</b>	1993	<i>Heritage gardens: care, conservation and management</i>
<b>HLF</b>	2012	<i>Evaluation guidance: parks for people</i>
<b>Parks &amp; Gardens UK</b>	2009	<i>Parks &amp; Gardens UK volunteer training manual</i>
<b>Pendlebury</b>	1996	<i>Working Paper No. 44: Historic parks and gardens and statutory protection</i>
<b>Phibbs</b>	1983	<i>An approach to the methodology of recording historic landscapes</i>
<b>The Parks Agency</b>	2006	<i>Understanding and valuing your park: a short guide (draft)</i>
<b>Tunbridge Wells Borough Council</b>	2010	<i>A review of the Kent Compendium's list of historic parks and gardens for Tunbridge Wells Borough</i>
<b>Watkins and Wright</b>	2007	<i>The management and maintenance of historic parks, gardens and landscapes</i>
<b>SIGNIFICANCE &amp; IMPACT ON SIGNIFICANCE</b>		
<b>Australia ICOMOS</b>	2000	<i>The Burra Charter: the Australia ICOMOS charter for places of cultural significance 1999</i>
<b>Bell</b>	1997	<i>The Historic Scotland guide to international conservation charters</i>
<b>DCLG</b>	2010	<i>PPS5</i>
<b>DCLG</b>	2010	<i>PPS5 planning practice guide</i>
<b>DCLG</b>	2012	<i>NPPF</i>
<b>English Heritage</b>	2008	<i>Conservation principles</i>
<b>English Heritage</b>	2011	<i>Conservation principles, policies and guidance for historic parks, gardens and designed landscapes (draft)</i>
<b>GHS</b>	n.d.	<i>PCAN 14: management plans</i>
<b>ICOMOS</b>	2011	<i>Guidance on heritage impact assessments for cultural world heritage properties</i>
<b>Kerr</b>	2013	<i>Conservation plan: a guide to the preparation of conservation plans for places of European cultural significance</i>
<b>Mason</b>	2002	<i>Assessing values in conservation planning: methodological issues and choices</i>
<b>The Parks Agency</b>	2006	<i>Understanding and valuing your park: a short guide (draft)</i>
<b>Watkins and Wright</b>	2007	<i>The management and maintenance of historic parks, gardens and landscapes</i>
<b>STRATEGIC ENVIRONMENTAL ASSESSMENT</b>		
<b>English Heritage</b>	2010	<i>Strategic environmental assessment, sustainability appraisal and the historic environment</i>

**APPENDIX VIII: ICOMOS EXAMPLE GUIDES FOR HISTORIC LANDSCAPES**

The ICOMOS *Guidance on Heritage Impact Assessments for Cultural World Heritage Properties* (ICOMOS, 2011) proposes a matrix for the assessment of the impact on significance of proposals affecting world heritage sites, in which that impact is understood as a function of the value of the affected heritage asset, and of the magnitude of the proposed change. The *Guidance* offers illustrations of both value and magnitude in relation to a range of heritage asset types; the illustrations for each in respect of historic landscapes are set out below.

VALUE GRADING	ILLUSTRATIVE EXAMPLE
<b>Very High</b>	<ul style="list-style-type: none"> <li>• Landscapes of acknowledged international importance inscribed as WH property</li> <li>• Individual attributes that convey OUV of the WH property</li> <li>• Historic landscapes of international value, whether designated or not</li> <li>• Extremely well-preserved historic landscapes with exceptional coherence, time depth, or other critical factors</li> </ul>
<b>High</b>	<ul style="list-style-type: none"> <li>• Nationally designated historic landscape of outstanding interest</li> <li>• Undesignated landscapes of outstanding interest</li> <li>• Undesignated landscapes of high quality and importance, and of demonstrable national value</li> <li>• Well-preserved historic landscapes, exhibiting considerable coherence, time depth or other critical factors</li> </ul>
<b>Medium</b>	<ul style="list-style-type: none"> <li>• Designated special historic landscapes</li> <li>• Undesignated historic landscapes that would justify special historic landscape designation</li> <li>• Landscapes of regional value</li> <li>• Averagely well preserved historic landscapes with reasonable coherence, time depth or other critical factors</li> </ul>
<b>Low</b>	<ul style="list-style-type: none"> <li>• Robust undesignated historic landscapes</li> <li>• Historic landscapes with importance to local interest groups</li> <li>• Historic landscapes whose value is limited by poor preservation and/or poor survival of contextual associations</li> </ul>
<b>Negligible</b>	<ul style="list-style-type: none"> <li>• Landscapes [with] little or no significant historical interest</li> </ul>

## Appendix VIII – ICOMOS Example Guides for Historic Landscapes

IMPACT MAGNITUDE GRADING	ILLUSTRATIVE EXAMPLE
<b>Major</b>	<ul style="list-style-type: none"> <li>Change to most or all key historic landscape elements, parcels or components; extreme visual effects; gross change of noise or change to sound quality; fundamental changes to use or access; resulting in total change to historic landscape character unit and loss of OUV</li> </ul>
<b>Moderate</b>	<ul style="list-style-type: none"> <li>Change to many key historic landscape elements, parcels or components; visual change to many key aspects of the historic landscape; noticeable differences in noise or sound quality; considerable changes to use or access; resulting in moderate changes to historic landscape character</li> </ul>
<b>Minor</b>	<ul style="list-style-type: none"> <li>Change to few key historic landscape elements, parcels or components; slight visual changes to few key aspects of historic landscape; limited changes to noise levels or sound quality; slight changes to use or access; resulting in limited change to historic landscape character</li> </ul>
<b>Negligible</b>	<ul style="list-style-type: none"> <li>Very minor changes to key historic landscape elements, parcels or components; virtually unchanged visual effects; very slight changes in noise levels or sound quality; very slight changes to use or access; resulting in a very small change to historic landscape character</li> </ul>
<b>No Change</b>	<ul style="list-style-type: none"> <li>No change to elements, parcels or components; no visual or audible changes; no changes in amenity or community factors</li> </ul>

Source: ICOMOS, 2011, pp. 14-17

## APPENDIX IX: QUESTIONNAIRE SURVEY

A questionnaire survey on issues around ‘planning and the protection of historic parks and gardens’ was sent to the Conservation Officer for each English Local Planning Authority in November 2012 (335 in total, including those National Park Authorities dealing with the majority of planning applications in their area). Six weeks were allowed for completion, and a response rate of 40% was achieved, 86% of which were comprehensive responses.

The survey was created and completed using ‘SurveyMonkey’ software (customised links to the online questionnaire were emailed to prospective participants). The text from the online survey is reproduced below (it should be noted that an opportunity for comments was also included with each question). The findings from the survey are summarised in Appendix X.

### PLANNING AND THE PROTECTION OF HISTORIC PARKS AND GARDENS

#### INTRODUCTION

**The text below provides some context to the questionnaire and its completion which may be of use. If you wish to proceed straight to the questionnaire, however, please scroll down and click ‘next’.**

##### *Historic Parks and Gardens*

This survey seeks information on the way in which the planning system is used by local planning authorities to identify and protect historic parks and gardens. Historic parks and gardens may be defined as designed landscapes of many sorts (public parks, the gardens associated with stately homes, cemeteries, and so on) created in the past. The best of these are formally identified by English Heritage by being added to the ‘Register of Historic Parks and Gardens of Special Historic Interest in England’ (‘registered’ parks or gardens), and receive the highest form of parks and gardens protection as a result, but others may be identified and protected at the local level (‘locally designated’ or ‘unregistered’ parks and gardens). The primary focus of this survey is *registered* historic parks and gardens, but some questions relate to unregistered ones, too. Where a question has a specific focus on one or the other, this is made clear.

##### *Scope of the Questionnaire*

The questionnaire is divided into sections covering the following topics, and concludes with an opportunity to request a copy of the findings:

- Section 1: Identifying the historic parks and gardens within your area
- Section 2: Planning policy for protecting historic parks and gardens
- Section 3: Other protection for historic parks and gardens
- Section 4: Administration of applications in respect of historic parks and gardens
- Section 5: Significance
- Section 6: Information

## Appendix IX – Questionnaire Survey

### *Guidance on Completion*

Please select responses as appropriate, or add further information where shown. Most questions merely require options to be selected, but there are additional opportunities throughout for you to add comments should you wish. All but one question [Question 1] may be skipped, but the more questions you are able to answer, the more reliable and useful the findings will be (you will be encouraged to skip some questions, however, depending on your previous answers). Each section starts on a new page. To proceed to the next page, please press 'next' (you may need to scroll down to the bottom of the page to do this). At the end, please press 'submit' to store your responses. Thank you.

### SECTION 1: IDENTIFYING THE HISTORIC PARKS AND GARDENS WITHIN YOUR AREA

#### A) REGISTERED PARKS AND GARDENS

\* 1. Are there any *registered* historic parks and gardens in your local authority area (i.e. parks and gardens on the English Heritage Register)?

- Yes
- No (please proceed to Question 3)
- Not aware of any (please proceed to Question 3)

2. If so, how many are there (wholly or partially within the local authority area)?

#### B) OTHER PARKS AND GARDENS

3. Are there any *locally designated/unregistered* historic parks and gardens in your local authority area?

- Yes
- No (please proceed to Question 5)
- Not aware of any (please proceed to Question 5)

4. If so, how many are there (wholly or partially within the local authority area)?

5. Has any work been done, or proposed, to identify *unregistered* historic parks or gardens in your area? Please select as many as apply:

	Done	In Progress	Proposed	None	Don't Know
Local Planning Authority	•	•	•	•	•
County Council (where applicable)	•	•	•	•	•
County Gardens Trust	•	•	•	•	•
Other (please specify below)	•	•	•	•	•

\* Question 1 was the only compulsory question.

## Appendix IX – Questionnaire Survey

*If there are no known historic parks and gardens of any sort in your area (i.e. you have answered 'no' or 'not aware of any' to both Questions 1 and 3), please proceed to Question 36 and the end of the survey, as the majority of the remaining questions relate to the handling of park and garden issues by local planning authorities.*

### SECTION 2: PLANNING POLICY FOR PROTECTING HISTORIC PARKS AND GARDENS

#### C) DEVELOPMENT PLAN POLICY

**6. Do you have local development plan policies that deal with the following? Please select as many as apply:**

	Yes: Adopted	Yes: Emerging	No
General conservation of historic parks and gardens (registered or otherwise)	•	•	•
General 'historic environment' (applicable to historic parks and gardens)	•	•	•
Specific proposals for any particular historic parks and gardens	•	•	•
A 'positive strategy for the conservation and enjoyment of the historic environment'	•	•	•

**7. Which other local development plan policies might you consider using for the conservation of historic parks and gardens (where available)? Please select as many as apply:**

- Green Belt
- Open Space
- Design
- Recreation
- Natural Environment
- Other (please specify below)
- Not applicable

#### D) OTHER PLANNING POLICY (NON-DEVELOPMENT PLAN)

**8. Do you have any other planning policy for the conservation of historic parks and gardens, such as a dedicated parks and gardens (or generic historic environment) supplementary planning document (SPD)? Please select as many as apply:**

- Yes: Adopted (please provide details below)
- Yes: Emerging (please provide details below)
- No

## Appendix IX – Questionnaire Survey

### SECTION 3: OTHER PROTECTION FOR HISTORIC PARKS AND GARDENS

#### E) OTHER PLANNING TOOLS

**9. Has your authority used any of the following methods with the specific intention of protecting historic parks or gardens?**

*This may be proactively, where designations have been sought pre-emptively ahead of development proposals being made (e.g. conservation area designation), or reactively, where the controls associated with existing designations have been invoked to provide a degree of protection for all or part of a historic park or garden (e.g. using listed building curtilage controls).*

**Please select all that apply:**

	Proactive	Reactive
Listed Building Provisions	•	•
Scheduled Monument Provisions	•	•
Conservation Area Provisions	•	•
Tree Preservation Order Provisions	•	•
Article 4 Directions	•	•
Natural Environment Provisions (e.g. SSSI)	•	•
Other (please specify below)	•	•

*If there are no known registered historic parks and gardens in your area (i.e. you previously answered 'no' or 'not aware of any' to Question 1), please proceed to Question 11.*



## Appendix IX – Questionnaire Survey

**10. In general terms, how effective do you think each of the following planning tools is in protecting *registered* historic parks and gardens? Please add any comments in support of your answers in the box below.**

	VERY EFFECTIVE	EFFECTIVE	NEITHER EFFECTIVE NOR INEFFECTIVE	INEFFECTIVE	VERY INEFFECTIVE	N/A
National planning policy (NPPF)	•	•	•	•	•	•
Development plan policy (historic parks and gardens/ wider historic environment)	•	•	•	•	•	•
Other development plan policy	•	•	•	•	•	•
Listed building controls	•	•	•	•	•	•
Scheduled monument provisions	•	•	•	•	•	•
Conservation area provisions	•	•	•	•	•	•
Tree Preservation Order provisions	•	•	•	•	•	•
Article 4 Directions	•	•	•	•	•	•
Natural environment provisions	•	•	•	•	•	•
Other (please specify below)	•	•	•	•	•	•

### F) LOCAL GREEN SPACE

*The National Planning Policy Framework enables the designation of land as Local Green Space, with controls similar to those applying to Green Belt land. One of the justifications for so doing is because of the land's 'local significance', which may include historic significance.*

**11. Has your authority designated or considered designating a Local Green Space?**

- Designated or in process of designating
- Considered designating
- No (please proceed to Question 13, or Question 15 if you have no registered parks and gardens)
- Don't know (please proceed to Question 13, or Question 15 if you have no registered parks and gardens)

**12. If your authority has designated or considered designating a Local Green Space, has this designation related to a historic park or garden?**

- Yes
- No
- Don't know

*If there are no known registered historic parks and gardens in your area (i.e. you previously answered 'no' or 'not aware of any' to Question 1), please proceed to Question 15.*

**G) ADEQUACY OF PROTECTION**

**13. Do you think *registered* parks and gardens are satisfactorily protected in the planning system?**

- Yes
- No
- Don't know

**14. Do you think *registered* parks and gardens should be given statutory protection, similar to that which currently exists for listed buildings? Please add any comments in support of your answers in the box below.**

- Yes
- No
- Don't know

**SECTION 4: ADMINISTRATION OF APPLICATIONS IN RESPECT OF HISTORIC PARKS AND GARDENS**

**H) SPECIALIST ADVICE**

**15. Does your authority have its own Officer(s) with specific responsibility for historic park and garden matters? Please select as many as apply:**

- Yes, Historic Parks and Gardens Officer
- Yes, Conservation Officer
- Yes, Landscape Officer
- Yes, other (please specify below)
- No

## Appendix IX – Questionnaire Survey

---

**16. Does your authority have an arrangement in place giving access to specialist historic parks and gardens advice from an external source? Please select as many as apply:**

- Yes, via County Council (where applicable)
- Yes, via arrangement with neighbouring authority/ies
- Yes, via another arrangement (please specify below)
- No

*If there are no known registered historic parks and gardens in your area (i.e. you previously answered 'no' or 'not aware of any' to Question 1), please proceed to Question 29.*

<b>I) CONSULTATION</b>
------------------------

**17. Which organisation(s) do you consult on planning applications relating to *registered* historic parks and gardens? Please select all that apply in the table below:**

	Grade I	Grade II*	Grade II
English Heritage	•	•	•
Garden History Society	•	•	•
County Gardens Trust	•	•	•
Other (please specify below)	•	•	•

**18. Which consultation(s) does your authority understand to be required before planning permission is granted for development affecting *registered* historic parks and gardens? Please select all that apply in the table below:**

	Grade I	Grade II*	Grade II
English Heritage	•	•	•
Garden History Society	•	•	•
County Gardens Trust	•	•	•

**19. Are *registered* historic parks and gardens identified on any of the following? Please select as many as apply:**

- Local Plan Proposals Map
- GIS to which your DC application system relates
- Constraint maps (paper or GIS) not linked to DC application system
- Other (please specify below)

**20. What is your authority's procedure for identifying which consultee(s) need(s) to be consulted on an application *within* a *registered* park or garden? Please select as many as apply:**

- Automated process using application-handling software
- Identified on a case-by-case basis by the Planning Technician
- Identified on a case-by-case basis by the Case Officer
- Identified on a case-by-case basis by the Conservation Officer
- Identified on a case-by-case basis by the Landscape Officer
- No standard procedure/allocated responsibility
- Other (please specify below)

**21. What procedures does your authority have for identifying which consultee(s) need(s) to be consulted on an application outside but still 'affecting' a *registered* historic park or garden? Please select as many as apply:**

- Standard buffer zone defines extent of 'affected' area (please specify extent below)
- Identified on a case-by-case basis by the Planning Technician
- Identified on a case-by-case basis by the Case Officer
- Identified on a case-by-case basis by the Conservation Officer
- Identified on a case-by-case basis by the Landscape Officer
- No standard procedure/allocated responsibility
- Other (please specify below)

## SECTION 5: SIGNIFICANCE

### J) SIGNIFICANCE

*'Significance' is now a key concept in the conservation of the historic environment. It is defined in the National Planning Policy Framework (NPPF) as 'The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.'*

**22. Has your authority produced (or commissioned) its own assessments of significance for any of the *registered* historic parks and gardens wholly or partially within your administrative area (e.g. in response to a planning application, or as part of the plan-making process)?**

- Yes
- No (please proceed to Question 26)
- Don't know (please proceed to Question 26)

**23. How does your authority go about undertaking its own assessment of the significance of *registered* historic parks and gardens, and the impact of planning proposals on that significance? Please select as many as apply:**

	As part of the plan-making process	In response to a planning application
Undertake own assessment	•	•
Commission external assessment	•	•
Utilise assessment submitted by consultee(s)	•	•
Utilise assessment submitted by applicant	•	•

**24. If undertaking its own assessment of significance in respect of *registered* historic parks and gardens, does your authority consider any of the following in forming its view? Please select as many as apply:**

- The 'interests' defined in the NPPF (i.e. archaeological, architectural, artistic or historic)
- The 'values' defined in English Heritage's Conservation Principles (i.e. aesthetic, communal, evidential or historical)
- Other criteria (please specify below)

**25. What sources of information does your authority use in forming its view of the significance of a *registered* park or garden? Please select as many as apply:**

- Site visit
- Maps (current and historic)
- Photographs (current and historic)
- Archival documentary sources (e.g. correspondence about the garden's design)
- Published works on the park or garden, its type, its owner or its designer
- Register entry (or local equivalent for locally designated parks and gardens)
- Input from specialist
- Responses from statutory/specialist consultees
- Responses from public consultees
- Information about component elements such as listed buildings or scheduled monuments
- Information held by the Historic Environment Record
- Other (please specify below)

**26. Does your authority require the submission of statements of significance from applicants in support of planning applications relating to *registered* historic parks and gardens, before the application can be validated?**

- Yes
- No (please proceed to Question 28)
- Don't know (please proceed to Question 28)

**27. Does your authority assess the adequacy of the statements of significance submitted by applicants in support of planning applications relating to *registered* historic parks and gardens, before the application can be validated?**

- Yes
- No
- Don't know

**28. Does your authority undertake any particular activity above the minimum statutory requirements to engage with the community in the definition of significance in relation to *registered* historic parks and gardens (e.g. workshops or focus groups)?**

- Yes (please specify below)
- No
- Don't know

**29. Does your authority provide guidance to applicants on how to assess significance in general terms?**

- Yes
- No (please proceed to Question 31)
- Don't know (please proceed to Question 31)

**30. Does this guidance include specific advice in relation to the assessment of significance for historic parks and gardens?**

- Yes
- No
- Don't know

**SECTION 6: INFORMATION**

**K) LOCAL AUTHORITY INFORMATION**

**31. How does your authority make the information gathered about historic parks and gardens through plan-making or development management publicly accessible? Please select as many as apply:**

- Publication on the Council's website (e.g. information about particular parks or gardens)
- Park or garden-specific publications (e.g. information leaflets)
- Submitted to Historic Environment Record
- Other (please specify below)
- Not made available
- Don't know

## Appendix IX – Questionnaire Survey

### L) GUIDANCE

**32. Do you feel that there is a need for practice guidance (e.g. from DCLG or English Heritage) on the definition of significance in relation to the following? Please add any comments in support of your answers in the box below.**

	Yes	No	Don't Know
Historic parks and gardens specifically	•	•	•
The historic environment generally	•	•	•

### M) RESPONSIBILITIES

**33. Which of the following best describes your role within the local authority?**

- Conservation Officer
- Development Management Officer
- Landscape Officer
- Planning Technician
- Policy Officer
- A combination of some/all of the above (e.g. combined in one role/more than one respondent)
- Other (please specify below)

### N) FURTHER COMMENTS

**34. If applicable, please provide a few examples of cases where your authority has sought to protect registered or unregistered historic parks or gardens, with a brief explanation as to why this was successful or unsuccessful:**

**35. If you would like to comment further on any of the questions or issues in this questionnaire, please use the space below:**

### RESEARCH FINDINGS AND FURTHER WORK

**36. Please indicate whether or not you would like a copy of the research findings from this questionnaire to be sent to your authority:**

- Yes
- No

*If you do not wish to provide contact details below, the findings will be sent in due course to the email address used initially to circulate this questionnaire. If you would however like them to be sent to you directly, please fill in your contact details below (contact information will then be stored separately from the remainder of the questionnaire responses in the interests of confidentiality):*

**37. Authority Name**

**38. Name of Respondent**

**39. Job Title of Respondent**

**40. Respondent's Email Address**

## Appendix IX – Questionnaire Survey

---

**41. If you would be prepared to answer any questions arising from your responses to this survey, please complete your contact details above and indicate below:**

- Yes
- No

**Thank you for your time, and your interest in this research: your input is very much appreciated.**

**If you have any questions or further comments, please contact the researcher, Victoria Thomson:**

*[contact details provided]*



**APPENDIX X: QUESTIONNAIRE SURVEY FINDINGS**

The findings from the questionnaire survey set out in Appendix IX were written up and published (Thomson, 2014: Appendix IV), and a summary note sent to those respondents wishing to be informed of the outcome of the questionnaire survey. The text of the summary note is reproduced below.

**Planning and the Protection of Historic Parks and Gardens  
- Summary of Questionnaire Findings -**

**Context**

- The questionnaire was designed as one element of wider doctoral research into the ability of the planning system to protect the significance of historic parks and gardens in England; specifically, the questionnaire sought to understand exactly how local planning authorities undertake their activities in respect of such parks and gardens.
- The questionnaire was sent to 335 Local Planning Authorities (LPAs) in England, including those National Park Authorities (NPAs) dealing with the majority of planning applications in their area.
- Questionnaires were marked for the attention of the Conservation Officer, where available; 68% (n = 107) of respondents were Conservation Officers.
- The questionnaires were completed in November/December 2012.
- The response rate was 40%, 86% of which were comprehensive responses.
- The figures given for 'n' refer to the number of authorities responding to a particular question.

**The findings cited are some of the factual headlines. They are shared with respondents in gratitude for the assistance given, but, as they are part of on-going research, should not be disseminated more widely, please: should you wish to make use of this information, or discuss any of the issues raised, please contact the researcher (contact details below).**

**Section 1: Identifying the historic parks and gardens within your area**

- The vast majority of respondents advised that they have registered parks and gardens in their area, but respondent bias appears to have been minimal in this regard:
  - 93% (n = 133) of respondents stated that there were registered historic parks and gardens in their area.
  - Analysis of the National Heritage List for England (NHLE) suggests that 91% (n = 326) of LPAs (discounting NPAs to avoid double-counting) have registered parks and gardens.
- Awareness of registered parks and gardens was generally high, albeit with a lack of precision in some cases which could lead to these assets being overlooked:
  - All LPA (excluding NPA) respondents who believed that they had registered parks and gardens in their area were correct in this (n = 117); 25% of those who thought they had no registered parks and gardens were incorrect (n = 8).
  - Accuracy with regard to the specific number of registered parks and gardens in a local authority area was mixed: 68% of LPAs responding to the survey (excluding NPAs due to lack of corresponding NHLE data; n = 126) provided answers which matched the information on the NHLE, but over a fifth (22%) did not (the most common tendency being to underestimate).

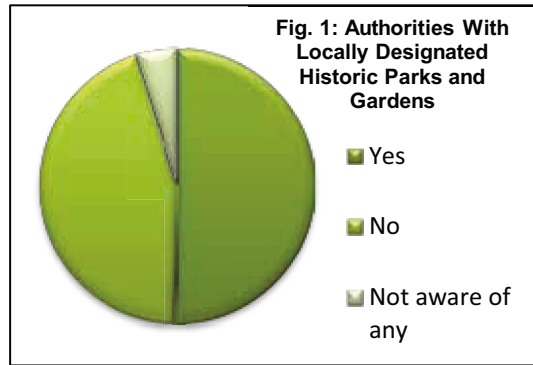
## Appendix X – Questionnaire Survey Findings

- Locally designated/'unregistered' historic parks and gardens were less prevalent in the responding authorities:

- 50.4% (n = 125) of respondents claimed to have any (Fig. 1).
- Local designations varied widely in number, from 1 to approx. 100 per authority.

- Work to identify local historic parks and gardens is somewhat mixed (n = 122):

- Such work has been completed (by the authority or other body) in 39% of responding authority areas (although work is in progress in others); the authority has been involved in around two-thirds of these cases.
- 39% of responding authorities have done no work themselves.
- Awareness of work done by other bodies such as County Councils or County Gardens Trusts was limited ('don't know' being by far the most common response).



### Section 2: Planning policy for protecting historic parks and gardens

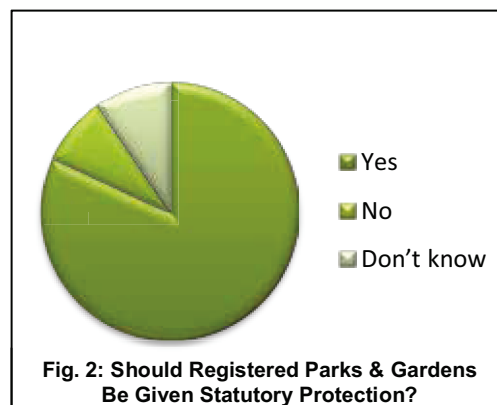
- Development plan policy coverage in relation to historic parks and gardens is reasonably extensive, albeit generic rather than specific (n = 115):
  - 68% of the responding authorities have an adopted and/or emerging policy for the general conservation of historic parks and gardens.
  - 94% have an adopted or emerging policy for parks and gardens and/or the historic environment generally.
  - 15% have an adopted or emerging proposal for a particular park or garden.
- The other development plan policies most likely to be used to conserve historic parks and gardens relate to design, open space, and the natural environment.
- Supplementary policy specific to historic parks and gardens (such as SPD) was more limited: 82% of respondents (n = 113) advised that they did not have any.

### Section 3: Other protection for historic parks and gardens

- Of the other planning tools available for parks and gardens conservation, the ones most frequently used *proactively* are unsurprisingly those within the authority's control, namely conservation area designation and Tree Preservation Orders (TPOs); those most used *reactively* are listed building controls, TPOs, and conservation area controls.
- The tools regarded as most effective were relevant development plan policy, TPOs, listed building controls, conservation area controls, and scheduled monument provisions.

- Whilst the available tools are clearly used, and regarded positively by many, overall views on the adequacy of planning protection for registered parks and gardens were less positive:

- 34% of respondents believed registered parks and gardens to be satisfactorily protected; 54% felt they are not (n = 106).
- 82% of respondents (n = 105) felt that registered parks and gardens should be given statutory protection similar to that which currently exists for listed buildings (Fig. 2).



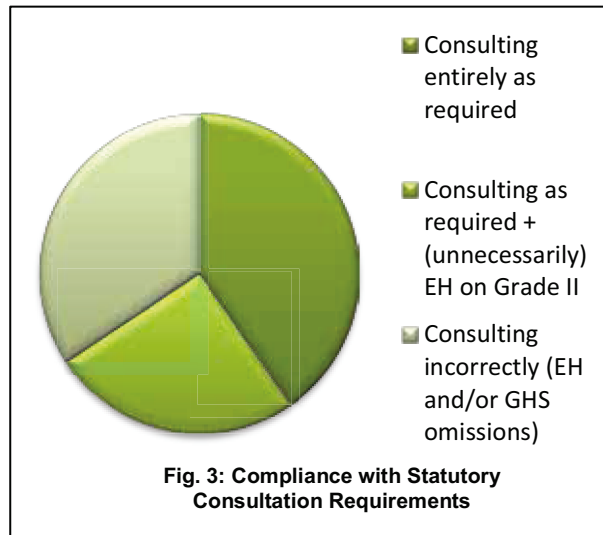
## Appendix X – Questionnaire Survey Findings

- Local Green Space is not yet a well-used designation:
  - 55% of respondent authorities (n = 111) have not designated one (or considered designating one); 12% have designated or are in the process of designating.
  - Of those authorities having designated or considered designating (n = 26), 27% of the authorities advised that the designations related to a historic park or garden.

### Section 4: Administration of applications in respect of historic parks and gardens

- In-house responsibility for park and garden matters is usually part of a wider range of duties, if assigned at all (n = 111):
  - Around a quarter of the responding authorities had no Officer with specific responsibility for historic park and garden matters (24%).
  - Where that responsibility is assigned, it is generally to Conservation Officers (43%), or shared between Conservation and Landscape Officers (18%).
  - Only 2% of responding authorities had Historic Parks and Gardens Officers, and in all cases these were supplemented by Conservation and/or Landscape Officers.
- Access to specialist external historic parks and gardens advice is limited:
  - Three-quarters (75%) of responding authorities have no such access (n = 107).
  - For those respondents without any dedicated in-house staff resource (n = 27), this figure rose to 82%.
  - The majority of respondents advising of one or more arrangements with a body other than the County Council or a neighbouring authority (n = 20) relied to some degree on County Gardens Trusts, English Heritage (EH), and the Garden History Society (GHS); 10% of these respondents relied on consultants for specialist advice.
- The statutory consultation requirements for development affecting historic parks and gardens (EH on Grades I and II\*, and the GHS on Grades I, II\* and II) appear not to be well understood:

- Over half of the respondents (53%) did not correctly identify the statutory consultation requirements (n = 95).
- In practice, only 40% of those for whom responses could be fully assessed<sup>1</sup> appear to be meeting the statutory requirements correctly (Fig. 3); this figure rises to 66% if authorities who appear to (unnecessarily) consult EH on applications affecting Grade IIs are also included (n = 67).



**Fig. 3: Compliance with Statutory Consultation Requirements**

- This means that 60% of respondent authorities are apparently not consulting wholly in accordance with the requirements, with 34% appearing to fail to undertake all the requisite consultations (n = 67).

<sup>1</sup> i.e. responses from non-National Park Authority respondents who knew how many registered parks and gardens were in their area, and answered the relevant question.

## Appendix X – Questionnaire Survey Findings

---

- Registered parks and gardens are well recorded in key systems (n = 105):
  - 77% of responding authorities note them on local plan proposals maps.
  - 87% of responding authorities record them on a GIS related to a development control/ management system.
  - 67% of responding authorities record them on both these systems.
- Methods for identifying a need for consultation on applications *within* a registered park or garden were varied, but the most common (separately or in combination) were (n = 100):
  - Identification on a case-by-case basis by the Planning Technician (59%).
  - Identification on a case-by-case basis by the Case Officer (47%).
  - Automated process using application-handling software (30%).
  - Identification on a case-by-case basis by the Conservation Officer (28%).
- Methods for identifying a need for consultation on applications *outside* but still 'affecting' a registered park or garden were also varied, but with a greater reliance on case-by-case judgments (n = 100):
  - The most common methods were (separately or in combination) identification on a case-by-case basis by the Case Officer (57%), by the Planning Technician (53%), and by the Conservation Officer (39%).
  - 9% of respondents cited the use of a standard buffer zone to define the extent of the 'affected' area.

### Section 5: Significance

- The production of statements of significance varies in extent and method:
  - The majority of responding authorities (n = 106) have not produced/commissioned their own statements of significance for registered parks and gardens (76%).
  - They are most frequently produced in response to planning applications (when the most common means of production are utilising assessments submitted by the applicant or consultees), followed by authorities undertaking their own production of assessments, whether as part of the plan-making process or in relation to planning applications (n = 21).
- The National Planning Policy Framework (NPPF) is not the sole influence on the approach taken to defining significance when authorities undertake their own production of assessments (n = 19):
  - The 'interests' outlined in the NPPF are used by 84% of the relevant authorities.
  - The 'values' defined in EH's *Conservation Principles* are used by 84% of the relevant authorities.
  - The NPPF interests and EH values are usually used together (74%).
- A wide range of information sources is used by authorities to inform assessments of significance (n = 21):
  - All responding authorities used site visits, maps, and photographs.
  - Archival sources, published works, Register and other NHLE entries, consultee responses, and Historic Environment (HER) information were also used by the majority (80+%) of respondents.
  - 67% of respondents used input from specialists.

## Appendix X – Questionnaire Survey Findings

- The information required by authorities from applicants before planning applications relating to registered historic parks and gardens are validated varies in extent and quality:

- 70% of authorities (n = 97) require the submission of statements of significance before relevant applications can be validated, whilst 22% do not (Fig. 4).

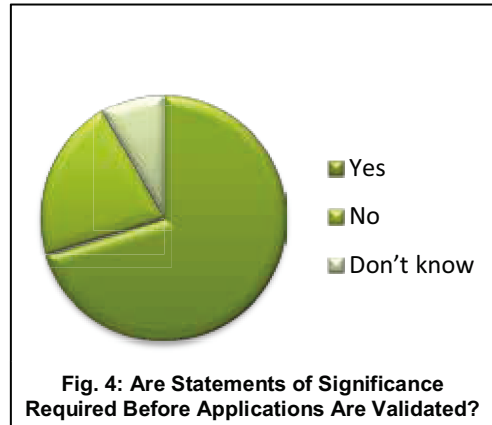
- Over half of the authorities requiring submission and advising on further assessment did not then check the adequacy of the statements before validating the application (57%); 39% did (n = 67).

- The majority of authorities (80%) do not directly engage with the community in the definition of the significance of registered parks and gardens, other than in the standard statutory consultation (n = 102).

- Local guidance on how to assess significance is also limited:

- 62% of authorities (n = 104) do not provide guidance to applicants on how to assess significance in general terms (31% do).

- Of the authorities providing such guidance and indicating its nature (n = 28), 36% included specific advice in relation to the assessment of significance for historic parks and gardens (64% did not).



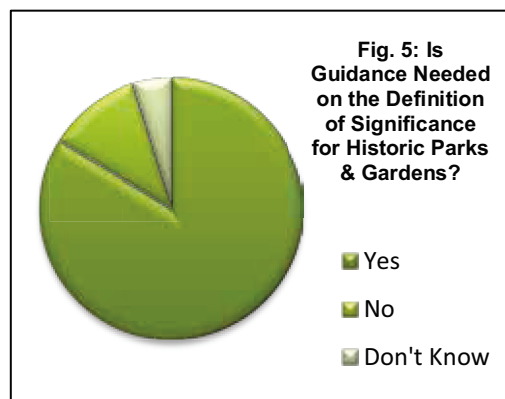
### Section 6: Information

- The most common means of making the information gathered about historic parks and gardens through plan-making or development management publicly accessible are submission to the Historic Environment Record (HER) (55%), and/or publication on the Council website (50%) (n = 101).

- Most respondents felt that there is a need for practice guidance on the definition of significance:

- 74% in respect of the historic environment generally (n = 94).

- 84% in respect of parks and gardens specifically (n = 104), as shown in Fig. 5.



**For further information on these results, or on the wider research being undertaken into the ability of the planning system to protect the significance of historic parks and gardens in England, please contact the researcher:**

**Victoria Thomson**  
[contact details provided]

**Thank you for your interest and input to date: it has been very much appreciated.**

## Appendix XI – Heritage at Risk Data, 2012

### APPENDIX XI: HERITAGE AT RISK DATA, 2012

This image shows an individual entry from the 2012 *Heritage at Risk Register* (English Heritage, 2012a, p. 32):

	<b>SITE NAME:</b> Kidbrooke Park, Forest Row	C18 park with extensive C19 landscape features attributed to Humphry Repton and later formal and woodland gardens. The estate was sold in 1938 then further subdivided. The house became a Steiner school which has since sold perimeter land for development and built school facilities in the grounds. It is vulnerable to development. The Environment Agency is investigating the possibility of using the lower lake as a flood storage facility which has highlighted the need for an up-to-date Conservation Management Plan.
	<b>DESIGNATION:</b> Registered Park and Garden Grade II, also 2 LBs	
	<b>CONDITION:</b> Extensive significant problems	
	<b>VULNERABILITY:</b> Medium	
	<b>TREND:</b> Declining	
	<b>OWNER TYPE:</b> Mixed, multiple owners	Contact: Principal Heritage at Risk Adviser 01483 252000

The data below represent all the entries in the 2012 *Heritage at Risk Register* relating to historic parks and gardens, and were analysed as reported in Chapter 5.

KEY	
<b>CONDITION</b>	
<b>EXTSIGP</b>	EXTENSIVE SIGNIFICANT PROBLEMS
<b>GUMAJLP</b>	GENERALLY UNSATISFACTORY WITH MAJOR LOCALISED PROBLEMS
<b>GSSIGLP</b>	GENERALLY SATISFACTORY BUT WITH SIGNIFICANT LOCALISED
<b>GSMINLP</b>	GENERALLY SATISFACTORY BUT WITH MINOR LOCALISED PROBLEMS
<b>NATURE OF THREAT</b>	
<b>DEVELOPMENT</b>	EXISTING OR PROPOSED DEVELOPMENT (INC. CONVERSION)
<b>NEGLECT</b>	NEGLECT (INC. NEED FOR PLAN)
<b>SUBDIVISION</b>	SUBDIVISION OR MULTIPLE OWNERSHIP A PROBLEM
<b>SPECIFIC</b>	SPECIFIC DAMAGE E.G. FLOOD/FIRE
<b>VULNERABILITY</b>	
<b>H</b>	HIGH
<b>M</b>	MEDIUM
<b>L</b>	LOW
<b>TREND</b>	
<b>D</b>	DECLINING
<b>S</b>	STABLE
<b>I</b>	IMPROVING
<b>U</b>	UNKNOWN
<b>OWNER TYPE</b>	
<b>P</b>	PRIVATE
<b>C</b>	CORPORATE
<b>M</b>	MIXED
<b>LA</b>	LOCAL AUTHORITY
<b>MO</b>	MULTIPLE OWNER
<b>SO</b>	SINGLE OWNER

## Appendix XI – Heritage at Risk Data, 2012

REGISTERED PARK & GARDEN	GRADE	SM?	LBS?	CA?	CONDITION	NATURE OF THREAT: DEVELOPMENT	NATURE OF THREAT: NEGLECT	NATURE OF THREAT: SUBDIVISION	NATURE OF THREAT: SPECIFIC	VULNERABILITY	TREND	NEW ENTRY	OWNER TYPE I	OWNER TYPE II	EH PRIORITY SITE?
ABNEY PARK CEMETERY	II		Y	Y	EXTSIGP		Y			H	D	N	C	SO	Y
ACTON BURNELL	II	Y	Y	Y	GUMAJLP	Y	Y			M	S	N	M	MO	
ALDERMASTON COURT	II		Y	Y	GUMAJLP	Y	Y	Y		M	D	N	C	SO	
ALLERTON PARK	II		Y		GUMAJLP		Y*			M	D	N	P	MO	
ANFIELD CEMETERY	II*		Y		GUMAJLP		Y			M	D	N	LA	SO	
ANNESLEY HALL	II*	Y	Y		GSSIGLP	Y	Y	Y		H	S	N	M	MO	
ASHTEAD PARK	II	Y	Y	Y	EXTSIGP		Y	Y		H	I	N	M	MO	
BABINGTON HOUSE	II		Y		GSSIGLP	Y				M	S	N	M	MO	
BAWDSEY MANOR	II		Y		GSSIGLP		Y		SEA	H	I	N	M	MO	
BAYHAM ABBEY	II	Y	Y		GUMAJLP		Y	Y		M	D	N	M	MO	
BEARWOOD COLLEGE	II*		Y	Y	GUMAJLP	Y	Y	Y		H	D	N	C	MO	
BENTLEY PRIORY	II		Y		GUMAJLP	Y		Y		H	I	N	M	MO	
BRAMSHILL PARK	II*		Y	Y	EXTSIGP	Y	Y	Y		H	S	N	C	MO	
BRETTON HALL	II		Y	Y	GSSIGLP	Y	Y	Y		M	I	N	M	MO	
BRISLINGTON HOUSE	II*		Y	Y	EXTSIGP	Y		Y		H	D	N	M	MO	
BROADMOOR	II		Y		EXTSIGP	Y	Y	Y		H	D	N	C	SO	
BROCKLESBY PARK	I		Y	Y	GSSIGLP		Y			L	S	N	P	SO	
BROOKWOOD CEMETERY	I		Y	Y	EXTSIGP		Y	Y		H	D	N	M	MO	Y
CAPERNWRAY HALL	II		Y		GSSIGLP	Y				M	D	N	M	MO	
CARCLEW	II		Y	Y	EXTSIGP	Y		Y		M	S	N	P	MO	
CASTLE HOWARD	I	Y	Y		GSSIGLP		Y			L	D	N	P	SO	
CLANDON PARK	II		Y	Y	EXTSIGP	Y	Y	Y		H	D	N	M	MO	
COMBE BANK	II*		Y	Y	EXTSIGP	Y	Y	Y	STORM	H	D	N	M	MO	

**Appendix XI – Heritage at Risk Data, 2012**

REGISTERED PARK & GARDEN	GRADE	SM?	LBS?	CA?	CONDITION	NATURE OF THREAT: DEVELOPMENT	NATURE OF THREAT: NEGLECT	NATURE OF THREAT: SUBDIVISION	NATURE OF THREAT: SPECIFIC	VULNERABILITY	TREND	NEW ENTRY	OWNER TYPE I	OWNER TYPE II	EH PRIORITY SITE?
COMMONWEALTH INSTITUTE	II		Y	Y	EXTSIGP	Y	Y			H	D	N	C	SO	
CONDOVER HALL	II		Y	Y	GUMAJLP	Y	Y			H	S	N	M	MO	
CREWE HALL	II		Y		GUMAJLP	Y				H	D	N	M	MO	
CRICKET HOUSE	II*		Y		GSSIGLP	Y		Y		M	S	N	M	MO	
CROXDALE HALL	II*	Y	Y	Y	GSSIGLP		Y			M	D	N	P	SO	
CRYSTAL PALACE PARK	II*		Y	Y	GUMAJLP	Y	Y			L	D	N	LA	SO	
EASTON LODGE	II		Y		GSSIGLP	Y	Y	Y		H	S	N	P	MO	
EBBERSTON HALL	II*	Y	Y		GSSIGLP		Y			L	D	N	P	SO	
ELVASTON CASTLE	II*		Y		GUMAJLP		Y	Y		H	D	N	M	MO	
EMBLEY PARK	II		Y		EXTSIGP	Y		Y		H	S	N	M	MO	
EUSTON PARK	II*		Y	Y	GSSIGLP		Y			H	I	N	P	SO	
FAWLEY COURT & TEMPLE ISLAND	II*		Y	Y	GUMAJLP	Y		Y		H	S	N	P	MO	
FLAYBRICK MEMORIAL GARDENS	II*		Y	Y	GSSIGLP		Y			M	D	N	LA	SO	Y
GARENDON PARK	II	Y	Y		GSSIGLP	Y	Y			H	D	N	P	SO	
GREAT BARR HALL	II		Y	Y	EXTSIGP	Y	Y	Y		H	D	N	M	MO	
GROVELANDS PARK	II*		Y		GSSIGLP		Y	Y		M	D	N	M	MO	
GUNNERSBURY PARK	II*		Y	Y	GSSIGLP		Y			M	I	N	LA	MO	Y
GUY'S CLIFFE	II	Y	Y		EXTSIGP	Y	Y			H	S	N	M	MO	
HALSWELL PARK	II		Y		EXTSIGP	Y	Y	Y		M	D	N	M	MO	
HALTON HOUSE	II		Y	Y	EXTSIGP	Y	Y			H	S	N	M	MO	
HARLAXTON MANOR	II*		Y		GSSIGLP	Y	Y	Y		H	D	N	M	MO	Y
HATHEROP CASTLE	II	Y	Y	Y	GUMAJLP	Y	Y	Y		M	S	N	M	MO	
HAZLEGROVE HOUSE	II		Y		GSMINLP	Y				M	S	N	M	MO	
HEWELL GRANGE	II*		Y	Y	EXTSIGP	Y				H	S	N	M	MO	



## Appendix XI – Heritage at Risk Data, 2012

REGISTERED PARK & GARDEN	GRADE	SM?	LBS?	CA?	CONDITION	NATURE OF THREAT: DEVELOPMENT	NATURE OF THREAT: NEGLECT	NATURE OF THREAT: SUBDIVISION	NATURE OF THREAT: SPECIFIC	VULNERABILITY	TREND	NEW ENTRY	OWNER TYPE I	OWNER TYPE II	EH PRIORITY SITE?
HIGH ROYDS HOSPITAL	II		Y		EXTSIGP	Y	Y			H	D	N	M	MO	
KENSAL GREEN (ALL SOULS) CEMETERY	I		Y	Y	GUMAJLP		Y			H	D	N	C	SO	Y
KIDBROOKE PARK	II		Y		EXTSIGP	Y	Y	Y	FLOOD STORAGE	M	D	N	M	MO	
KINGSTON MAURWARD	II*	Y	Y	Y	GSMINLP	Y				M	I	N	C	SO	
LAMORBAY PARK	II		Y	Y	EXTSIGP	Y	Y	Y		H	D	N	M	MO	
LAVINGTON PARK	II		Y		EXTSIGP	Y	Y			H	S	N	C	SO	
LILLESHALL HALL	II	Y	Y		GSSIGLP	Y				H	S	N	M	MO	
LONDESBOROUGH PARK	II*		Y	Y	GSSIGLP		Y			H	D	N	P	MO	
MAMHEAD PARK	II*		Y		GUMAJLP		Y	Y		M	S	N	P	MO	
MENTMORE TOWERS	II*		Y	Y	EXTSIGP	Y				H	D	N	M	MO	
NEWBOLD COLLEGE	II*		Y		EXTSIGP	Y	Y			H	D	N	C	SO	
NUNHEAD CEMETERY	II*		Y	Y	GUMAJLP		Y			H	D	N	LA	SO	
OAKES PARK	II		Y	Y	EXTSIGP		Y	Y		H	D	N	M	MO	
OLD WARDEN PARK (INC. SWISS GARDEN)	II*		Y	Y	GSSIGLP		Y			H	S	N	P	SO	
OLDWAY MANSION	II		Y		GSSIGLP	Y				H	S	N	LA	SO	
OULTON HALL	II		Y	Y	GSSIGLP	Y		Y		L	S	N	M	MO	
OXTON HOUSE	II		Y		GSSIGLP	Y	Y	Y		M	D	N	P	MO	
PLUMPTON ROCKS	II*				GSSIGLP		Y			M	D	Y	P	SO	
PRINCESS GARDENS AND ROYAL TERRACE GARDENS	II		Y	Y	GSSIGLP	(Y)			SEA	M	S	N	LA	SO	
REDLYNCH PARK	II		Y		GUMAJLP	Y	Y	Y		M	S	N	P	MO	
RYTON HOUSE	II		Y		GUMAJLP	Y	Y			H	D	N	M	MO	
SANDLEFORD PRIORY	II		Y		EXTSIGP	Y	Y	Y		H	D	N	M	MO	
SCARISBRICK HALL	II	Y	Y	Y	GSSIGLP	Y	Y	Y		M	D	N	M	MO	

**Appendix XI – Heritage at Risk Data, 2012**

REGISTERED PARK & GARDEN	GRADE	SM?	LBS?	CA?	CONDITION	NATURE OF THREAT: DEVELOPMENT	NATURE OF THREAT: NEGLECT	NATURE OF THREAT: SUBDIVISION	NATURE OF THREAT: SPECIFIC	VULNERABILITY	TREND	NEW ENTRY	OWNER TYPE I	OWNER TYPE II	EH PRIORITY SITE?
SEATON DELAVAL	II*		Y		GSSIGLP		Y			M	I	N	C	SO	
SHAW HOUSE	II		Y	Y	EXTSIGP	Y	Y			M	D	N	LA	SO	
SHEFFIELD GENERAL CEMETERY	II*		Y	Y	GUMAJLP		Y			H	D	N	LA	MO	
SHIREOAKS HALL	II*	Y	Y		GUMAJLP	Y	Y	Y		H	D	N	P	MO	
SHOBDON	II	Y	Y		EXTSIGP	Y		Y		M	S	N	M	MO	
SHRUBLAND HALL	I		Y		GSSIGLP		Y	Y		H	S	N	P	MO	
SOMERHILL	II		Y		EXTSIGP			Y		M	D	N	M	MO	
ST GILES' HOUSE	II*	Y	Y	Y	GUMAJLP		Y			M	I	N	P	SO	
ST MICHAEL'S CONVENT	II		Y	Y	GSSIGLP		Y			L	I	N	P	MO	
ST. AUDRIES	II		Y		GUMAJLP	Y	Y			M	S	N	M	MO	
STANMER PARK	II	Y	Y	Y	EXTSIGP	Y	Y	Y		H	S	N	M	MO	
STOKE PARK	II	Y	Y	Y	GUMAJLP	Y		Y	USE	M	I	N	M	MO	
STONELEIGH ABBEY	II*	Y	Y		GSSIGLP	Y		Y		H	I	N	M	MO	
STOVER PARK	II		Y		GSSIGLP	Y		Y		H	S	N	M	MO	
SWAINSTON	II		Y		GUMAJLP	Y		Y		H	D	N	M	MO	
SWAYLANDS	II		Y	Y	GUMAJLP	Y	Y	Y		H	I	N	P	MO	
SWINTON CASTLE	II*		Y		GSSIGLP		Y			M	D	N	P	SO	
THORNTON MANOR	II*		Y		GUMAJLP		Y			H	D	N	C	SO	
THWAITE HALL	II			Y	GSSIGLP				FLOOD	H	D	N	P	SO	
TILLMOUTH PARK	II*	Y	Y		GSSIGLP		Y			H	D	N	M	MO	
TOTTENHAM HOUSE & SAVERNAKE FOREST	II*	Y	Y		EXTSIGP	Y		Y		H	D	N	M	MO	
TRENT PARK	II	Y	Y	Y	GSSIGLP			Y		M	D	N	M	MO	
WANSTEAD PARK	II*		Y	Y	EXTSIGP		Y	Y		H	D	N	M	MO	

## Appendix XI – Heritage at Risk Data, 2012

REGISTERED PARK & GARDEN	GRADE	SM?	LBS?	CA?	CONDITION	NATURE OF THREAT: DEVELOPMENT	NATURE OF THREAT: NEGLECT	NATURE OF THREAT: SUBDIVISION	NATURE OF THREAT: SPECIFIC	VULNERABILITY	TREND	NEW ENTRY	OWNER TYPE I	OWNER TYPE II	EH PRIORITY SITE?
<b>WARBROOK HOUSE</b>	II*		Y		EXTSIGP	Y	Y			M	D	N	M	MO	
<b>WESTWOOD PARK</b>	II		Y		GUMAJLP	Y				H	S	N	M	MO	
<b>WHINBURN</b>	II		Y		GSMINLP		Y			L	U	N	P	SO	
<b>WOBURN FARM</b>	II		Y		EXTSIGP	Y		Y	USES	M	D	N	M	MO	
<b>WOLTERTON HALL</b>	II*	Y	Y	Y	GUMAJLP		Y		WILDLIFE FOCUS	H	D	N	P	SO	
<b>WOODFOLD PARK</b>	II		Y		GSSIGLP	Y		Y		H	D	N	P	MO	

\* PLUS WOODLAND PLANTING

**APPENDIX XII: INTERVIEWEE MATERIALS**

The following materials were sent to prospective interviewees, to inform their decisions as to whether or not to participate in the research:

- Information sheet
- Interview guide
- Consent form

The content of the information sheet and consent form remained the same throughout the research, but the interview guide was customised for each interviewee. The text of each is reproduced below (the interviewee guide being a generalised example).

**PHD RESEARCH INFORMATION SHEET**

*You are being invited to take part in a research study. Before you decide whether or not to take part, it is important for you to understand why the research is being done and what it will involve. Please take time to read the following information carefully.*

**Study title**

The value and meaning of significance in the planning system for the protection of historic parks and gardens in England.

**Researcher**

Victoria Thomson, PhD Researcher, Oxford Brookes University

**What is the purpose of the study?**

Parks and gardens are an acknowledged part of the historic environment in England, for which the primary protection mechanism is the planning system. Planning tools may not be the most effective at conserving their special interest, or significance, however: the planning system only comes into play when consent is required, and many potentially damaging activities to parks and gardens do not require such consent.

There has not yet been an assessment of the way in which the current planning system addresses the protection of historic parks and gardens, and nor is there a definition of 'significance' that is specific to parks and gardens (a necessary precursor to their conservation): this is the focus of this research.

More specifically, the aims of the research are to:

- evaluate the concept of significance as a basis for protecting historic parks and gardens in England
- assess the effectiveness of the planning system in sustaining that significance

The research is taking place over a 3-4 year period (it is due to conclude in late 2014), and involves a review of the relevant academic literature and policy documents, as well as the use of three parks and gardens case studies, where planning applications have been submitted for development in a registered historic park or garden.

**Why have I been invited to participate?**

You have been invited to take part because of your involvement with, or interest in, the particular case, or your role in the development of relevant policy within your organisation. Around ten people are being asked to participate in interviews for each of the three case studies.

**Do I have to take part?**

It is up to you to decide whether or not to take part. If you do decide to take part you will be given this information sheet to keep and be asked to sign a consent form. If you decide to take part you are still free to withdraw at any time and without giving a reason, and you may also withdraw any unprocessed data previously supplied.

**What will happen to me if I take part?**

Participation involves an interview lasting approximately 45 minutes, along the lines shared with you in the 'Interview Guide' circulated beforehand: the questions are intended as a prompt for discussion, and the discussion may develop naturally from them. With your consent, the interview will be audio-recorded; a transcript of the interview will then be produced, and you will be invited to identify any errors within it for corrections.

**What are the possible disadvantages and risks of taking part?**

The interview itself will take approximately 45 minutes of your time, and you may also wish to spend some time beforehand considering the issues raised by the Interview Guide.

## Appendix XII – Interviewee Materials

---

Given the time spent, and the fact that you will be expressing your own views and those of your organisation, you may wish to ensure that your manager is aware of this interview, and that you have gained the appropriate consent within your organisation (if needed) to participate in this research.

### **What are the possible benefits of taking part?**

Hopefully you will find the discussion of interest; certainly your views will be of direct relevance and value to the research. The findings are intended to contribute to existing knowledge in the area of planning for the protection of historic parks and gardens, which has been under-researched to date. You will be offered a copy of the key findings.

### **Will what I say in this study be kept confidential?**

Any information about you personally will be kept strictly confidential (subject to legal limitations). With your agreement, quotations may be made from the interview transcripts (which you will have had an opportunity to check); you may choose whether any such quotations are attributed using your job title and organisation (which may mean that you can be identified), your department and/or organisation name, or, alternatively, a coded pseudonym to ensure your full anonymity (data will be 'de-identified', i.e. a code will be allocated for use in place of your name/organisation).

Confidentiality, privacy and anonymity will be ensured in the collection, storage and publication of research material: data and any information relating to pseudonyms will be kept in separate locked filing cabinets, and access to computer files will be by password only. Data generated in the course of the research must be retained in accordance with the University's policy on Academic Integrity: it will be kept securely in paper or electronic form for a period of ten years after the completion of the research project.

### **What will happen to the results of the research study?**

The findings from this and other interviews will be used in the researcher's PhD project, and reflected in a thesis, and, potentially, papers in academic publications, with quotations being handled as mentioned above.

### **What should I do if I want to take part?**

If you agree to take part, you need only sign the attached consent form, and participate in an interview at the agreed time.

### **Who is organising and funding the research?**

The research is being conducted by a PhD student in the Planning Department (Faculty of Technology, Design and Environment) at Oxford Brookes University. The research is also funded by Oxford Brookes University, under the 'Urban Futures' programme.

### **Who has reviewed the study?**

The research has been approved by the University Research Ethics Committee, Oxford Brookes University.

### **Contact for further information**

If you would like further information, please contact Victoria Thomson, the PhD Researcher, direct [*contact details provided*]

You may also contact the research supervisors:

- Dr Alan Reeve [*contact details provided*]
- Dr Michelle Thomas [*contact details provided*]

If you have any concerns about the way in which the study has been conducted, you should contact the Chair of the University Research Ethics Committee on [*contact details provided*].

*Thank you for taking the time to read the information sheet, and for your interest in this research project.*

[date]

**PHD RESEARCH INTERVIEW GUIDE**

**Study title**

The value and meaning of significance in the planning system for the protection of historic parks and gardens in England.

**Researcher**

Victoria Thomson, PhD Researcher, Oxford Brookes University

*Thank you for considering participation in an interview to discuss issues around the definition of 'significance' for historic parks and gardens, and the way in which significance is addressed in the planning process. The following questions provide an outline of the broad territory which the interview is likely to cover; they are intended primarily as a prompt for discussion, and the discussion may develop naturally from them. Not all questions will necessarily be asked.*

**Introduction**

- Do you have a background in planning or conservation?
- How frequently do you engage in planning/conservation matters?

**Case Study**

- What was the trigger for your involvement in this planning application?
- What do you feel to be the most important qualities of this park or garden, overall?
- What assessment, if any, did you make of the impact of the proposal on the park or garden? Which aspects or elements of the park or garden did you feel to be most directly affected by the proposal?
- What did you believe the wider effect of the proposal to be, and why?
- What issues did you take into account in your deliberations, and how did you weigh them in coming to your response?
- What importance has the park or garden's status as a 'registered' park or garden had in your deliberations? What impact do you think it has on the planning process?
- To what degree did you attempt to articulate your response in 'planning' terms?
- How did you feel the views you expressed were reflected by the Council in its own report on the application?
- What are your thoughts on the outcome of the application?
- In this case, has the planning system protected the park or garden's historically important features, in your view?

---

*Thanks again for your interest. If you have any questions, please contact me [contact details provided].*

*[date]*

## Appendix XII – Interviewee Materials

### CONSENT FORM

#### Full title of PhD Research Project:

The value and meaning of significance in the planning system for the protection of historic parks and gardens in England

#### Name, position and contact address of Researcher:

Victoria Thomson  
PhD Researcher  
*[contact details provided]*

	<b>Please <u>initial</u> box</b>
I confirm that I have read and understood the information sheet for the above study and have had the opportunity to ask questions.	<input type="checkbox"/>
I have gained the appropriate consent within my organisation (if needed) to participate in this research.	<input type="checkbox"/>
I understand that my participation is voluntary and that I am free to withdraw at any time, without giving reason.	<input type="checkbox"/>
I agree to take part in the above study.	<input type="checkbox"/>

	<b>Please <u>tick</u> box</b>	
	Yes	No
I agree to the interview being audio recorded (for the purposes of subsequent transcription)	<input type="checkbox"/>	<input type="checkbox"/>
I agree to the use of quotations in publications (having had an opportunity to check the interview transcript), which are attributed using:		
a) my job title and organisation (I understand that this may mean that I am identifiable)	<input type="checkbox"/>	<input type="checkbox"/>
b) my department/organisation name	<input type="checkbox"/>	<input type="checkbox"/>
c) a coded pseudonym (data will be 'de-identified', i.e. a code will be allocated for use in place of your name/organisation)	<input type="checkbox"/>	<input type="checkbox"/>

**PTO**



## Appendix XII – Interviewee Materials

---

Please tick  
box

I would like to receive a copy of the key findings from this research

Yes

No

---

Name of Participant

---

Date

---

Signature

---

Name of Researcher

---

Date

---

Signature

## Appendix XIII – NVivo Codes From Case Study Analysis

### APPENDIX XIII: NVIVO CODES FROM CASE STUDY ANALYSIS

The interview transcripts for the three case studies were coded using NVivo, as described in Chapter 6. The codes identified (strictly ‘nodes’ in NVivo terminology), and the wider categories to which they related, are identified in the table below.

CATE- GORIES	CODE	PRIOR PARK	WOBURN ABBEY	STANLEY PARK
	Buildings vs. Gardens	✓	✓	
	Capacity	✓	✓	
	Consultation	✓	✓	✓
COUNCIL APPROVAL OF COUNCIL SCHEME	Conflict			✓
	Flawed			✓
	Money			✓
	Speed			✓
	Cricket - Use			✓
	Cycling - Promotion			✓
	Decision-Making - Intra- Organisation	✓	✓	✓
DESIGN	Formal vs. Informal	✓	✓	✓
	Original Intentions	✓	✓	✓
	Flexibility			✓
	Impact	✓	✓	✓
	Implementation	✓		✓
	Important physical elements of P&G	✓	✓	✓

## Appendix XIII – NVivo Codes From Case Study Analysis

CATE- GORIES	CODE	PRIOR PARK	WOBURN ABBEEY	STANLEY PARK
<b>INTEREST</b>	Aesthetic	✓	✓	✓
	Archaeological		✓	
	Architectural	✓	✓	
	Community			✓
	Sport			✓
	Diversity of Interests			✓
	Economic		✓	✓
	Health			✓
	Historic	✓	✓	✓
	Horticultural	✓	✓	✓
	Recreation			✓
		Management	✓	✓
	Network of Stakeholders	✓	✓	✓
<b>OBJECTION</b>	Amenity	✓		✓
	Atmosphere and Appearance			✓
	Balance	✓		✓
	Circulation & Park Use			✓
	Heritage	✓	✓	✓
	Landscape	✓	✓	
	Legacy and Sustainability			✓
	Location	✓	✓	✓
	Loss of Facilities			✓

### Appendix XIII – NVivo Codes From Case Study Analysis

CATE- GORIES	CODE	PRIOR PARK	WOBURN ABBAY	STANLEY PARK
<b>OBJECTION, CONTD.</b>	Nature Conservation			✓
	Safety and Security			✓
	Setting	✓		✓
	Significance	✓	✓	✓
	Status Quo			✓
	Transport			✓
	Other Problems	✓	✓	✓
<b>PLANNING PROCESS</b>	Accessibility & Participation	✓	✓	✓
	Alternative Site	✓	✓	✓
	Assessment	✓	✓	✓
	Attitude	✓	✓	✓
	Comprehension	✓	✓	✓
	Criticism	✓	✓	✓
	Difficulties	✓	✓	✓
	Effectiveness	✓		✓
	Evaluation of Final Scheme	✓		✓
	Informality			✓
	Jargon	✓	✓	✓
	Objection			✓
	Registered Status	✓	✓	✓
	Resolution of Objections	✓	✓	✓
	Vulnerability			✓

### Appendix XIII – NVivo Codes From Case Study Analysis

CATE- GORIES	CODE	PRIOR PARK	WOBURN ABBAY	STANLEY PARK
	Political Involvement	✓	✓	✓
	Relationship with other site owners	✓		
	Significance	✓		✓
	Subjectivity		✓	
	Sustainability and Future Heritage	✓		✓
	View	✓		
<b>WIDER AGENDA</b>	Blackpool			✓
	Estate		✓	
	School	✓		

**APPENDIX XIV: PRIOR PARK LIST OF SOURCES**

For ease of reference, the various sources used in examining the Prior Park case are listed below, grouped by type.

**Books, Articles, Pamphlets and Reports**

- Brownill, S. and Carpenter, J. (2007). 'Participation and planning: dichotomies, rationalities and strategies for power', *The town planning review*, 78(4), pp. 401-428.
- Chapman, M. (ed.) (2008). *Documents of the Ralph Allen estate and other papers: records of Bath history Volume I*. Bath: Survey of Old Bath.
  - Holland, E. 'Introduction', pp. v-vi.
  - Chapman, M. 'A guide to the estates of Ralph Allen around Bath', pp. 1-11.
  - Hawkes, J. 'Prior's Park from the Dissolution to Ralph Allen', pp. 12-14.
  - Hawkes, J. 'The Ralph Allen estate map', pp. 65-66.
- Clarke, G. (1987). *Prior Park: a compleat landscape*. Bath: Millstream Books.
- Department for Communities and Local Government (DCLG) (2010a). *Planning policy statement 5 (PPS5): planning for the historic environment*. London: HMSO.
- Department for Culture, Media and Sport (DCMS) (2011). *Draft statements of outstanding universal value – United Kingdom 2011*. London: DCMS.
- Harney, M. (2007). 'Pope and Prior Park: a study in landscape and literature', *Studies in the history of gardens and designed landscapes* 27(3), pp. 183-196.
- ICOMOS (2011). *Guidance on heritage impact assessments for cultural world heritage properties*. Paris: ICOMOS.
- National Trust (2002). *Prior Park landscape garden conservation plan 2002*. Bath: The National Trust.
- Phibbs, J. (2003). 'The Englishness of Lancelot (Capability) Brown', *Garden history*, 31(2), pp. 122-140.
- *The Town and Country Planning (Development Management Procedure) (England) Order 2010*. (SI 2010/2184).
- UNESCO (2008). *Convention concerning the protection of the world cultural and natural heritage: World Heritage Committee thirty-second session, Quebec City, Canada*:
  - *Agenda Item 8B (WHC-08/32.COM/8B.Add)*
  - *Decisions Adopted (WHC-08/32.COM/24Rev)*
- Ward, M. (2009). *Prior Park landscape garden*. Swindon: The National Trust.

**Bath & North East Somerset Council Publications**

- Bath & North East Somerset Council (2005). *Bath City-Wide character appraisal supplementary planning document*. Bath: Bath & North East Somerset Council.

## Appendix XIV – Prior Park List of Sources

---

- Bath & North East Somerset Council (2007). *Bath & North East Somerset local plan including minerals and waste policies*. Bath: Bath & North East Somerset Council.
- Bath & North East Somerset Council (2010). *The City of Bath World Heritage Site management plan 2010-2016: consultation draft*. Bath: Bath & North East Somerset Council.
- Bath & North East Somerset Council (2011). *Bath & North East Somerset draft core strategy with proposed changes incorporated*. Bath: Bath & North East Somerset Council.
- Bath & North East Somerset Council (2012). *City of Bath World Heritage Site setting: supplementary planning document*. Bath: Bath & North East Somerset Council.

### **Bath & North East Somerset Council Planning Application Files (<http://isharemaps.bathnes.gov.uk/projects/bathnes/developmentcontrol/>)**

#### ***07/01305/FUL: Gymnasium Extension***

- Decision notice
- Decision report
- Design and Access Statement
- Plans, elevations and sections

#### ***08/01150/FUL: Erection of Tractor Shed***

- Decision notice
- Decision report
- Design and Access Statement
- English Heritage consultation response
- Plans, elevations and sections

#### ***10/05094/FUL: New Sports Centre (Original Proposal)***

- Application form
- Consultation responses
  - BANES Conservation
  - BANES Archaeology
  - BANES Landscape
  - BANES Contaminated Land
  - BANES Transport
  - BANES Trees
  - Bath Preservation Trust
  - English Heritage
  - Sport England
  - Local Residents x 4
- Correspondence
- Decision notice
- Decision report
- Planning history
- Plans, elevations and sections

## Appendix XIV – Prior Park List of Sources

---

- Technical reports submitted in support of the application:
  - Buttress Fuller Alsop Williams Architects (2010). *Design and access statement*. Bristol: Buttress Fuller Alsop Williams Architects.
  - Cooper Partnership (2010). *Landscape appraisal and conservation action plan*. Bristol: Cooper Partnership.
  - GVA Grimley (2010). *Planning statement*. Bristol: GVA Grimley.
  - GVA Grimley and Cooper Partnership (2010). *Heritage statement*. Bristol: GVA Grimley and Cooper Partnership.

### **13/03694/NMA: New Sports Centre (Revised Proposal)**

- Application form
- Correspondence
- Decision notice
- Decision report
- Plans, elevations and sections

### **Maps**

- 1742 Thorpe Map: *An actual survey of the City of Bath, in the County of Somerset, and of five miles round* (Bath Central Library)
- 1828 Sale Particulars: *Plan of Prior Park estate in the Parish of Lyncombe and Widcombe* (Bath Record Office, 0446/32)
- 1852 Cotterell Map: *Plan of the City and Borough of Bath and its suburbs* (Bath Central Library)
- 1856 Sale Particulars: *Prior Park estate, Bath* (Bath Central Library)
- Ordnance Survey:
  - 1880s (Digimap: Ordnance Survey/EDINA supplied service)
  - 1904 (Bath Central Library)
  - 1920s (Digimap: Ordnance Survey/EDINA supplied service)
  - 1939 (Bath Central Library)
  - 1960s (Digimap: Ordnance Survey/EDINA supplied service)
  - 1970s (Digimap: Ordnance Survey/EDINA supplied service)
  - 2013/14 (Digimap: Ordnance Survey/EDINA supplied service)

### **Images**

- Photographs taken on site visits (September, 2013)
- Postcards (acquired by the author):
  - Aero Pictorial Ltd. (no date). *Prior Park College, Bath* [Postcard]. London: Aero Pictorial Ltd..
  - Power, M. (no date). *The Mansion, Prior Park College* [Postcard]. London: Charles Skilton & Fry, Ltd.
  - *St. Paul's College & Mansion, Prior Park, Bath* [Postcard]. [Posted 1910].
  - Sargeant Bros. (no date). *Bath – Prior Park* [Postcard]. West Drayton: Sargeant Bros. [posted 1906].
- Walker, A. (c. 1750). *Prior Park the seat of Ralph Allen esq. near Bath* [Print]. Bath: Victoria Art Gallery, Bath & North East Somerset Council [BATVG:PD:2000.82].



## Appendix XIV – Prior Park List of Sources

---

### Websites

- English Heritage (2012). *The national heritage list for England*. Available at: <http://www.english-heritage.org.uk/professional/protection/process/national-heritage-list-for-england/> (Accessed: 17 September, 2012).

### Interviews (September, 2013)

- Bath & North East Somerset Council: Case Officer.
- Bath Preservation Trust: Chief Executive.
- Local Resident.
- National Trust: General Manager.
- Prior Park College: Applicant.

### Correspondence

- Bath & North East Somerset Council 2013, pers. comm., 4 June.
- Bath & North East Somerset Council 2013, pers. comm., 3 July.
- Bath & North East Somerset Council 2014, pers. comm., 14 April.

**APPENDIX XV: WOBURN ABBEY LIST OF SOURCES**

For ease of reference, the various sources used in examining the Woburn Abbey case are listed below, grouped by type.

**Books, Articles, Pamphlets and Reports**

- Aslet, C. (1983a). 'Park and garden buildings at Woburn – I', *Country life* 31 March, 1983, pp. 772-775.
- Aslet, C. (1983b). 'Park and garden buildings at Woburn – II', *Country life* 7 April, 1983, pp. 860-863.
- Bradney, J. (2005). 'The carriage-drive in Humphry Repton's landscapes', *Garden history* 33(1), pp. 31-46.
- Department for Communities and Local Government (DCLG) (2010a). *Planning policy statement 5 (PPS5): planning for the historic environment*. London: HMSO.
- Department of the Environment (DoE) (1995). *Planning policy guidance (PPG2): Green Belts*. London: HMSO.
- Forbes, J. (1833). *Hortus Woburnensis: a descriptive catalogue of six thousand ornamental plants cultivated at Woburn Abbey*. London: James Ridgway, Piccadilly. Available at: <https://archive.org/details/hortuswoburnensi00forb> (Accessed 2 November 2013).
- ICOMOS (2011). *Guidance on heritage impact assessments for cultural world heritage properties*. Paris: ICOMOS.
- Joyce, H. (1974). [*Woburn Abbey: guidebook*]. Norwich: Jarrold.
- Repton, H. (1805). *Designs observations and plans for the improvement of the grounds at Woburn Abbey* ['Red Book']. Reprint, Oxford: Bell & Howell Ltd, 1994.

**Council Publications**

- Central Bedfordshire Council (2009). *Local development framework: core strategy and development management policies*. Chicksands: Central Bedfordshire Council.
- Mid Beds District Council (2008). *Woburn conservation area*. Chicksands: Mid Beds District Council.

**Central Bedfordshire Council Planning Application Files**

(<http://www.centralbedfordshire.gov.uk/PLANTECH/DCWebPages/AcolNetCGI.gov>)

***CB/10/01416/LB: Temporary Removal of Part of North Screen Wall***

- Decision report

***CB/11/02548/FULL: Access Drive***

- Application form
- Consultation responses
  - Central Bedfordshire Council Archaeology
  - Central Bedfordshire Council Conservation
  - Central Bedfordshire Council Tree and Landscape

## Appendix XV – Woburn Abbey List of Sources

---

- English Heritage (including English Heritage Advisory Committee (EHAC) papers in respect of the meeting held on 28 April, 2010)
- Garden History Society
- Decision notice
- Decision report
- Planning history
- Plans
- Technical reports submitted in support of the application:
  - Alan Baxter & Associates LLP (2011). *Report on existing & proposed access routes to sculpture gallery*. London: Alan Baxter & Associates LLP.
  - Albion Archaeology (2010). *Desk-based heritage assessment*. Bedford: Albion Archaeology.
  - Aluco Ecology Ltd. (2010). *Ecological appraisal*. Cornwall: Aluco Ecology Ltd.
  - David Brown Landscape Design Limited (2011a). *Arboricultural method statement*. Cambridge: David Brown Landscape Design Limited.
  - David Brown Landscape Design Limited (2011b). *Pre-development tree survey*. Cambridge: David Brown Landscape Design Limited.
  - Historic Landscape Management Ltd (2009). *Woburn Abbey: gardens and pleasure grounds conservation statement*. Lyng: Historic Landscape Management Ltd.
  - Nick Cox Architects (2011a). *Design and access statement incorporating heritage impact assessment*. Upper Heyford: Nick Cox Architects.
  - Nick Cox Architects (2011b). *North Court master planning: a review*. Upper Heyford: Nick Cox Architects.
  - Simon Foster Associates (2010). *Report on possible comparators in relation to access and car parking for the private function business at Woburn Abbey*. Ledbury: Simon Foster Associates.

### ***CB/13/03837/LB: Alterations to Boiler Plant Room***

- Decision report

### **Maps**

- Forbes, J. (1833). 'General plan of the pleasure ground', *Hortus Woburnensis: a descriptive catalogue of six thousand ornamental plants cultivated at Woburn Abbey*. London: James Ridgway, Piccadilly. Available at: <https://archive.org/details/hortuswoburnensi00forb> (Accessed 2 November 2013).
- Ordnance Survey:
  - 1880s (Digimap: Ordnance Survey/EDINA supplied service)
  - 1900s (Digimap: Ordnance Survey/EDINA supplied service)
  - 1970s (Digimap: Ordnance Survey/EDINA supplied service)
  - 2013/14 (Digimap: Ordnance Survey/EDINA supplied service)

## Appendix XV – Woburn Abbey List of Sources

---

- Repton, H. (1805). ‘Plate XXV: plan for the pleasure-grounds’, *Designs observations and plans for the improvement of the grounds at Woburn Abbey* [‘Red Book’] (Reproduced by kind permission of His Grace the Duke of Bedford and the Trustees of the Bedford Estates).
- Wyattville, J. (1838). *Plan of the pleasure ground Woburn Abbey MDCCCXXXVIII* (Reproduced by kind permission of His Grace the Duke of Bedford and the Trustees of the Bedford Estates).

### Images

- Photographs taken on site visits (October 2011; October, 2012)
- Postcards (acquired by the author):
  - *Aerial view Woburn Abbey and Park Prior to 1950* [Postcard]. Reigate: Fisher & Son.
  - Aero Pictorial Ltd. (1955). *Woburn Abbey, Bedfordshire* [Postcard]. London: Aero Pictorial Ltd..

### Websites

- English Heritage (2013). *The national heritage list for England*. Available at: <http://www.english-heritage.org.uk/professional/protection/process/national-heritage-list-for-england/> (Accessed: 9 May, 2013).
- Georgian Group (2013). *Georgian Group architectural awards 2013: winning and commended schemes*. Available at: <http://www.savinggeorgianbuildings.blogspot.co.uk/> (Accessed: 19 November, 2013).

### Interviews (June/December, 2013)

- Central Bedfordshire Council Planning Department: Officer.
- Woburn Abbey: Applicant.

### Correspondence

- Central Bedfordshire Council 2014, pers. comm., 25 March.

APPENDIX XVI: STANLEY PARK LIST OF SOURCES

For ease of reference, the various sources used in examining the Stanley Park case are listed below, grouped by type.

**Books, Articles, Pamphlets and Reports**

- Blackpool Civic Trust (2007). *Stanley Park heritage trail*. Blackpool: Blackpool Civic Trust.
- Campbell, H. and Marshall, R. (2002). 'Values and professional identities in planning practice', in Allmendinger, P. and Tewdwr-Jones, M. (eds.) *Planning futures: new directions for planning theory*. London: Routledge, pp. 93-109.
- Chadwick, G. (1966). *The park and the town*. London: Architectural Press.
- Conway, H. (1996). *Public parks*. Princes Risborough: Shire Publications Ltd.
- Conway, H. and Lambert, D. (1993). *Public prospects: historic urban parks under threat - a short report by the Garden History Society and the Victorian Society*. Wickwar: Garden History Society.
- Cycling England (2009). *Cycling city and towns programme overview*. London: Cycling England.
- Department for Communities and Local Government (DCLG) (2010a). *Planning policy statement 5 (PPS5): planning for the historic environment*. London: HMSO.
- Drinnan, P. (2001). *Stanley Park Blackpool: a landscape masterpiece*. Blackpool: Blackpool Civic Trust.
- Ede, J. and Darlington, J. (2002). *Lancashire historic landscape characterisation*. Preston: Lancashire County Council.
- Elliott, B. (2003). 'A brief guide to the use of picture postcards in garden history', *Garden history*, 31(2), pp. 218-224.
- English Heritage (2008b). *Conservation principles: policies and guidance for the sustainable management of the historic environment*. London: English Heritage.
- English Heritage (2010c). *The Register of parks and gardens - moving towards a new way of managing England's historic environment*. London: English Heritage.
- Great Britain (1833). *Report from the Select Committee on public walks*. London: House of Commons.
- Hartwell, C. and Pevsner, N. (2009). *The buildings of England – Lancashire: North*. London: Yale University Press.
- ICOMOS (2011). *Guidance on heritage impact assessments for cultural world heritage properties*. Paris: ICOMOS.
- Mawson, T. H. (1901). *The art and craft of garden making*. 2<sup>nd</sup> edn. London: B T Batsford.
- Mawson, T. H. (1922). *County Borough of Blackpool: the new park and recreation ground*. London: T. H. Mawson.
- Mawson, T. H. (1927). *The life and work of an English landscape architect: an autobiography by Thomas H. Mawson FLS*. Manchester: Percy Brothers.

## Appendix XVI – Stanley Park List of Sources

---

- Urban Parks Forum (2001). *Public park assessment: a survey of local authority owned parks focusing on parks of historic interest*. Available at: <http://www.green-space.org.uk/downloads/Publications/PPA.PDF> (Accessed: 7 November 2013).
- Walton, J. and Wood, J. (2009). 'Reputation and regeneration: history and the heritage of the recent past in the re-making of Blackpool', in Gibson, L. and Pendlebury, J. (eds). *Valuing historic environments*. Farnham: Ashgate Publishing Limited, pp. 115-137.

### Heritage Lottery Fund (HLF) Publications

- HLF (2004a). *HLF board meeting minutes: 21 September, 2004*.
- HLF (2004b). *HLF delivery round case paper*.
- HLF (2005). *Contract agreement between the Trustees of the National Heritage Memorial Fund and Blackpool Borough Council*.
- HLF (2009). *HLF project closure report*.

### Blackpool Council Publications

- Blackpool Council (2001). *Stanley Park, Blackpool: a bid for funding under the Heritage Lottery Fund Urban Parks Programme – final draft*. Blackpool: Blackpool Council.
- Blackpool Council (2004). *Stanley Park, Blackpool: application to HLF for stage 2 grant approval – volume 1*. Blackpool: Blackpool Council.
- Blackpool Council (2006). *Blackpool local plan 2001/2016*. Blackpool: Blackpool Council.
- Blackpool Council (2007). *Stanley Park conservation area appraisal and management plan*. Blackpool: Blackpool Council.
- Blackpool Council (2008). *Stanley Park management plan 2008-2013*. Blackpool: Blackpool Council.
- Blackpool Council (2009a). *Blackpool Council closure report [HLF Bid]*. Blackpool: Blackpool Council.
- Blackpool Council (2009b). *Open space, sport and recreation 2009 audit and position statement*. Blackpool: Blackpool Council.
- Blackpool Council (2010). *[Application Form: UK Tentative List of Potential Sites for World Heritage Nomination]*. Available at: <https://www.gov.uk/government/publications/world-heritage-site-uk-tentative-list-nomination-application-forms-2010> (Accessed: 15 October, 2012).
- Blackpool Council (2011). *Annual monitoring report 2011*. Blackpool: Blackpool Council.
- Blackpool Council (2012a). *Blackpool Council cycle town end of programme report*. Available at: <https://www.gov.uk/government/publications/cycling-england-cycling-city-and-towns-end-of-programme-reports> (Accessed: 17 March, 2013).
- Blackpool Council (2012b). *Blackpool local plan part 1: core strategy – revised preferred option*. Blackpool: Blackpool Council.
- Blackpool Council (2013a). *Stanley Park management plan 2013-2018*. Blackpool: Blackpool Council.
- Blackpool Council (2013b). *Updating Article 4 direction for Stanley Park conservation area: executive report*. Blackpool: Blackpool Council.

**Blackpool Council Planning Application Files**

(<http://publicaccess.blackpool.gov.uk:90/online-applications/>)

***10/0853: Original BMX Track Proposal, Stanley Park***

- Development Control Committee agenda, report and minutes (6 September, 2010)

***10/1151: Revised BMX Track Proposal, Stanley Park***

- Application form
- Consultation responses
  - Bike Club
  - Blackpool Civic Trust
  - Blackpool Council Arboricultural
  - Blackpool Council Conservation
  - Blackpool Council Environmental Protection
  - Blackpool Council Transportation
  - Blackpool Cricket Club
  - English Heritage
  - Friends of Stanley Park
  - Fylde Cricket League
  - Lancashire Constabulary
  - Lancashire County Council Archaeology
  - Lancashire County Council Ecology
  - Lancashire Gardens Trust
  - Local residents x 39
  - NHS Blackpool
  - Sport England
- Correspondence
- Decision notice
- Development Control Committee agenda, report and minutes (29 November, 2010)
- Planning history
- Plans, elevations and sections
- Technical reports submitted in support of the application:
  - Capital Projects & Regeneration (2010). *Supporting statement and design and access statement*. Blackpool: Capital Projects & Regeneration.
  - Janette Ray Associates (2010). *Report on the implications for the historic environment of introducing a BMX national standard track within the park*. York: Janette Ray Associates.

***10/1173: BMX Pump Track, Mereside***

- Application form
- Consultation response: NHS Blackpool
- Decision notice
- Decision report

## Appendix XVI – Stanley Park List of Sources

---

- Technical report submitted in support of the application:
  - Capital Projects & Regeneration (2010). *Supporting statement and design and access statement*. Blackpool: Capital Projects & Regeneration

### **13/0007: Installation of Perimeter Fencing to BMX Track**

- Application form
- Consultation response: English Heritage
- Plans, elevations and sections
- Technical reports submitted in support of the application:
  - Blackpool Council (2013). *Supporting statement*. Blackpool: Blackpool Council.
  - Blackpool Council (2013). *Design and access statement*. Blackpool: Blackpool Council.

### **13/0099: Erection of Statue in Rose Garden**

- Consultation response: English Heritage

### **Maps**

- *County Borough of Blackpool: layout of Stanley Park* [1935]. (WDB 86/L87a, reproduced by kind permission of Cumbria Archive Centre Kendal).
- *County Borough of Blackpool: Stanley Park*. [1940] (WDB 86/L81, reproduced by kind permission of Cumbria Archive Centre Kendal).
- *County Borough of Blackpool: Stanley Park*. [no date]. (WDB/86/L87b, reproduced by kind permission of Cumbria Archive Centre Kendal).
- Mawson, T. H. (1922). 'County Borough of Blackpool – layout for the new public park and recreation centre', *County Borough of Blackpool: the new park and recreation ground*. London: T. H. Mawson. (Reproduced by kind permission of Lancashire Archives: LQ41/BLA)
- Ordnance Survey:
  - 1840s (Digimap: Ordnance Survey/EDINA supplied service)
  - 1890s (Digimap: Ordnance Survey/EDINA supplied service)
  - 1910s (Digimap: Ordnance Survey/EDINA supplied service)
  - 1930s (Digimap: Ordnance Survey/EDINA supplied service)
  - 1950s (Digimap: Ordnance Survey/EDINA supplied service)
  - 1970s (Digimap: Ordnance Survey/EDINA supplied service)
  - 1980s (Digimap: Ordnance Survey/EDINA supplied service)
  - 1990s (Digimap: Ordnance Survey/EDINA supplied service)
  - 2013 (Digimap: Ordnance Survey/EDINA supplied service)

### **Images**

- Photographs taken on site visits (September, 2012; April, 2013)
- Photographs taken in October 2010, reproduced by kind permission of the Lancashire Gardens Trust.
- Postcards (acquired by the author):
  - Allen & Sons (no date). *Stanley Park Blackpool* [Postcard]. Blackpool: Allen & Sons.



## Appendix XVI – Stanley Park List of Sources

---

- Bamforth & Co. Ltd. (no date). *Stanley Park Blackpool* [Postcard]. Holmfirth: Bamforth & Co., Ltd..
- Bamforth & Co. Ltd. (no date). *Stanley Park, Blackpool* [Postcard]. Holmfirth: Bamforth & Co. Ltd.. [posted 1975].
- *Blackpool – Stanley Park* [Postcard].
- D. Constance Ltd. *Flower clock, Stanley Park, Blackpool*. [Postcard]. London: D. Constance Ltd..
- *Floral clock, Stanley Park, Blackpool*. [Postcard]. [posted 1938].
- *The floral clock, Stanley Park, Blackpool*. [Postcard]. [posted 1937].
- *The floral clock, Stanley Park, Blackpool*. [Postcard]. [posted 1971].
- Valentine's (no date). *Stanley Park Blackpool* [Postcard]. Valentine's. [posted 1928].
- *View of Italian Gardens Stanley Park Blackpool* [Postcard].

### Websites

- English Heritage (2012). *The national heritage list for England*. Available at: <http://www.english-heritage.org.uk/professional/protection/process/national-heritage-list-for-england/> (Accessed: 29 August, 2012).

### Interviews (April, 2013)

- Bike Club: Representative
- Blackpool Civic Trust: Chairman
- Blackpool Council: Agent
- Blackpool Council: Applicant
- Blackpool Council: Cabinet Member
- Blackpool Council: Case Officer
- Blackpool Council: Conservation Officer
- Blackpool Council: Park Manager
- Blackpool Cricket Club: Chairman
- Friends of Stanley Park: Representative
- Fylde Cricket League: Representative
- Lancashire Gardens Trust: Chairman
- Local Resident

### Correspondence

- Blackpool Council 2014, pers. comm., 9 April
- Heritage Lottery Fund 2013, pers. comm., 31 May
- Sport England 2013, pers. comm., 5 August

**Appendix XVII – Comparison of Case Studies**

**APPENDIX XVII: COMPARISON OF CASE STUDIES**

The table below summarises the key characteristics of the data gathered in respect of the case study sites and applications, to facilitate comparison.

<b>CHARACTERISTIC</b>	<b>PRIOR PARK</b>	<b>WOBURN ABBEY</b>	<b>STANLEY PARK</b>
<b>CONTEXT</b>			
<b>GRADE</b>	I	I	II*
<b>GARDEN/PARK</b>	GARDEN	GARDEN	PARK
<b>ORIGINAL/MAIN DESIGNER</b>	ALLEN/POPE/BROWN	REPTON	MAWSON
<b>ORIGINALLY/ MAINLY DESIGNED</b>	MID-C18	EARLY C19	EARLY C20
<b>DATE REGISTERED</b>	1987	1986	1986
<b>REGISTERED P&amp;G IN LPA AREA</b>	16	13	1
<b>PUBLIC/PRIVATE</b>	PUBLIC/PRIVATE	PUBLIC/PRIVATE	PUBLIC
<b>URBAN/RURAL</b>	URBAN	RURAL	URBAN
<b>REGION</b>	SOUTH-WEST	EAST	NORTH-WEST
<b>CMP</b>	YES	YES	YES
<b>CMP COVERING PROPOSAL SITE</b>	NO	YES	YES
<b>PROPOSAL</b>			
<b>DEVELOPMENT TYPE</b>	BUILDING	ROAD	OUTDOOR SPORTS FACILITY
<b>DEVELOPMENT PURPOSE</b>	SPORT	ACCESS	SPORT
<b>DEVELOPMENT JUSTIFICATION</b>	COMMERCIAL	COMMERCIAL	HEALTH/ REGENERATION
<b>IMPLEMENTED</b>	NO	N/A	YES
<b>RESEARCH TYPOLOGY INTERESTS EMBODIED</b>			
<b>AESTHETIC</b>	YES	YES	YES
<b>ARCHAEOLOGICAL</b>	YES	YES	NO
<b>COMMUNITY</b>	YES	YES	YES
<b>RECREATIONAL</b>	YES	NO	YES
<b>HISTORIC</b>	YES	YES	YES
<b>HORTICULTURAL</b>	YES	YES	YES
<b>ARBORICULTURAL</b>	YES	YES	NO
<b>SIGNIFICANCE &amp; IMPACT UPON IT</b>			
<b>WHOLE SITE IMPORTANCE</b>	VERY HIGH	VERY HIGH	HIGH
<b>DEV'T SITE IMPORTANCE</b>	MEDIUM	VERY HIGH	MEDIUM
<b>WHOLE SITE CHANGE</b>	MINOR	MODERATE	MODERATE
<b>DEV'T SITE CHANGE</b>	NEGLIGIBLE	MODERATE	MAJOR
<b>WHOLE SITE IMPACT</b>	MODERATE/ LARGE	LARGE/ VERY LARGE	MODERATE/ LARGE
<b>DEV'T SITE IMPACT</b>	NEUTRAL/ SLIGHT	LARGE/ VERY LARGE	MODERATE/ LARGE

**Appendix XVII – Comparison of Case Studies**

CHARACTERISTIC	PRIOR PARK	WOBURN ABBEY	STANLEY PARK
<b>LOCAL PLAN</b>			
LOCAL PLAN (LP) ADOPTION	2007	2009	2006
LP POLICIES CONSIDERED	MOST	FEW	MOST
P&G POLICY	YES	NO	NO
DOMINANT POLICY	GREEN BELT	HERITAGE	AMENITY/SPORT/HERITAGE
<b>SITE DESIGNATIONS</b>			
LISTED BUILDINGS	YES	YES	NO
CONSERVATION AREA	YES	NO	YES
SCHEDULED MONUMENTS	YES	NO	NO
WORLD HERITAGE SITE	YES	NO	NO
AONB	YES	NO	NO
GREEN BELT (GB)	YES	YES	NO
GB MAJOR DEVELOPED SITE	YES	NO	NO
PLAYING FIELD	YES	NO	YES
<b>APPLICATION</b>			
APPLICATION YEAR	2010/11	2011/12	2010/11
% DELEGATIONS	96%	95%	89%
DECISION TYPE	DELEGATED	DELEGATED	COMMITTEE
DECISION DATE	03/11	09/11	01/11
PERMISSION	GRANTED	REFUSED	GRANTED
'RIGHT' DECISION	YES	YES	NO
<b>APPLICATION HANDLING</b>			
PRE-APP. BY LPA	YES	YES	YES
PRE-APP. BY EH	YES	YES	NO
CLLRS INVOLVED	YES	NO	YES
STAKEHOLDERS	15	7	61
ROLE OF CASE OFFICER	MEDIATOR-FACILITATOR	TECHNICIAN	MEDIATOR-FACILITATOR
<b>CONSULTATION</b>			
PRE-APP PUBLIC CONSULTATION	YES	NO	NO
ALL RELEVANT CONSULTEES	NO	NO	NO
EH CONSULTED	YES	YES	YES
EH RESPONDED	YES	YES	(YES)
EH RESPONSE INFLUENTIAL	(YES)	YES	NO
GHS CONSULTED	NO	YES	YES
GHS RESPONDED	N/A	(YES)	(NO)
GHS RESPONSE INFLUENTIAL	N/A	NO	NO
CGT CONSULTED	NO	NO	NO
CGT RESPONDED	N/A	N/A	YES
SPORT ENGLAND CONSULTED	YES	N/A	YES

## Appendix XVII – Comparison of Case Studies

CHARACTERISTIC	PRIOR PARK	WOBURN ABBEY	STANLEY PARK
SPORT ENGLAND RESPONDED	YES	N/A	YES
CONSERVATION OFFICER INPUT	NO	LIMITED	YES - STRATEGIC
LANDSCAPE OFFICER INPUT	YES - MINIMAL	MINIMAL	N/A
ARCHAEOLOGICAL INPUT	YES	YES	N/A
COMMUNITY CONSULTED	YES	YES	YES
COMMUNITY RESPONDED	YES	NO	YES
EXTRA PUBLIC CONSULTATION	NO	NO	NO
COMMUNITY RESPONSES	4	0	39
RESPONSES < OR > THAN EXPECTED	<	</=	>
RESPONSES WELL REPORTED	YES	N/A	YES
<b>FOCUS OF RESPONSES</b>			
HERITAGE	YES	YES	YES
AMENITY (SITE-SPECIFIC)	YES	YES	YES
AMENITY (WIDER IMPACT)	YES	NO	YES
IMPACT	YES	NO	YES
PROCESS	YES	NO	YES
SPORT	YES	NO	YES
OPEN SPACE	NO	NO	YES
MAIN FOCUS OF RESPONSES	HERITAGE	HERITAGE	SPORT/IMPACT
<b>SIGNIFICANCE</b>			
EXPLICIT IN RESPONSES	2/10	3/5	2/17
IMPLICIT IN RESPONSES	4/10	2/5	16/17
<b>INTERESTS</b>			
EXPLICIT IN RESPONSES	2/10	4/5	2/17
IMPLICIT IN RESPONSES	6/10	3/5	16/17
ALL INTERESTS FROM TYPOLOGY	YES	YES	NO
<b>PPS5</b>			
PPS5 IN FORCE AT DECISION	12 MONTHS	18 MONTHS	8-10 MONTHS
PPS5 USED BY LPA	NO	YES C/O EH	NO
HE6: APPLICANT SIGNIFICANCE	YES BUT LIMITED ANALYSIS	YES BUT FLAWED	YES BUT LIMITED AND LITTLE USED
HE6: QUALITY OF TECHNICAL WORK	MIXED	WEAK	MIXED
HE7: LPA SIGNIFICANCE	NO BUT PROXY	YES C/O EH	NO

**Appendix XVII – Comparison of Case Studies**

CHARACTERISTIC	PRIOR PARK	WOBURN ABBEY	STANLEY PARK
HE7 NEW DEVELOPMENT	NO BUT PROXY	N/A	NO
HE9: HARM DETERMINED	NO BUT PROXY	YES C/O EH	NO
HE9: HARM ADDRESSED	NO BUT PROXY	YES	NO
ACTUAL HARM	< SUBSTANTIAL	SUBSTANTIAL	SUBSTANTIAL
SIGNIFICANCE DEFINED	NO	YES C/O EH	(YES)
<b>ASPECTS OF PROPOSED METHODOLOGY USED BY LPA</b>			
DESK SURVEY	NO	YES	NO
FIELD SURVEY	YES	YES	YES
DEFINITION OF SIGNIFICANCE	NO	NO	NO
RELATIVE VALUE	YES	NO	(NO)
<b>ASPECTS OF PROPOSED METHODOLOGY USED BY APPLICANT</b>			
DESK SURVEY	YES	(YES)	YES
FIELD SURVEY	YES	(YES)	YES
DEFINITION OF SIGNIFICANCE	NO	(YES)	YES
RELATIVE VALUE	NO	(YES)	(YES)
<b>DECISION-MAKING</b>			
OVERALL APPROACH	PRAGMATIST	(PRAGMATIST)	PRAGMATIST
PREDOMINANT STAKEHOLDERS	PROFESSIONAL	PROFESSIONAL	PROFESSIONAL/ COMMUNITY
POLITICAL INVOLVEMENT	MINIMAL	NO	YES
COMMUNITY INVOLVEMENT	LIMITED	NO	YES
WEIGHING OF FACTORS	GOOD	POOR	POOR
HISTORIC ENV'T. IN CONCLUSION	LIMITED PROFILE	HIGH PROFILE	MIXED/LOW PROFILE
EXPLICIT P&G PROTECTION BY LPA IN DECISION	NO	YES	NO
P&G IN REASONS FOR DECISION	YES	YES	YES
PRIORITY TO BUILDINGS: APPLICANT	YES	YES	N/A
PRIORITY TO BUILDINGS: LPA	YES	NO	N/A
APPROACH TO SIGNIFICANCE	TECHNOCRATIC	TECHNOCRATIC	TECHNOCRATIC
SIGNIFICANCE HIGH PROFILE	NO	YES	NO
DECISION-WITHIN-DECISION	YES	NO (ONLY DECISION)	YES
PROCESS	RATIONAL	RATIONAL (C/O EH)	RATIONAL
PROFESSIONAL-DOMINATED	YES	YES	YES

**Appendix XVII – Comparison of Case Studies**

<b>CHARACTERISTIC</b>	<b>PRIOR PARK</b>	<b>WOBURN ABBEY</b>	<b>STANLEY PARK</b>
<b>DISCRETION</b>			
<b>EARLY CONSULTATION</b>	YES	NO	NO
<b>INNOVATIVE CONSULTATION</b>	NO	NO	NO
<b>DISCUSSION OF SIGNIFICANCE</b>	NO	NO	NO
<b>LOCAL POLICY</b>	YES	NO	NO
<b>ELEMENTS OF PRAGMATISM</b>			
<b>COMMUNICATIVE</b>	LIMITED	NO	LIMITED
<b>CONTEXT-SPECIFIC</b>	YES	YES	YES
<b>DIFFERENT FORMS OF REASONING</b>	NO	NO	NO
<b>INFLUENCES</b>			
<b>PROFESSIONAL</b>	HIGH	ALL	HIGH
<b>POLITICAL</b>	LIMITED	NO	HIGH
<b>COMMUNITY</b>	LIMITED	NO	HIGH
<b>PRE-APP DOMINANCE</b>	PROFESSIONAL	PROFESSIONAL	PROFESSIONAL
<b>CONSIDERATION DOMINANCE</b>	PROFESSIONAL	PROFESSIONAL	PROFESSIONAL
<b>DETERMINATION DOMINANCE</b>	PROFESSIONAL	PROFESSIONAL	POLITICAL
<b>COMMUNITY FRAMES</b>	SUBSTANTIVE	N/A	SUBSTANTIVE/ PROCESS
<b>CHANGEABLE</b>	YES	N/A	YES
<b>OTHER ISSUES RAISED</b>			
<b>MARGINAL LOCATION</b>	YES	NO	NO
<b>FUNDING</b>	NO	NO	YES
<b>CAPACITY</b>	YES	NO	NO
<b>REGISTERED STATUS</b>	YES	YES	YES
<b>PROCEDURE</b>	YES	NO	YES
<b>CONSERVATION POLICIES</b>	NO	YES	NO
<b>PRESSURE</b>	NO	NO	YES
<b>INFORMALITY</b>	NO	NO	YES
<b>BALANCE OF USES</b>	NO	NO	YES
<b>REGISTERED STATUS</b>			
<b>WELL REFLECTED BY LPA</b>	NO	YES	NO
<b>PRIORITISED BY LPA</b>	NO	YES	NO

**APPENDIX XVIII: APPLICATION ANALYSIS**

English Heritage produced its *Conservation Principles* document in 2008. It set out a significance-based policy for primarily internal use, albeit with the expressed hope that others involved in the planning process would also utilise the approach. In order to gain an impression of the degree to which it was in fact in use before the introduction of significance into Government policy in 2010, via PPS5, a desk-based assessment of five park and garden-related planning applications from 2009 was undertaken. These were all applications which generated a substantive consultation response from English Heritage (using the ‘Y’ letter template), as listed in the spreadsheets of applications received from English Heritage in response to an information request (Chapter 6), and all were located in, or affected, a registered park or garden. The selection criteria further included requirements that the development proposal involved significant construction, that the planning application files were available online, and that regional coverage was maximised, to avoid an over-emphasis on the approach taken by any single English Heritage regional office. The results suggest a low level of take-up of the *Conservation Principles* document, at least explicitly.

	BELTON HOUSE	CROOME PARK	CLAREMONT	BOTANIC GARDEN	TYNTESFIELD
<b>ADMINISTRATION</b>					
<b>GRADE</b>	I	I	I	II*	II*
<b>PROPOSAL</b>	Visitor facilities	Repository	House	School building	Stables
<b>APPLICATION REFERENCE</b>	S09/1841	W/09/02317/PN	2009/2084	09/0086/FUL	09/P/1142/F
<b>SUBMITTED</b>	10/09	09/09	09/09	02/09	07/09
<b>DECIDED</b>	01/10	12/09	01/10	04/09	11/09
<b>DISTRICT</b>	SOUTH KESTEVEN	WYCHAVON	ELMBRIDGE	CAMBRIDGE	NORTH SOMERSET
<b>REGION</b>	EM	WM	SE	E	SW
<b>PERMITTED</b>	YES	YES	NO**	- ***	NO
<b>REFERENCE TO CONSERVATION PRINCIPLES</b>					
<b>EH</b>	NO*	NO	NO	NO	NO
<b>LPA</b>	-	NO	NO	NO	NO
<b>GHS</b>	-	-	-	-	NO
<b>CGT</b>	-	-	-	-	NO
<b>APPLICANT</b>	NO	YES	NO	NO	NO

\* English Heritage did however refer to the need for ‘significances’ to be identified

\*\* Appeal dismissed 11/10

\*\*\* Application withdrawn

Source: planning application files, as listed

**BIBLIOGRAPHY**

**N.B.**

For ease of identification, the legislation and associated sources consulted for this research, and all material relating directly to the case studies, are listed in Appendices III, XIV, XV, and XVI, and are not included in this bibliography.

- Aerofilms (1947). *Opencast coal mining adjacent to Wentworth Woodhouse, Wentworth, 1947 (EAW005599)*. Available at: [www.britainfromabove.org.uk/image/EAW005599](http://www.britainfromabove.org.uk/image/EAW005599) (Accessed: 6 November 2013).
- Ahmad, Y. (2006). 'The scope and definition of heritage: from tangible to intangible', *International journal of heritage studies*, 12(3), pp. 292-300.
- Aldred, O. and Fairclough, G. (2003). *Historic landscape characterisation: taking stock of the method*. London: English Heritage.
- Alexander, E. (1996). 'After rationality: towards a contingency theory for planning', in Mandelbaum, S., Mazza, L. and Burchell, R. (eds.) *Explorations in planning theory*. New Brunswick, N. J.: Center for Urban Policy Research, pp. 45-64.
- Allison, G. (1996). *The value of conservation? A literature review of the economic and social value of the cultural built heritage*. London: English Heritage.
- Allmendinger, P. (1996). 'Development control and the legitimacy of planning decisions: a comment', *The town planning review*, 67(2), pp. 229-233.
- Allmendinger, P. (2002). *Planning theory*. Basingstoke: Palgrave.
- Ames, D. (1998). 'Introduction', in Tomlan, M. (ed.) *Preservation of what, for whom? A critical look at historical significance*. Ithaca, NY: The National Council for Preservation Education, pp. 5-17.
- Anthony, J. (1974). 'Report of the Conservation Committee for 1973/74', *Garden history*, 3(1), pp. 33-35.
- Anthony, J. (1996). 'Protection for historic parks and gardens', *Garden history*, 24(1), pp. 3-7.
- Araoz, G. (2011). 'Preserving heritage places under a new paradigm', *Journal of cultural heritage management and sustainable development*, 1(1), pp. 55-60.
- Askwith, C. (1999). 'The economic contribution of historic parks, gardens and designed landscapes: a review of existing data and research and recommendations for future research', *Cultural trends*, 9(35), pp. 27-79.
- Association of Gardens Trusts (2011). *Historic landscape project: researching historic designed landscapes for local listing*. London: Association of Gardens Trusts.



## Bibliography

---

- Association of Gardens Trusts and Garden History Society (2006). *Memorandum from the Association of Gardens Trusts and the Garden History Society and prepared specially for the Committee [House of Commons Select Committee on Culture, Media and Sport enquiry into protecting, preserving and making accessible our nation's heritage]*. Available at: [http://www.gardenstrusts.org.uk/7-archive-dcmsagt\\_memorandum\\_17Jan06.html](http://www.gardenstrusts.org.uk/7-archive-dcmsagt_memorandum_17Jan06.html) (Accessed: 19 March 2014).
- Audit Commission (2006). *The planning system: matching expectations and capacity*. London: Audit Commission.
- Australia ICOMOS (1979). *The Australia ICOMOS guidelines for the conservation of places of cultural significance*. Available at: [http://australia.icomos.org/wp-content/uploads/Burra-Charter\\_1979.pdf](http://australia.icomos.org/wp-content/uploads/Burra-Charter_1979.pdf) (Accessed: 4 April 2012).
- Australia ICOMOS (1981). *The Australia ICOMOS charter for the conservation of places of cultural significance*. Available at: [http://australia.icomos.org/wp-content/uploads/Burra-Charter\\_1981.pdf](http://australia.icomos.org/wp-content/uploads/Burra-Charter_1981.pdf) (Accessed: 19 April 2012).
- Australia ICOMOS (1988). *The Australia ICOMOS charter for the conservation of places of cultural significance*. Available at: [http://australia.icomos.org/wp-content/uploads/Burra-Charter\\_1988.pdf](http://australia.icomos.org/wp-content/uploads/Burra-Charter_1988.pdf) (Accessed: 19 April 2012).
- Australia ICOMOS (2000). *The Burra Charter: the Australia ICOMOS charter for places of cultural significance 1999*. Available at: [http://australia.icomos.org/wp-content/uploads/BURRA\\_CHARTER.pdf](http://australia.icomos.org/wp-content/uploads/BURRA_CHARTER.pdf) (Accessed: 8 March 2012).
- Australia ICOMOS (2013). *The Burra Charter: the Australia ICOMOS charter for places of cultural significance, 2013*. Available at: <http://australia.icomos.org/wp-content/uploads/The-Burra-Charter-2013-Adopted-31.10.2013.pdf> (Accessed: 17 August 2014).
- Avrami, E., Mason, R. and de la Torre, M. (2000). *Values and heritage conservation*. Los Angeles: The Getty Conservation Institute.
- Basarir, H. (2008). 'Reflections of change at the crossroads of different cultures', in Hardy, M. (ed.) *The Venice Charter revisited: modernism, conservation and tradition in the 21st century*. Newcastle: Cambridge Scholars Publishing, pp. 321-330.
- Batey, M. (1974a). 'Historic gardens', *The Times*, June 8 1974.
- Batey, M. (1974b). 'The Garden History Society conservation committee', *Garden history*, 2(2), pp. 8-9.
- Batey, M. (1984). 'The conservation and restoration of historic gardens', in McGarvie, M. (ed.) *Home is house and garden*. London and Oxford: Ancient Monuments Society and Garden History Society, pp. 5-12.

## Bibliography

---

- Batey, M. (1991). 'The progress of garden conservation', *Garden History Society newsletter*, 31, pp. 22-26.
- Batey, M. (2000). 'Introduction', in Batey, M., Lambert, D. and Wilkie, K. *Indignation!* London: Kit-Cat Books, pp. 7-11.
- Batey, M. (2010). 'Paradise regained: the Garden History Society's campaign to save Painshill', *New arcadian journal*, 67/68, pp. 15-21.
- Baum, H. (1996). 'Practicing planning theory in a political world', in Mandelbaum, S., Mazza, L. and Burchell, R. (eds.) *Explorations in planning theory*. New Brunswick, N. J.: Center for Urban Policy Research, pp. 365-382.
- Baxter, A. (2000). 'Foreword', in Batey, M., Lambert, D. and Wilkie, K. *Indignation!* London: Kit-Cat Books, p. 6.
- Bee, S. (2008). 'Conservation principles for constructive conservation', in Hardy, M. (ed.) *The Venice Charter revisited: modernism, conservation and tradition in the 21st century*. Newcastle: Cambridge Scholars Publishing, pp. 624-632.
- Bee, S. (2010). 'The significance of "significance": how we define the terms we use, and the importance of using them', *IHBC North West Branch Day Conference: Understanding Significance*, Liverpool Medical Institute, Liverpool, 20 October.
- Bell, D. (1997). *The Historic Scotland guide to international conservation charters*. Edinburgh: Historic Scotland.
- Bilikowski, K. (1983). *Hampshire's countryside heritage: historic parks and gardens*. Winchester: Hampshire County Council.
- Blaug, R., Horner, L. and Lekhi, R. (2006). 'Heritage, democracy and public value', in Clark, K. (ed.) *Capturing the public value of heritage: the London conference*. Swindon: English Heritage, pp. 23-27.
- Bodfan Gruffydd, J. (1977). *Protecting historic landscapes: gardens and parks*. Cheltenham: The author, under the auspices of the Landscape Institute.
- Bond, A. (2000). *Environmental impact assessment in the UK*. Oxford: Chandos Publishing (Oxford) Limited.
- Brooks, G. (1992). 'The Burra Charter: Australia's methodology for conserving cultural heritage', *Places*, 8(1), pp. 84-88.
- Brooks, M. (1996). 'Planning and political power: toward a strategy for coping', in Mandelbaum, S., Mazza, L. and Burchell, R. (eds.) *Explorations in planning theory*. New Brunswick, N. J.: Center for Urban Policy Research, pp. 116-133.
- Brownill, S. and Carpenter, J. (2007). 'Participation and planning: dichotomies, rationalities and strategies for power', *The town planning review*, 78(4), pp. 401-428.

## Bibliography

---

- Bryman, A. (2008) *Social research methods*. 3rd edn. Oxford: Oxford University Press.
- Bucks Gardens Trust (BGT) (2014). *Understanding old gardens in Buckinghamshire*.
- Cadw (2014). *Historic Parks and Gardens*. Available at: <http://cadw.wales.gov.uk/historicenvironment/protection/historiclandscapes/histparkgrdns/?lang=en> (Accessed: 22 July 2014).
- Campbell, H. and Marshall, R. (2002). 'Values and professional identities in planning practice', in Allmendinger, P. and Tewdwr-Jones, M. (eds.) *Planning futures: new directions for planning theory*. London: Routledge, pp. 93-109.
- Cherry, G. (1972). *Urban change and planning: a history of urban development in Britain since 1750*. Henley-on-Thames: G T Foulis and Co Ltd.
- Cherry, G. (1974). *The evolution of British town planning: a history of town planning in the United Kingdom during the 20th century and of the Royal Town Planning Institute, 1914-74*. Leighton Buzzard: L. Hill.
- Cherry, G. (1982). *The politics of town planning*. London: Longman.
- Chynoweth, P. (2008). 'Legal research', in Knight, A. and Ruddock, L. (eds.) *Advanced research methods in the built environment*. Oxford: Wiley-Blackwell, pp. 28-38.
- Clark, J., Darlington, J. and Fairclough, G. (2004). *Using historic landscape characterisation*. London: English Heritage and Lancashire County Council.
- Clark, K. (2001). *Informed conservation: understanding historic buildings and their landscapes for conservation*. London: English Heritage.
- Clark, K. (2012). 'Workshop', *Significance: who decides? IHBC day school 2012*. The Guildhall, Winchester, 22 June.
- Clifford, B. and Tewdwr-Jones, M. (2013). *The collaborating planner? Practitioners in the neoliberal age*. Bristol: The Policy Press.
- Cochrane, R. (1892). 'Notes on the 'Ancient Monuments Protection (Ireland) Act, 1892,' and the previous legislation connected therewith', *The Journal of the Royal Society of Antiquaries of Ireland*, 2(4), pp. 411-429. Available at: <http://www.jstor.org/stable/25507943> (Accessed 12 February 2012).
- Cocks, R. (1998). 'The mysterious origin of the law for conservation', *Journal of planning and environment law*, March, pp. 203-209.
- Conway, H. (1988). 'Sports and playgrounds and the problem of park design in the nineteenth century', *Journal of garden history*, 8(1), pp. 31-41.
- Conway, H. (1996). *Public parks*. Princes Risborough: Shire Publications Ltd.

## Bibliography

---

- Conway, H. and Lambert, D. (1993). *Public prospects: historic urban parks under threat - a short report by the Garden History Society and the Victorian Society*. Wickwar: Garden History Society.
- Council of Europe (1985). *Convention for the protection of the architectural heritage of Europe (Granada Convention, 1985)*. Available at: <http://conventions.coe.int/Treaty/en/Treaties/Html/121.htm> (Accessed: 8 April 2012).
- Council of Europe (1986). *A future for our past*. Strasbourg: Council of Europe.
- Council of Europe (2000). *European Landscape Convention*. Available at: <http://conventions.coe.int/Treaty/en/Treaties/Html/176.htm> (Accessed: 28 November 2012).
- Council of Europe (2005). *The framework convention on the value of cultural heritage for society (Faro Convention, 2005)*. Available at: <http://conventions.coe.int/Treaty/EN/Treaties/Html/199.htm> (Accessed: 8 April 2012).
- Council of Europe (2012). *Complete list of the Council of Europe's treaties*. Available at: <http://conventions.coe.int/Treaty/Commun/ListeTraites.asp?CM=8&CL=ENG> (Accessed: 5 April 2012).
- Cowan, R. (2005). *The dictionary of urbanism*. Tisbury: Streetwise Press Limited.
- Creswell, J. (2007). *Qualitative inquiry and research design: choosing among five approaches*. London: SAGE Publications.
- Cullingworth, B. and Nadin, V. (2006). *Town and country planning in the UK*. 14th edn. Abingdon: Routledge.
- Currie, C. (2005). *Garden archaeology: a handbook*. York: Council for British Archaeology.
- Dacorum Borough Council (2014). *The Jellicoe Water Gardens*. Available at: <http://www.dacorum.gov.uk/home/regeneration/hemel-evolution/jellicoe-water-gardens> (Accessed: 23 July 2014).
- Dainty, A. (2008). 'Methodological pluralism in construction management research', in Knight, A. and Ruddock, L. (eds.) *Advanced research methods in the built environment*. Oxford: Wiley-Blackwell, pp. 1-13.
- David Tyldesley & Associates (1998). *Historic parks and gardens - a review of consultation procedures in the planning system: executive summary*. David Tyldesley & Associates: Nottingham.
- de la Torre, M. and Mason, R. (2002). 'Introduction', in de la Torre, M. (ed.) *Assessing the values of cultural heritage: research report*. Los Angeles: The Getty Conservation Institute, pp. 3-4.
- De Marco, L. (2009). 'Connecting principles with practice: from charters to guiding case studies', *City & Time*, 4(2), pp. 13-21.

## Bibliography

---

- de Vaus, D. (2002). *Surveys in social research*. 5th edn. Abingdon: Routledge.
- Delafons, J. (1994). 'Planning and conservation 1909-1932', *Journal of planning and environment law*, June, pp. 509-514.
- Delafons, J. (1997). *Politics and preservation : a policy history of the built heritage, 1882-1996*. London: E. & F. N. Spon.
- Department for Communities and Local Government (DCLG) (2001). *Circular 01/01: Arrangements for handling heritage applications - notification and directions by the Secretary of State*. London: HMSO.
- Department for Communities and Local Government (DCLG) (2006). *Circular 01/06: Guidance on changes to the development control system*. London: HMSO.
- Department for Communities and Local Government (DCLG) (2007). *Circular 01/07: revisions to principles of selection for listed buildings*. London: HMSO.
- Department for Communities and Local Government (DCLG) (2009). *Circular 02/09: the town and country planning (consultation) (England) Direction 2009*. London: HMSO.
- Department for Communities and Local Government (DCLG) (2010a). *Planning policy statement 5 (PPS5): planning for the historic environment*. London: HMSO.
- Department for Communities and Local Government (DCLG) (2010b). *PPS5 planning for the historic environment: planning practice guide*. London: HMSO.
- Department for Communities and Local Government (DCLG) (2012). *National planning policy framework (NPPF)*. London: DCLG.
- Department for Communities and Local Government (DCLG) (2013). *You've got the power: a quick and simple guide to community rights*. London: DCLG.
- Department for Communities and Local Government (DCLG) (2014). *Planning practice guidance*. Available at: <http://planningguidance.planningportal.gov.uk/> (Accessed: 6 March 2014).
- Department for Culture Media and Sport (DCMS) (2004). *Review of heritage protection: the way forward*. London: DCMS.
- Department for Culture Media and Sport (DCMS) (2010). *Principles of selection for listed buildings*. London: DCMS.
- Department of the Environment (DoE) (1977). *Circular 23/77: historic buildings and conservation areas - policy and procedures*. London: HMSO.
- Department of the Environment (DoE) (1987). *Circular 8/87: historic buildings and conservation areas - policy and procedures*. London: HMSO.

## Bibliography

---

- Department of the Environment (DoE) (1994). *Planning policy guidance: planning and the historic environment (PPG15)*. London: HMSO.
- Department of the Environment (DoE) (1995). *Circular 9/95: general development order consolidation 1995*. London: HMSO.
- Department of the Environment, Transport and the Regions (DETR) (1997). *The hedgerows regulations 1997: a guide to the law and good practice*. London: DETR.
- Desmond, R. (1984). *Bibliography of British gardens*. Winchester: St. Paul's Bibliographies.
- Dingwall, C. and Lambert, D. (1997). *Historic parks and gardens in the planning system: a handbook*. Reigate: Landscape Design Trust.
- Dobby, A. (1978). *Conservation and planning*. London: Hutchinson.
- Dobson, S. and Selman, P. (2012). 'Applying historic landscape characterisation in spatial planning: from remnants to remanence', *Planning practice and research*, 27(4), pp. 459-474.
- Douglas-Scott-Montagu, E. J. B. [Lord Montagu of Beaulieu] (1984). 'Introduction', in *The conservation of historic gardens*. London: Garden History Society and Ancient Monuments Society, pp. 1-2.
- Dror, Y. (1964). 'Muddling through - "science" or inertia?', *Public administration review*, 24(3), pp. 153-157.
- Duxbury, R. (2009). *Telling & Duxbury's Planning Law and Procedure*. 14th edn. Oxford: Oxford University Press.
- English Heritage (1992). *The Register of parks and gardens*. London: English Heritage.
- English Heritage (1997). *Sustaining the historic environment: new perspectives on the future*. London: English Heritage.
- English Heritage (1998). *The Register of parks and gardens: an introduction*. London: English Heritage.
- English Heritage (2004). *Grants for historic buildings, monuments and designed landscapes*. London: English Heritage.
- English Heritage (2007a). *European Landscape Convention: a framework for implementation*. London: English Heritage.
- English Heritage (2007b). *Garden and park buildings selection guide*. London: English Heritage.
- English Heritage (2007c). *Paradise preserved: an introduction to the assessment, evaluation, conservation and management of historic cemeteries*. London: English Heritage.
- English Heritage (2008a). *Chiswick House and gardens - character areas: design explanation statements*. London: English Heritage.
- English Heritage (2008b). *Conservation principles: policies and guidance for the sustainable management of the historic environment*. London: English Heritage.

## Bibliography

---

- English Heritage (2008c). *Heritage at risk 2008*. London: English Heritage.
- English Heritage (2008d). *Heritage at risk register 2008*. London: English Heritage.
- English Heritage (2009a). *Heritage at risk 2009*. London: English Heritage.
- English Heritage (2009b). *Heritage at risk register: parks and gardens*. London: English Heritage.
- English Heritage (2009c). *The European Landscape Convention: The English Heritage action plan for implementation*. London: English Heritage.
- English Heritage (2010a). *Heritage at risk 2010*. London: English Heritage.
- English Heritage (2010b). *Strategic environmental assessment, sustainability appraisal and the historic environment*. London: English Heritage.
- English Heritage (2010c). *The Register of parks and gardens - moving towards a new way of managing England's historic environment*. London: English Heritage.
- English Heritage (2010d). *Understanding place - historic area assessments: principles and practice*. London: English Heritage.
- English Heritage (2011a). *Conservation principles, policies and guidance for historic parks, gardens and designed landscapes (draft)*. London: English Heritage.
- English Heritage (2011b). *Heritage at risk 2011*. London: English Heritage.
- English Heritage (2011c). *National heritage protection plan (NHPP)*. London: English Heritage.
- English Heritage (2011d). *Understanding place: conservation area designation, appraisal and management*. London: English Heritage.
- English Heritage (2012a). *Heritage at risk 2012*. London: English Heritage.
- English Heritage (2012b). *Heritage at risk priority sites*. London: English Heritage.
- English Heritage (2012c). *Monument type thesaurus*. Available at: <http://thesaurus.english-heritage.org.uk> (Accessed: 23 July, 2012).
- English Heritage (2012d). *Scheduling selection guide: gardens*. London: English Heritage.
- English Heritage (2012e). *The heritage at risk register 2012: criteria for inclusion on the register*. London: English Heritage.
- English Heritage (2012f). *The national heritage list for England*. Available at: <http://www.english-heritage.org.uk/professional/protection/process/national-heritage-list-for-england/> (Accessed: 17 July, 2012).
- English Heritage (2012g). *Understanding place: historic area assessments in a planning and development context*. London: English Heritage.

## Bibliography

---

- English Heritage (2013a). *Heritage at risk 2013*. London: English Heritage.
- English Heritage (2013b). *Heritage at risk register 2013: East of England*. London: English Heritage.
- English Heritage (2013c). *Heritage counts 2013*. London: English Heritage.
- English Heritage (2013d). *Register of parks and gardens selection guide: institutional landscapes*. London: English Heritage.
- English Heritage (2013e). *Register of parks and gardens selection guide: landscapes of remembrance*. London: English Heritage.
- English Heritage (2013f). *Register of parks and gardens selection guide: rural landscapes*. London: English Heritage.
- English Heritage (2013g). *Register of parks and gardens selection guide: urban landscapes*. London: English Heritage.
- English Heritage (2013h). *Walled gardens*. Available at: <https://www.english-heritage.org.uk/professional/advice/advice-by-topic/parks-and-gardens/walled-gardens/> (Accessed: 4 November 2013).
- English Heritage (2014a). *Grading*. Available at: <http://www.english-heritage.org.uk/caring/listing/registered-parks-and-gardens/grading/> (Accessed: 2 July 2014).
- English Heritage (2014b). *Historic environment good practice advice in planning - note 1: the historic environment in local plans (draft)*. London: English Heritage.
- English Heritage (2014c). *Historic environment good practice advice in planning - note 2: decision-taking in the historic environment (draft)*. London: English Heritage.
- English Heritage (2014d). *Historic environment good practice advice in planning - note 3: the setting of heritage assets (draft)*. London: English Heritage.
- English Heritage (2014e). *International heritage conventions, treaties and charters*. Available at: <http://www.english-heritage.org.uk/professional/advice/hpg/coventionstreatiesandcharters/> (Accessed: 9 June 2014).
- English Heritage (n.d.-a). *Heritage at risk: methodology statement*. London: English Heritage.
- English Heritage (n.d.-b). *The heritage at risk register: reducing the risks*. London: English Heritage.
- Essex, S. (1996). 'Members and officers in the planning policy process', in Tewdwr-Jones, M. (ed.) *British planning policy in transition: planning in the 1990s*. London: UCL Press Limited, pp. 156-167.
- Etzioni, A. (1967). 'Mixed-scanning: a "third" approach to decision-making', *Public administration review*, 27(5), pp. 385-392.
- Etzioni, A. (1986). 'Mixed scanning revisited', *Public administration review*, 46(1), pp. 8-14.



## Bibliography

---

- Fairclough, G. (2005). *Boundless horizons: historic landscape characterisation*. London: English Heritage.
- Faludi, A. (1996). 'Rationality, critical rationalism, and planning doctrine', in Mandelbaum, S., Mazza, L. and Burchell, R. (eds.) *Explorations in planning theory*. New Brunswick, N. J.: Center for Urban Policy Research, pp. 65-82.
- Flyvbjerg, B. (1996). 'Commentary: the dark side of planning: rationality and "Realrationalität"', in Mandelbaum, S., Mazza, L. and Burchell, R. (eds.) *Explorations in planning theory*. New Brunswick, N. J.: Center for Urban Policy Research, pp. 383-394.
- Flyvbjerg, B. (1998). *Rationality and power: democracy in practice*. London: The University of Chicago Press.
- Flyvbjerg, B. and Richardson, T. (2002). 'Planning and Foucault: in search of the dark side of planning theory', in Allmendinger, P. and Tewdwr-Jones, M. (eds.) *Planning futures: new directions for planning theory*. London: Routledge, pp. 44-62.
- Fontana, A. and Frey, J. (2000). 'The interview: from structured questions to negotiated text', in Denzin, N. and Lincoln, Y. (eds.) *Handbook of qualitative research*. 2nd. edn. London: SAGE, pp. 645-669.
- Forester, J. (1996a). 'Argument, power, and passion in planning practice', in Mandelbaum, S., Mazza, L. and Burchell, R. (eds.) *Explorations in planning theory*. New Brunswick, N. J.: Center for Urban Policy Research, pp. 241-262.
- Forester, J. (1996b). 'The rationality of listening, emotional sensitivity, and moral vision', in Mandelbaum, S., Mazza, L. and Burchell, R. (eds.) *Explorations in planning theory*. New Brunswick, N. J.: Center for Urban Policy Research, pp. 204-224.
- Fowler, F. (2002). *Survey research methods*. 3rd edn. London: SAGE.
- Francis Frith Collection (1965a). *Harlow, water gardens and town hall c.1965 (neg. H22086)*. Available at: <http://www.francisfrith.com> (Accessed: 5 November 2013).
- Francis Frith Collection (1965b). *Harlow, Water Gardens c.1965 (neg. H22091)*. Available at: <http://www.francisfrith.com> (Accessed: 5 November 2013).
- Francis Frith Collection (1965c). *Harlow, water gardens c.1965 (neg. H22121)*. Available at: <http://www.francisfrith.com> (Accessed: 5 November 2013).
- Fricker, L. (1975). 'Historic gardens and landscapes: the conservation of a national asset', *The town planning review*, 46(4), pp. 407-414.
- Gallagher, J. (1984). *Documenting a garden's history*. York: Centre for the Conservation of Historic Parks and Gardens.
- Garden History Society (1969a). 'The register of gardens', *Quarterly newsletter*, p. 9.

## Bibliography

---

- Garden History Society (1969b). 'The Society's register of gardens', *Quarterly newsletter*, pp. 25-28.
- Garden History Society (1993). *Draft report of the working party on statutory protection for historic parks and gardens*.
- Garden History Society (2009a). *Planning conservation advice note 15 (PCAN 15): play facilities*. London: Garden History Society.
- Garden History Society (2009b). *Planning inquiry digest*. London: Garden History Society.
- Garden History Society (2013). *Conservation management plans relating to historic designed landscapes, September 2013*. Available at: <http://www.parksandgardens.org> (Accessed: 8 October 2013).
- Garden History Society (n.d.-a). *Planning conservation advice notes [Revised 2009]*. London: Garden History Society.
- Garden History Society (n.d.-b). *Planning conservation advice note 1 (PCAN 1): change of use - structures and landscape*. London: Garden History Society.
- Garden History Society (n.d.-c). *Planning conservation advice note 2 (PCAN 2): hotel and leisure development*. London: Garden History Society.
- Garden History Society (n.d.-d). *Planning conservation advice note 3 (PCAN 3): extension of educational/institutional establishments*. London: Garden History Society.
- Garden History Society (n.d.-e). *Planning conservation advice note 4 (PCAN 4): executive housing and other new residential developments*. London: Garden History Society.
- Garden History Society (n.d.-f). *Planning conservation advice note 5 (PCAN 5): golf*. London: Garden History Society.
- Garden History Society (n.d.-g). *Planning conservation advice note 6 (PCAN 6): vehicle parking and access*. London: Garden History Society.
- Garden History Society (n.d.-h). *Planning conservation advice note 7 (PCAN 7): treatment of boundaries and entrances*. London: Garden History Society.
- Garden History Society (n.d.-i). *Planning conservation advice note 8 (PCAN 8): telecommunications masts*. London: Garden History Society.
- Garden History Society (n.d.-j). *Planning conservation advice note 9 (PCAN 9): development of domestic amenities*. London: Garden History Society.
- Garden History Society (n.d.-k). *Planning conservation advice note 10 (PCAN 10): CCTV & lighting*. London: Garden History Society.

## Bibliography

---

- Garden History Society (n.d.-l). *Planning conservation advice note 11 (PCAN 11): Development in the setting of historic designed landscape*. London: Garden History Society.
- Garden History Society (n.d.-m). *Planning conservation advice note 12 (PCAN 12): evaluation of new landscape features*. London: Garden History Society.
- Garden History Society (n.d.-n). *Planning conservation advice note 13 (PCAN 13): briefs for historic landscape assessments*. London: Garden History Society.
- Garden History Society (n.d.-o). *Planning conservation advice note 14 (PCAN 14): management plans*. London: Garden History Society.
- Garden History Society (n.d.-p). *Planning conservation advice note: appendices*. London: Garden History Society.
- Garden History Society and Association of Gardens Trusts (2014). *Final report of the merger project board*. London: GHS and AGT.
- Gay, H. (1995). 'Integrated conservation of natural and historical aspects of the countryside', *Journal of architectural conservation*, 3, pp. 70-89.
- Gibson, L. and Pendlebury, J. (2009). 'Introduction: valuing historic environments', in Gibson, L. and Pendlebury, J. (eds.) *Valuing historic environments*. Farnham: Ashgate Publishing Limited, pp. 1-16.
- Glasson, J., Therivel, R. and Chadwick, A. (2012). *Introduction to environmental impact assessment*. 4th edn. Abingdon: Routledge.
- Goodchild, P. (1979). 'A survey of gardens and parks of historic interest', *Garden history*, 7(3), pp. 7-8.
- Goodchild, P. (1984). 'The conservation of parks and gardens in the United Kingdom', *Landscape research*, 9(2), pp. 1-3.
- Goodchild, P. (1990). *Draft document for discussion purposes: some principles for the conservation of historic landscapes*.
- Goodchild, P. (1996). 'Historic landscapes and gardens and their conservation', in Marks, S. (ed.) *Concerning buildings: studies in honour of Sir Bernard Feilden*. Oxford: Architectural Press, pp. 253-277.
- Goult, S. (1993). *Heritage gardens: care, conservation and management*. London: Routledge.
- Great Britain. Parliament. House of Commons. (1950). *Report of the Committee on houses of outstanding historic or architectural interest [Gowers Committee]*. London: HMSO.
- Great Britain. Parliament. House of Commons. (1987). *First report from the Environment Committee: historic buildings and ancient monuments [HC146]*. London: HMSO.

## Bibliography

---

- Great Britain. Parliament. House of Commons. (1994). *National Heritage Select Committee: our heritage: preserving it, prospering from it [HC 139]*. London: HMSO.
- Great Britain. Parliament. House of Commons. (2000). *The government's response to the twentieth report from the House of Commons Environment, Transport and Regional Affairs Committee report on town and country parks (Cm 4550)*. London: HMSO.
- Great Britain. Parliament. House of Commons. (2006). *House of Commons Culture, Media and Sport Committee: protecting and preserving our heritage [HC 912]*. London: HMSO.
- Greenwood, B. (ed.) (2000). *Butterworths Planning Law Handbook*. 5th edn. London: Butterworths.
- Haenraets, J. and Ebohon, O. (2008). 'Landscapes of the recent past: identifying key problems regarding the conservation of designed landscapes', in van den Heuvel, D. (ed.) *The challenge of change: dealing with the legacy of the modern movement*. Amsterdam: IOS Press, pp. 177-184.
- Haigh, R. (2008). 'Interviews: a negotiated partnership', in Knight, A. and Ruddock, L. (eds.) *Advanced research methods in the built environment*. Oxford: Wiley-Blackwell, pp. 111-121.
- Harney, M. (ed.) (2014). *Gardens and landscapes in historic building conservation*. Chichester: John Wiley & Sons Ltd.
- Harney, M. and Dickinson, S. (2013). 'Working together: keeping in touch', *Garden History Society Micro-news Winter 2013*. London: Garden History Society, pp. 2-6.
- Harrison, P. (2002). 'A pragmatic attitude to planning', in Allmendinger, P. and Tewdwr-Jones, M. (eds.) *Planning futures: new directions for planning theory*. London: Routledge, pp. 157-171.
- Harwood, R. (2012). *Historic environment law: planning, listed buildings, monuments, conservation areas and objects*. Builth Wells: Institute of Art and Law Ltd.
- Harwood, R. (2014). *Historic environment law: planning, listed buildings, monuments, conservation areas and objects - Supplement 2014*. Builth Wells: Institute of Art and Law Ltd.
- Healey, P. and Shaw, T. (1994). 'Changing meanings of 'environment' in the British planning system', *Transactions of the institute of British geographers*, 19(4), pp. 425-438).
- Heritage Alliance (2014). *Written evidence to the House of Commons Communities and Local Government Committee inquiry into the operation of the NPPF [NPP 184]*. Available from: <http://www.parliament.uk> (Accessed: 27 June 2014).
- Heritage Lottery Fund (HLF) (2008). *Conservation management planning*. London: Heritage Lottery Fund.

## Bibliography

---

- Heritage Lottery Fund (HLF) (2012a). *Evaluation guidance: parks for people*. London: Heritage Lottery Fund.
- Heritage Lottery Fund (HLF) (2012b). *Our background*. Available at: <http://www.hlf.org.uk/aboutus/Pages/OurBackground.aspx> (Accessed: 14 May 2012).
- Heritage Lottery Fund (HLF) (2014). *State of UK public parks 2014: renaissance to risk?* London: Heritage Lottery Fund.
- Hewitson, N. (2008). 'The Heritage Protection Bill: the effect on the current systems', *Journal of planning and environment law*, 7, pp. 930-938.
- Hill, M. (2005). *The public policy process*. 4th edn. Harlow: Pearson Education Limited.
- Hillier, J. (2010). 'Introduction', in Hillier, J. and Healey, P. (eds.) *The Ashgate research companion to planning theory: conceptual challenges for spatial planning*. Farnham: Ashgate Publishing Limited, pp. 1-34.
- Historic Scotland (2014). *Gardens and designed landscapes*. Available at: <http://www.historic-scotland.gov.uk/gardens> (Accessed: 22 July 2014).
- Hobson, E. (2004). *Conservation and planning: changing values in policy and practice*. London: Spon Press.
- Hoch, C. (1996). 'A pragmatic inquiry about planning and power', in Mandelbaum, S., Mazza, L. and Burchell, R. (eds.) *Explorations in planning theory*. New Brunswick, N. J.: Center for Urban Policy Research, pp. 30-44.
- Hoskins, W. G. (1985). *The making of the English landscape*. London: Penguin Books Ltd.
- Howard, P. (2009). 'Historic landscapes and the recent past: whose history?', in Gibson, L. and Pendlebury, J. (eds.) *Valuing historic environments*. Farnham: Ashgate Publishing Limited, pp. 51-63.
- Hubbard, P. (1993). 'The value of conservation: a critical review of behavioural research', *The town planning review*, 64(4), pp. 359-373.
- Hunt, J. D. (2004). *The afterlife of gardens*. London: Reaktion Books Ltd.
- Hunter, M. (1996). 'Introduction: the fitful rise of British preservation', in Hunter, M. (ed.) *Preserving the past: the rise of heritage in modern Britain*. Stroud: Alan Sutton Publishing Ltd, pp. 1-16.
- Hunter, R. (1907). *The preservation of places of interest or beauty*. Manchester University, 29 January. Available at: [http://en.wikisource.org/wiki/The\\_Preservation\\_of\\_Places\\_of\\_Interest\\_or\\_Beauty](http://en.wikisource.org/wiki/The_Preservation_of_Places_of_Interest_or_Beauty) (Accessed: 11 February 2012).

## Bibliography

---

- ICOMOS (1931). *The Athens Charter for the Restoration of Historic Monuments (1931)*. Available at: <http://www.icomos.org/index.php/en/charters-and-texts?id=167:the-athens-charter-for-the-restoration-of-historic-monuments&catid=179:charters-and-standards> (Accessed: 5 April 2012).
- ICOMOS (1964). *International charter for the conservation and restoration of monuments and sites (the Venice Charter 1964)*. Available at: [http://www.icomos.org/charters/venice\\_e.pdf](http://www.icomos.org/charters/venice_e.pdf) (Accessed: 5 April 2012).
- ICOMOS (1971). *International symposium on the conservation and restoration of gardens of historical interest (Fontainebleau)*. Paris: ICOMOS.
- ICOMOS (1982). *Historic gardens (the Florence charter 1981)*. Available at: [http://www.international.icomos.org/charters/gardens\\_e.pdf](http://www.international.icomos.org/charters/gardens_e.pdf) (Accessed: 23 November 2010).
- ICOMOS (1987). *Charter for the conservation of historic towns and urban areas (Washington Charter 1987)*. Available at: [http://www.international.icomos.org/charters/towns\\_e.pdf](http://www.international.icomos.org/charters/towns_e.pdf) (Accessed: 5 April 2012).
- ICOMOS (1994). *The Nara document on authenticity*. Available at: <http://www.icomos.org/charters/nara-e.pdf> (Accessed: 5 April 2012).
- ICOMOS (2011). *Guidance on heritage impact assessments for cultural world heritage properties*. Paris: ICOMOS.
- ICOMOS (2012). *Charters and other doctrinal texts*. Available at: <http://www.icomos.org/en/charters-and-texts> (Accessed: 5 April 2012).
- ICOMOS Canada (1982). *Charter for the preservation of Quebec's heritage (Deschambault declaration)*. Available at: <http://www.icomos.org/en/charters-and-texts/179-articles-en-francais/ressources/charters-and-standards/192-the-deschambault-charter> (Accessed: 24 April 2012).
- Institute of Historic Building Conservation (IHBC), English Heritage (EH) and Association of Local Government Archaeological Officers (ALGAO) (2013). *A fifth report on local authority staff resources*. London: English Heritage.
- Institute of Historic Building Conservation (IHBC), English Heritage (EH) and Association of Local Government Archaeological Officers (ALGAO) (2014). *A sixth report on local authority staff resources*. London: English Heritage.
- Jacques, D. (1986). 'Historic garden conservation', *The planner*, 72(11), pp. 14-17.
- Jacques, D. (1991). *Planning for parks and gardens*. London: English Heritage.

## Bibliography

---

- Jacques, D. (1993). *A scheme of statutory protection for parks and gardens of special historic interest*.
- Jennings, D. and Wattam, S. (1994). *Decision making - an integrated approach*. London: Pitman Publishing.
- Jokilehto, J. (1999). *A history of architectural conservation*. Oxford: Butterworth-Heinemann.
- Jones, A. N. and Larkham, P. J. (1993). *The character of conservation areas*. London: RTPI.
- Jordan, H. (1994). 'The register of historic parks and gardens: its purpose and objectives', in Shacklock, V. and Roberts, J. (eds.) *Planning for the protection of historic gardens*. London: RTPI Services Ltd, pp. 17-21.
- Jordan, H. and Rutherford, S. (2001). *Register guidance manual 2001*. London: English Heritage.
- Jupp, V. (2006). *The SAGE dictionary of social research methods*. London: SAGE Publications Ltd.
- Kain, R. (1981). 'Introduction: definitions, attitudes and debates', in Kain, R. (ed.) *Planning for conservation*. London: Maxwell, pp. 1-15.
- Kaufman, S. and Smith, J. (1999). 'Framing and reframing in land use change conflicts', *Journal of architectural and planning research*, 16(2), pp. 164-180. Available at: <http://www.ebscohost.com/> (Accessed: 12 March 2013).
- Keddie, V. (2006) 'Case study method', in Jupp, V. (ed.) *The SAGE dictionary of social research methods*. London: SAGE Publications Ltd., pp. 20-21.
- Kelly, A. and Gilg, M. (1996). 'The analysis of development control decisions: a position statement and some new insights from recent research in South-West England', *The town planning review*, 67(2), pp. 203-228.
- Kelly, M. and Gilg, A. (2000). 'The analysis of development control decision making: a cautionary tale from recent work on aggregate data', *Planning practice and research*, 15(4), pp. 335-342.
- Kennet, W. (1972). *Preservation*. London: Temple Smith.
- Kerr, J. S. (2013). *Conservation plan: a guide to the preparation of conservation plans for places of European cultural significance*. 7th edn. Sydney: J. S. Kerr on behalf of The National Trust of Australia (NSW).
- Kitchen, T. (1990). 'A client-based view of the planning service', *Planning outlook*, 33(1), pp. 65-76.
- Kitchen, T. (1997). *People, politics, policies and plans: the city planning process in contemporary Britain*. London: Paul Chapman Publishing Ltd.

## Bibliography

---

- Kuruville, S. and Dorstewitz, P. (2010). 'There is no "point" in decision-making: a model of transactive rationality for public policy and administration', *Policy Sciences*, 43(3), pp. 263-287.
- Kørnøv, L. and Thissen, W. (2000). 'Rationality in decision- and policy-making: implications for strategic environmental assessment', *Impact assessment and project appraisal*, 18(3), pp. 191-200.
- Lambert, D. (1991). *Researching a garden's history from documentary and published sources*. Reigate: Landscape Design Trust in association with the Centre for the Conservation of Historic Parks and Gardens.
- Lambert, D. (1993). 'Historic gardens'. *Conservation areas: the first 25 years*. Department for Continuing Education, University of Oxford, Oxford, 5-7 May. Oxford: University of Oxford, pp. 47-51.
- Lambert, D. (2011). 'The repair and regeneration of public parks', *Context*, (118), pp. 20-23.
- Lambert, D. and Lovie, J. (2006). 'All rosy in the garden? The protection of historic parks and gardens', *Journal of architectural conservation*, 12(3), pp. 83-106.
- Landscape Institute (LI) and Institute of Environmental Management and Assessment (IEMA) (2013). *Guidelines for landscape and visual impact assessment*. 3rd edn. Abingdon: Routledge.
- Larkham, P. (1993). 'Conservation in action: evaluating policy and practice in the United Kingdom', *The town planning review*, 64(4), pp. 351-357.
- Larkham, P. (1996). *Conservation and the city*. London: Routledge.
- Larkham, P. and Lodge, J. (1999). *Do residents understand what conservation means? Working paper series no. 71*. Birmingham: Faculty of the Built Environment, University of Central England.
- Lauria, M. and Wagner, J. (2006). 'What can we learn from empirical studies of planning theory? A comparative case analysis of extant literature', *Journal of planning education and research*, 25, pp. 364-381.
- Laurie, I. (1983). 'Surveys of historic parks and gardens', *Journal of environmental planning and management*, 26(2), pp. 89-98.
- Layfield, F. (1990). 'Material considerations in planning: the law', *Journal of planning and environment law: occasional paper 17*, pp. 6-16.
- Lichfield, N. (1996). *Community impact evaluation*. London: UCL Press Limited.
- Liggett, H. (1996). 'Commentary: examining the planning practice conscious(ness)', in Mandelbaum, S., Mazza, L. and Burchell, R. (eds.) *Explorations in planning theory*. New Brunswick, N. J.: Center for Urban Policy Research, pp. 299-306.



## Bibliography

---

- Lincoln, Y. and Guba, E. (2000). 'Paradigmatic controversies, contradictions and emerging confluences', in Denzin, N. and Lincoln, Y. (eds.) *Handbook of qualitative research*. 2nd. edn. London: SAGE Publications Ltd., pp. 163-187.
- Lockhart-Mummery, C. and Elvin, D. (eds.) (2009) *Encyclopedia of planning law and practice*. London: Sweet & Maxwell.
- MacGregor, B. and Ross, A. (1995). 'Master or servant? The changing role of the development plan in the British planning system', *The town planning review*, 66(1), pp. 41-59.
- Machi, L. and McEvoy, B. (2009) *The literature review*. London: SAGE Ltd.
- Mackay, R. and Johnston, C. (2010). 'Heritage management and community connections - on The Rocks', *Journal of architectural conservation*, 16(1), pp. 55-74.
- Mason, R. (2002). 'Assessing values in conservation planning: methodological issues and choices', in de la Torre, M. (ed.) *Assessing the values of cultural heritage: research report*. Los Angeles: The Getty Conservation Institute, pp. 5-30.
- Mason, R. (2004). 'Fixing historic preservation: a constructive critique of 'significance'', *Places*, 16(1), pp. 64-71.
- May, T. (2001). *Social research: issues, methods and process*. 3rd edn. Buckingham: Open University Press.
- McDougall, G. (1996). 'Commentary: the latitude of planners', in Mandelbaum, S., Mazza, L. and Burchell, R. (eds.) *Explorations in planning theory*. New Brunswick, N. J.: Center for Urban Policy Research, pp. 188-198.
- Mertens, D. (2010). *Research and evaluation in education and psychology*. 3rd edn. London: SAGE Publications Ltd.
- Moore, V. and Purdue, M. (2012). *A practical approach to planning law*. 12th edn. Oxford: Oxford University Press.
- Morphet, J. (1994). *Working paper no. 5: Parks, open space and the future of urban planning. Future of Public Parks in the UK*. Bournes Green/London: Comedia/Demos.
- Murdoch, J. (1998). 'The spaces of actor-network theory', *Geoforum*, 29(4), pp. 357-374.
- Mynors, C. (2006). *Listed buildings, conservation areas and monuments*. 4th edn. London: Sweet & Maxwell.
- Mynors, C. (2011). *The law of trees, forests and hedges*. 2nd edn. London: Sweet & Maxwell.
- National Trust (n.d.). *Conservation principles*. Swindon: The National Trust.

## Bibliography

---

- National Trust (2014). *Written evidence to the House of Commons Communities and Local Government Committee inquiry into the operation of the NPPF [NPP 177]*. Available from: <http://www.parliament.uk> (Accessed: 27 June 2014).
- Northern Ireland Environment Agency (2014). *Historic Parks, Gardens and Demesnes*. Available at: [http://www.doeni.gov.uk/niea/built-home/protection/historic\\_gardens.htm](http://www.doeni.gov.uk/niea/built-home/protection/historic_gardens.htm) (Accessed: 22 July 2014).
- Office of the Deputy Prime Minister (ODPM) (2002). *Planning policy guidance 17 (PPG17): planning for open space, sport and recreation*. London: TSO.
- Office of the Deputy Prime Minister (ODPM) (2005). *Planning policy statement 1 (PPS1): the Government's objectives for the planning system*. London: TSO.
- Oxford City Council, Oxford Preservation Trust and English Heritage (n.d.). *Oxford character assessment toolkit*. Oxford: Oxford City Council.
- Oxford University Press (2012). *Oxford English dictionary*. Available at: <http://www.oed.com> (Accessed: 23 July, 2012).
- Parks and Gardens UK (2009). *Parks and Gardens UK volunteer training manual*. Available at: <http://www.parksandgardens.ac.uk> (Accessed: 28 November 2012).
- Parks & Gardens UK (2014). *The protection of historic designed landscapes in the United Kingdom*. Available at: <http://www.parksandgardens.org/conservation/233-protecting-designed-landscapes/532-the-protection-of-historic-designed-landscapes-in-the-united-kingdom> (Accessed: 22 July 2014).
- Pendlebury, J. (1996). *Working Paper No. 44: Historic parks and gardens and statutory protection*. Newcastle upon Tyne: Department of Town and Country Planning, University of Newcastle upon Tyne.
- Pendlebury, J. (1997). 'The statutory protection of historic parks and gardens', *Journal of Urban Design*, 2(3), pp. 241-258.
- Pendlebury, J. (2000). 'Conservation, Conservatives and consensus: the success of conservation under the Thatcher and Major governments, 1979-1997', *Planning theory and practice*, 1(1), pp. 31-52.
- Pendlebury, J. (2009). *Conservation in the age of consensus*. London: Routledge.
- Pendlebury, J. (2013). 'Conservation values, the authorised heritage discourse and the conservation-planning assemblage', *International journal of heritage studies*, 19(7), pp. 709-727.
- Pevsner, N. (1955). 'Lecture 6: Constable and the Pursuit of Nature', *Reith lectures: the Englishness of English art*, 20 November, pp. 1-6. Available at: <http://www.bbc.co.uk/radio4/features/the-reith-lectures/transcripts/1948/#y1955> (Accessed: 25 November, 2013).
- Phibbs, J. (1983). 'An approach to the methodology of recording historic landscapes', *Garden history*, 11(2), pp. 167-175.

## Bibliography

---

- Pickard, R. (1996). *Conservation in the built environment*. Harlow: Addison Wesley Longman Limited.
- Pickard, R. (2001). 'Review', in Pickard, R. (ed.) *Policy and law in heritage conservation*. London: Spon Press, pp. 315-341.
- Proverbs, D. and Gameson, R. (2008). 'Case study research', in Knight, A. and Ruddock, L. (eds.) *Advanced research methods in the built environment*. Oxford: Wiley-Blackwell, pp. 99-110.
- Punter, J. (1994). 'Aesthetics in planning', in Thomas, H. (ed.) *Values in planning*. Aldershot: Avebury, pp. 38-67.
- Purdue, M. (1989). 'Material considerations: an ever-expanding concept?', *Journal of planning and environment law*, March, pp. 156-161.
- Purdue, M. (1991). 'Green belts and the presumption in favour of granting planning permission: Pehrsson v Secretary of State for the Environment', *Journal of Environmental Law*, 3(1), pp. 93-121.
- Purdue, M. (1994). 'The impact of section 54A', *Journal of planning and environment law*, May, pp. 399-407.
- Rein, M. and Schön, D. (1993). 'Reframing policy discourse', in Fischer, F. and Forester, J. (eds.) *The argumentative turn in policy analysis and planning*. London: UCL Press Limited, pp. 145-166.
- Riegl, A. (1903). 'The modern cult of monuments: its character and its origin'. Translated by Forster, K. and Ghirardo, D. (1982). *Oppositions*, 25, pp. 21-51.
- Roberts, J. (1994). 'Researching a garden and evaluating its importance', in Shacklock, V. and Roberts, J. (eds.) *Planning for the protection of historic gardens*. London: RTPI Services Ltd, pp. 22-30.
- Roberts, J. (1995). 'Historic parks and gardens - listing, awareness and the future', *Journal of architectural conservation*, 1, pp. 38-55.
- Robson, C. (2002). *Real world research: a resource for social scientists and practitioner-researchers*. 2nd edn. Oxford: Blackwell Publishers Ltd.
- Rosenhead, J. (1980). 'Planning under uncertainty: 1 The inflexibility of methodologies', *The journal of the Operational Research Society*, 31(3), pp. 209-216.
- Ross, M. (1991). *Planning and the heritage: policy and procedures*. London: E. & F. N. Spon.
- Royal Town Planning Institute (RTPI) (2000). *Conservation of the historic environment: a good practice guide for planners*. London: RTPI.
- Royal Town Planning Institute (RTPI) (2005). *Guidelines on effective community involvement and consultation*. London: RTPI.
- Rubin, H. and Rubin, I. (2012). *Qualitative interviewing: the art of hearing data*. 3rd edn. London: SAGE Publications Ltd.
- Ruskin, J. (1880). *The seven lamps of architecture*. Reprint, New York: Dover Publications, Inc., 1989.

## Bibliography

---

- Rutherford, S. (2001). 'Register of parks and gardens', *Conservation bulletin*, 40, pp. 4-6.
- Rutherford, S. (2003). *The landscapes of public lunatic asylums in England, 1808-1914*. Unpublished PhD thesis. De Montfort University, Leicester.
- Rydin, Y. (2003). *Conflict, consensus, and rationality in environmental planning*. Oxford: OUP.
- Saldaña, J. (2009). *The coding manual for qualitative researchers* London: SAGE.
- Sales, J. (2000). 'Conserving historic gardens', *Journal of architectural conservation*, 2, pp. 72-84.
- Sandercock, L. (1998). *Towards cosmopolis: planning for multicultural cities*. Chichester: John Wiley.
- Saunders, M. (1984). 'Protection at law', in *The conservation of historic gardens*. London: Garden History Society and Ancient Monuments Society, pp. 6-9.
- Scott, A. (2008). 'Assessing public perception of landscape', in Fairclough, G. (ed.) *The heritage reader*. Abingdon: Routledge, pp. 346-362.
- Seale, C. (2004). *Researching society and culture*. 2nd edn. London: SAGE Publications Ltd.
- Selman, P. and Swanwick, C. (2010). 'On the meaning of natural beauty in landscape legislation', *Landscape Research*, 35(1), pp. 3-26.
- Shacklock, V. and Lambert, D. (1995). 'Historic parks and gardens: a review of legislation, policy guidance and significant court and appeal decisions', *Journal of planning and environment law*, July, pp. 563-573.
- Shacklock, V. and Roberts, J. (1994). *Planning for the protection of historic gardens*. London: RTPI Services Ltd.
- Sharp, T. (1945). *Town planning*. Harmondsworth: Pelican Books.
- Silkin, L. (1946). *HC Deb (1946) 422 col. 75-6*. Available at: <http://hansard.millbanksystems.com> (Accessed: 6 November, 2013).
- Smith, L. (2009). 'Deference and humility: the social values of the country house', in Gibson, L. and Pendlebury, J. (eds.) *Valuing historic environments*. Farnham: Ashgate Publishing Limited, pp. 33-50.
- Smith, M. (1998). *Social science in question: towards a postdisciplinary framework*. London: SAGE Publications Ltd.
- Society for the Protection of Ancient Buildings (SPAB) (1877). *The Manifesto*. Available at: <http://www.spab.org.uk/what-is-spab-/the-manifesto/> (Accessed: 4 March 2012).
- Stacey, M. S. (1992). *The protection of historic parks and gardens in the planning system (WP 29)*. Bristol: Faculty of the Built Environment: University of the West of England.

## Bibliography

---

- Stake, R. (2000). 'Case studies', in Denzin, N. and Lincoln, Y. (eds.) *Handbook of qualitative research*. 2nd. edn. London: SAGE Publications Ltd., pp. 435-453.
- Stearn, W. (1977). 'The Garden History Society's tenth anniversary and some historians of garden history', *Garden history*, 5(1), pp. 42-52.
- Stovel, H. (2007). 'Effective use of authenticity and integrity as world heritage qualifying conditions', *City & Time*, 2(3), pp. 21-36.
- Streeten, A. and Bilikowski, K. (1993). 'Historic parks and gardens', *Conservation bulletin*, pp. 4-5.
- Swanborn, P. (2010). *Case study research: what, why and how?* London: SAGE Publications Ltd.
- Swanwick, C. (2002). *Landscape character assessment: guidance for England and Scotland*. Cheltenham: The Countryside Agency and Scottish Natural Heritage.
- Symes, M. (2006). *A glossary of garden history*. 3rd edn. Princes Risborough: Shire Publications Ltd.
- Tainter, A. and Lucas, G. (1983). 'Epistemology of the significance concept', *American Antiquity*, 48(4), pp. 707-719.
- Tewdwr-Jones, M. (1995). 'Development control and the legitimacy of planning decisions', *The town planning review* 66(2), pp. 163-181.
- Tewdwr-Jones, M. (1996). 'Reflective planning theorising and professional protectionism: a reply to Allmendinger', *The town planning review*, 67(2), pp. 235-243.
- Tewdwr-Jones, M. (1999). 'Discretion, flexibility, and certainty in British planning: emerging ideological conflicts and inherent political tensions', *Journal of planning education and research*, 18, pp. 244-256.
- Tewdwr-Jones, M. (2002). 'Personal dynamics, distinctive frames and communicative planning', in Allmendinger, P. and Tewdwr-Jones, M. (eds.) *Planning futures: new directions for planning theory*. London: Routledge, pp. 65-92.
- Tewdwr-Jones, M. and Allmendinger, P. (2002). 'Conclusion: communicative planning, collaborative planning and the post-positivist planning theory landscape', in Allmendinger, P. and Tewdwr-Jones, M. (eds.) *Planning futures: new directions for planning theory*. London: Routledge, pp. 206-216.
- The Hedgerows Regulations 1997*.(SI 1997/1160).
- The Highways Agency (2007). *Design manual for roads and bridges: volume 11 environmental assessment, section 3 environmental topics, part 2 - HA 208/07 - cultural heritage*. Birmingham: The Highways Agency.
- The Highways Agency, English Heritage, Council for British Archaeology and Natural England (2007). *Assessing the effect of road schemes on historic landscape character*. Bristol: The Highways Agency.

## Bibliography

---

- The Parks Agency (2006). *Understanding and valuing your park: a short guide (draft)*. Reading: The Parks Agency.
- The Times (1965). 'Garden landscapes protected', *The Times*, 25 November, p. 16.
- The Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2013*. (SI 2013/1238).
- The Town and Country Planning (Development Management Procedure) (England) Order 2010*. (SI 2010/2184).
- The Town and Country Planning (Environmental Impact Assessment) Regulations 2011*. (SI 2011/1824).
- The Town and Country Planning (General Development Procedure) Order 1995*. (SI 1995/419).
- Thomas, G. (2011). *How to do your case study: a guide for students and researchers*. London: SAGE Publications Ltd.
- Thomas, H. (1994). 'Introduction', in Thomas, H. (ed.) *Values and planning*. Aldershot: Avebury, pp. 1-11.
- Thomas, H. (1996). 'Public participation in planning', in Tewdwr-Jones, M. (ed.) *British planning policy in transition: planning in the 1990s*. London: UCL Press Limited, pp. 168-188.
- Thomas, M. (1994). 'Values in the past: conserving heritage', in Thomas, H. (ed.) *Values in planning*. Aldershot: Avebury, pp. 68-86.
- Thomas, R. (2006). 'Heritage protection criteria: an analysis', *Journal of planning and environmental law* July, pp. 956-963.
- Thomson, V. (2014). 'Planning and the protection of historic parks and gardens: a review of current practice in England', *Garden history* 42(1), pp. 3-20.
- Tomaszewski, A. (2004). 'In the flower garden of heritage conservation', in Rohde, M. and Schomann, R. (eds.) *Historic gardens today*. Leipzig: Edition Leipzig, pp. 292-295.
- Tonn, B., English, M. and Travis, C. (2000). 'A framework for understanding and improving environmental decision making', *Journal of Environmental Planning and Management*, 43(2), pp. 163-183.
- Tunbridge Wells Borough Council (2010). *A review of the Kent Compendium's list of historic parks and gardens for Tunbridge Wells Borough*. Tunbridge Wells: Tunbridge Wells Borough Council.
- Turnpenny, M. (2004). 'Cultural heritage, an ill-defined concept? A call for joined-up policy', *International journal of heritage studies*, 10(3), pp. 295-307.

## Bibliography

---

- UNESCO (1962). *Recommendation concerning the safeguarding of beauty and character of landscapes and sites*. Available at: <http://unesdoc.unesco.org/images/0011/001145/114582e.pdf#page=142> (Accessed: 5 April 2012).
- UNESCO (1972). *Convention concerning the protection of the world cultural and natural heritage*. Available at: <http://whc.unesco.org/archive/convention-en.pdf> (Accessed: 5 April 2012).
- UNESCO (1976). *Recommendation concerning the safeguarding and contemporary role of historic areas*. Available at: <http://unesdoc.unesco.org/images/0011/001140/114038e.pdf#page=136> (Accessed: 5 April 2012).
- UNESCO (2003). *Convention for the safeguarding of the intangible cultural heritage*. Available at: <http://unesdoc.unesco.org/images/0013/001325/132540e.pdf> (Accessed: 5 April 2012).
- UNESCO (2012a). *Conventions*. Available at: [http://portal.unesco.org/en/ev.php-URL\\_ID=12025&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=-471.html](http://portal.unesco.org/en/ev.php-URL_ID=12025&URL_DO=DO_TOPIC&URL_SECTION=-471.html) (Accessed: 5 April 2012).
- UNESCO (2012b). *Declarations*. Available at: [http://portal.unesco.org/en/ev.php-URL\\_ID=12027&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=-471.html](http://portal.unesco.org/en/ev.php-URL_ID=12027&URL_DO=DO_TOPIC&URL_SECTION=-471.html) (Accessed: 5 April 2012).
- UNESCO (2012c). *General introduction to the standard-setting instruments of UNESCO*. Available at: [http://portal.unesco.org/en/ev.php-URL\\_ID=23772&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/en/ev.php-URL_ID=23772&URL_DO=DO_TOPIC&URL_SECTION=201.html) (Accessed: 5 April 2012).
- UNESCO (2012d). *Operational guidelines for the implementation of the World Heritage Convention*. Available at: <http://whc.unesco.org/archive/opguide12-en.pdf> (Accessed: 5 November, 2012).
- UNESCO (2012e). *Recommendations*. Available at: [http://portal.unesco.org/en/ev.php-URL\\_ID=12026&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=-471.html](http://portal.unesco.org/en/ev.php-URL_ID=12026&URL_DO=DO_TOPIC&URL_SECTION=-471.html) (Accessed: 5 April 2012).
- UNESCO (2012f). *Standard-setting instruments*. Available at: [http://portal.unesco.org/en/ev.php-URL\\_ID=12024&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/en/ev.php-URL_ID=12024&URL_DO=DO_TOPIC&URL_SECTION=201.html) (Accessed: 5 April 2012).
- Urban Parks Forum (2001). *Public park assessment: a survey of local authority owned parks focusing on parks of historic interest*. Available at: <http://www.green-space.org.uk/downloads/Publications/PPA.PDF> (Accessed: 7 November 2013).

## Bibliography

---

- van Erp-Houtepen, A. (1986). 'The etymological origin of the garden', *Journal of garden history*, 6(3), pp. 227-231.
- Velkov, P. (2008). 'Thinking about the Burra Charter', in Hardy, M. (ed.) *The Venice Charter revisited: modernism, conservation and tradition in the 21st century*. Newcastle: Cambridge Scholars Publishing, pp. 87-95.
- Waterton, E. and Smith, L. (2010). 'The recognition and misrecognition of community heritage', *International journal of heritage studies*, 16(1-2), pp. 4-15.
- Watkins, J. and Wright, T. (eds.) (2007). *The management and maintenance of historic parks, gardens and landscapes*. London: Frances Lincoln.
- Wells, J. (2007). 'The plurality of truth in culture, context, and heritage: a (mostly) post-structuralist analysis of urban conservation charters', *City & Time*, 3(2), pp. 1-14.
- Weston, J. (2000). 'EIA, decision-making theory and screening and scoping in UK practice', *Journal of environmental planning and management*, 43(2), pp. 185-203.
- Wilkins, H. (2003). 'The need for subjectivity in EIA: discourse as a tool for sustainable development', *Environmental impact assessment review*, 23, pp. 401-414.
- Williams, C. and Gatenby, I. (1992). 'Section 54A: the legal and practical implications', *Journal of planning and environment law*, Feb, pp. 110-220.
- Williams, M. and May, T. (1996). *Introduction to the philosophy of social research*. London: Routledge.
- Willis, K. (1995). 'Judging development control decisions', *Urban studies*, 32(7), pp. 1065-1079.
- Wimmer, C. (2004). 'Trends in the choice of topics in the field of garden history and garden conservation since 1987', in Rohde, M. and Schomann, R. (eds.) *Historic gardens today*. Leipzig: Edition Leipzig, pp. 30-37.
- Wood, B. (2013). 'The loss of country houses and estates through the destruction and obscuring of identity', *Lost mansions and country estates*. University of Essex, Colchester, 13 July.
- Wood, G. (2008). 'Thresholds and criteria for evaluating and communicating impact significance in environmental statements: 'See no evil, hear no evil, speak no evil'?', *Environmental impact assessment review*, 28, pp. 22-38.
- Wood, G. and Becker, J. (2005). 'Discretionary judgement in local planning authority decision making: screening development proposals for environmental impact assessment', *Journal of environmental planning and management*, 48(3), pp. 349-371.



## Bibliography

---

- Wood, G., Glasson, J. and Becker, J. (2006). 'EIA scoping in England and Wales: practitioner approaches, perspectives and constraints', *Environmental impact assessment review*, 26, pp. 221-241.
- Worthing, D. and Bond, S. (2008). *Managing built heritage: the role of cultural significance*. Oxford: Blackwell.
- Woudstra, J. (2004). 'Garden conservation in the United Kingdom', in Rohde, M. and Schomann, R. (eds.) *Historic gardens today*. Leipzig: Edition Leipzig, pp. 254-261.
- Woudstra, J. and Fieldhouse, K. (eds.) (2000). *The regeneration of public parks*. London: Garden History Society, Landscape Design Trust, E. & F. N. Spon.
- Yin, R. (2003). *Case study research: design and methods*. 3rd edn. London: SAGE Publications.
- Younés, S. (2008). 'The dominance of modernist ideology in the charters of Athens and Venice', in Hardy, M. (ed.) *The Venice Charter revisited: modernism, conservation and tradition in the 21st century*. Newcastle: Cambridge Scholars Publishing, pp. 24-36.
- Zancheti, S., Hidaka, L., Ribeiro, C. and Aguiar, B. (2009). 'Judgement and validation in the Burra Charter process: introducing feedback in assessing the cultural significance of heritage sites', *City & Time*, 4(2), pp. 47-53.