

RUPERRA CASTLE

PUBLIC INQUIRY

HISTORIC LANDSCAPE PROOF OF EVIDENCE

SUBMITTED ON BEHALF OF RUPERRA CASTLE PRESERVATION TRUST

PROOF OF EVIDENCE

OF

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INTRODUCTION

- I.1 My name is Simon Bonvoisin and I hold the degree of Bachelor of Arts (Honours, Agricultural and Forest Sciences) and of Master of Science (Forestry and its Relationship to Land Management) from Oxford University. I am a Regional Director of Nicholas Pearson Associates Ltd, a landscape consultancy and environmental planning company which was founded in 1982. I have specialised in the conservation, restoration and management of historic landscapes since 1990. I have worked in this and related fields for multi-disciplinary landscape consultancies for the past twenty three years. I am a Chartered Forester, a member of the Institute of Environmental Science, and also an occasional lecturer on the University of Bath MSc degree course, *Conservation of Historic Gardens and Cultural Landscapes*.
- I.2 During the time that I have worked for Nicholas Pearson Associates Ltd, I have advised a wide range of clients on matters relating to designed historic landscapes. My experience of such matters has included research, analysis, survey, conservation management and restoration of designed historic landscapes many of which are, like the grounds of Ruperra Castle, of national importance. I have advised a number of site owners including the National Trust, local authorities, private owners, charitable trusts and the Duchy of Cornwall, in England, Wales and Ireland, and maintain long term working relationships with a number of these. I have also acted as an assessor and monitor for the Heritage Lottery Fund on individual projects across the United Kingdom.
- I.3 I have worked on a number of projects where the historic house at the core of landscape has been disused, derelict or in a ruinous condition, yet many of these sites have been rescued or found new beneficial and appropriate uses. These have included:

Highcliffe Castle, Dorset, an early nineteenth century castle with reused medieval masonry within an eighteenth century landscape ravaged by coastal erosion, fire and adjacent development. The ruin has now been conserved, stabilised, and brought back to life by a Trust, with public funding, the grounds partly restored and used as a popular park and community facility.

Castell Deudraeth, Gwynedd, another early nineteenth century house, at one stage with just four freestanding walls, now restored as a commercial hotel and recreated Victorian gardens by the 2nd Portmeirion Foundation, with public funding for the conservation deficit, without significant new build development.

Woodchester, Gloucestershire. We are currently preparing a conservation management plan for the National Trust-owned landscape lying around a nineteenth century ruined house, cared for by a separate trust as a major bat roost and centre for building conservation training. The National Trust is progressively restoring the wider landscape for public access and wildlife.

Hestercombe Gardens, Somerset. The stable block has been rescued from use as a fire brigade store for re-use as garden visitor facilities including a major horseshoe bat roost which has become part of the visitor attraction. The eighteenth century gardens, converted in the twentieth century to plantations, have now been restored informed by careful archaeological investigations. Poor, single track highway access has not prevented the creation of a viable visitor attraction.

Cardigan Castle is in a similarly ruinous and structurally precarious condition, as compared to Ruperra, and has recently secured public funding to conserve the buildings and gardens, and reinstate public access and use. The castle also has a significant bat roost.

Dyffryn Gardens, Vale of Glamorgan. The conservation of a healthy great crested newt population has not proved to be incompatible with very intensive garden management. Although the house remains, at present, without a confirmed use, success with the gardens has encouraged the local authority to conserve the external fabric of the house and await an appropriate new user.

Lydiard Park, Swindon. Here the house was restored after 1948 by Swindon Corporation to provide employment and training for local people. The grounds, a Country Park since the 1970s, have recently been restored informed by archaeology, which also revealed the typical situation of early significant archaeology, from the Roman period onwards, very close to the historic house. Important 17th century garden archaeology is conserved *in situ* and interpreted within the Country Park.

Cedars Park, Hertfordshire. Our recently prepared Conservation Management Plan for this public park and scheduled ancient monument 'at risk' is seeking public funding to conserve and interpret important late sixteenth and early seventeenth century garden archaeology on the site of Theobalds Palace, destroyed during the Civil War like so many sites of the period. Interpretation of the site is considered by local people to be fundamental to their civic pride and local identity.

1.4 The scope of my evidence covers the designed historic landscape issues raised by the proposed enabling development at Ruperra Castle. Ruperra Castle Preservation Trust first instructed me in November 2008 when my brief was to advise the Trust on the effect of the planning application on the registered historic landscape, based on information provided.

1.5 The main purposes of my evidence are as follows:

1. to summarise the known significance of the historic landscape;
2. to describe, in outline, some of the detrimental impacts of the proposals on landscape, and the long term sustainability of the heritage asset;
3. to comment on the landscape impacts of alternative options for the site.

1.6 My evidence is based primarily on the following documents:

Mitigation Plan: Ruperra Castle
Cresswell Associates, April 2006

Enabling Development and the Conservation of Significant Places
English Heritage, August 2008

Register of Parks and Gardens in Wales, Glamorgan
Ruperra Castle pp.30-37, Cadw/ICOMOS UK, 2000

Proposed Development at Ruperra Castle, Rudry, Caerphilly
Representations from Ruperra Castle Preservation Trust and Others, Caroe and Partners
August 2008

Ruperra Castle, Archaeological Desk-Based Assessment
CA Report 07040 Cotswold Archaeology, September 2007

Unitary Development Plan 1996-2011
Caerphilly County Borough Council

Lord Tredegar's Ruperra Castle
Tony Friend, Ruperra Conservation Trust / Newport Local History Society, undated.

2.0 SIGNIFICANCE OF THE HISTORIC LANDSCAPE

2.1 Having reviewed the above documents, I would identify, on a very provisional basis, five main phases of landscape development:

2.2 *Prior to 1626*

Apart from the archaeology of an Iron Age hillfort, and an early medieval motte and bailey on Craig Ruperra, I have seen no description of the landscape prior to the construction of the present castle. However the deer park was recorded in the sixteenth century, and the Castle is said to have been built on the site of an earlier house (Cadw, 2000). It seems likely, therefore, that substantial earlier archaeology may underlie the Castle, its grounds and wider park.

2.3 *1626-1655*

Sir Thomas Morgan, knighted by James I at Wilton, the Earl of Pembroke's steward and sheriff of Glamorgan, built Ruperra Castle. It is highly likely that an equally significant landscape was laid out around the Castle. A deeper understanding of Ruperra's designed landscape and garden archaeology could provide unique evidence of the Stuart age, given that many other great garden landscapes of the period – the Royal Palaces, and Wilton – were destroyed during the Civil War or by later landscaping. However, apart from tantalising glimpses, the original landscape setting remains uncertain and unexplored.

2.4 *1699-1704*

After a period as a secondary residence, William Winde, described by Colvin as *one of the principal Country House architects of the late seventeenth century*, moved *trees of considerable bigness with good success*, in Sir Charles Kemys's orchard, implying a significant phase of landscape work. It is only later, however, that clear evidence (the estate survey of 1764 in Caroe and Partners, 2008) begins to reveal a sophisticated and extensive landscape, with formal gardens and courts, to the east; forecourts and gatehouse to the south; unusual vistas or *lights* reaching into Coed Ruperra to the north; and a deer park and *Great Walk* to the west. The precise origins of this extensive formal landscape remains, at present, speculative.

2.5 *1785-9*

Following a fire in the castle, a new coach house was built and the house was renovated to designs by Thomas Hardwick (Cadw, 2000). Subsequent map evidence demonstrates a

number of changes at about this time, including apparent extensions to the park, new lodges and approach drives, reflecting a more picturesque approach to the landscape. A number of fundamental aspects to the immediate castle grounds remained in place, including strong axial vistas to the west, east and south, but to these were added three-quarter views of the Castle along new approaches from the northwest and southeast (figures 7 and 8 from Cotswold Archaeology, 2007).

2.6 1909-1914

With succession, the Edwardian period saw a final flourish of landscape development, rebuilding the stable block burnt out two decades before, extended gardens with a new boundary wall, ornamental planting to the west, and the *carnation house* by Mackenzie and Moncur (Cadw, 2000), possibly the best surviving Edwardian glasshouse in Wales, creating a new focal point for the renewed gardens. Even this extent of redesign retained the central west, south and east outlooks.

2.7 Conclusions

Firstly, I would emphasise that my understanding of the Ruperra landscape is, at best, partial. The phasing identified above is provisional because of uncertainties about the reliability and extent of research, and the lack of a detailed landscape survey and analysis. Some of the most tantalising connections, such as the reference to Isaac de Caux by Cotswold Archaeology, 2007, for example, appear not to be properly sourced, checked or assessed for significance and veracity. English Heritage's guidance on Enabling Development advises that *Understanding the nature and significance of the place is fundamental to any decision..*

2.8 If, as seems likely, a significant seventeenth century landscape accompanied the striking architecture of the Castle, the late survival of formal elements recorded in the eighteenth century suggests that significant garden archaeology may survive around the Castle. Notably, many of the fundamental elements of what seems to have been an early, formal Renaissance landscape appear to have been retained and re-used in later phases, including the deer park; the viewpoints on Craig Ruperra; axial views to south, west and east of the Castle; the major garden terrace; and the general disposition of the grounds around the Castle. This continuity, despite phases of redesign, appears to have retained the essential characteristics of Ruperra Castle's early and extensive designed landscape and setting.

2.9 These layers of development have each contributed features and aspects of significance to the designed landscape. In such circumstances, the conservation of the last complete design

phase is likely to be the most appropriate conservation approach. However, this approach does require some appraisal of the merit of later works, and the statutory requirements to provide for protected species. This situation requires a detailed and carefully considered response, which would be best carried out by the preparation of a Conservation Management Plan. English Heritage's guidance advises that where a site is *complex and ill understood, it can be helpful to commission a conservation plan at the outset that can be the subject of consultation.* (English Heritage, 2008, para. 4.1.4).

3.0 INFORMATION ACCOMPANYING THE APPLICATION

- 3.1 In reviewing the planning application, I have found a serious lack of information which has impaired assessment of the proposals.
- 3.2 Firstly, no formal Environmental Statement was submitted with the application, despite the extent of the proposals and the potential for impacts upon nationally important habitats, a scheduled monument and a registered historic landscape.
- 3.3 The Environmental Statement dated February 2009 appears to be fundamentally flawed, in the absence of any external consultation, scoping exercise, stated methodologies, or objective appraisals of impacts. The Environmental Statement has no systematic assessment of the magnitude of effects, nor a mechanism to assess the effects of competing issues. For example, without an explicit methodology it is difficult to balance the significance of protected species habitat (assessed by reference to scientific studies and numbers of breeding individuals,) against, for example, subjective appraisals of visual impact upon the character of a conservation area. The assessment of options under 3.2 omits the two options set out in 4.0 below. It includes unsubstantiated opinion about impacts on the landscape in several key sections including 5.5, 5.14 and 6.9; and the Non-Technical Summary includes statements which are factually at odds with the application namely:
- i. tree removal indicated on drawing 640/PL13 rev. D (and implied by the new drive route on drawing 1011/A rev. A) is substantially in excess of that stated in the non-technical summary, *The only tree and hedgerow removal will be at the new road junction.* A rapid walkover survey on 18 March 2009 also indicated that the area of mixed, mature trees west and north-west of the Castle would be removed by new housing development, not referred to in the Environmental Statement or on drawing 640/PL13 rev. D.
 - ii. landscape proposals loosely indicated on drawing 640/PL13 rev. D include new domestic garden boundaries, a new tree avenue and new newt ponds, and do not show that *the Edwardian formal gardens will be restored..* as stated in the summary.
 - iii. the summary refers only to development north-west of the Castle. Drawing 640/PL13 rev. D clearly shows new built development to the west, north-west and north-east of the Castle, and infrastructure development on every side of the Castle.

The assessment of impacts on the landscape does not appear to use any recognised methodology, analysis or visualisations as recognised by the *Guidelines for Landscape and Visual*

Impact Assessment published by The Landscape Institute and the Institute of Environmental Management and Assessment in 2002. As a consequence, the impact of the development has not been *precisely defined at the outset*, contrary to the English Heritage guidelines on Enabling Development, 2008.

- 3.4 I consider that consideration of the application is undermined by serious gaps in understanding of the historic landscape and its significance. Major sources of information, including the Tredegar archives, historic county maps, Ordnance Survey surveyor's drawing and old series map, appear not to have been examined in any systematic or rigorous manner, and even where these are readily available, sources have not been consulted. As a result, for example, the historic importance of the Castle's setting has not, in my view, informed the proposals, nor, apparently, consideration of the proposals.
- 3.5 The lack of thorough archaeological investigations and appraisal means that the archaeological impact of the proposals is unknown, especially with regard to the potential for significant medieval, Tudor and garden archaeology. This is exacerbated by the proposals, as part of the application, to translocate and enhance great crested newt habitat into potentially archaeologically sensitive and undisturbed areas south and east of the Castle.
- 3.6 I also note that the application appears not to include a detailed survey and appraisal of the impact upon trees, contrary to BS 5837 *Trees in Relation to Construction*, despite the location of the site in a Conservation Area, Registered historic garden and where trees have been identified as of potential importance for significant populations of bats. I note, in particular, that the root protection areas of trees to be retained have not been plotted; that new building and a new driveway proposals are likely to impact upon or involve the loss of, significant trees; and that the extensive tree removal proposals include trees noted as potential bat habitat, as plotted in figure 1, Cresswell Associates, 2006.
- 3.7 There has been, in my view, no analysis by the applicant of the impact of the proposals upon the designed landscape. No attempt has been evident to assess or plot the designed views or design character of areas around the Castle, or beyond, to, and from the historic parkland and designed landscape. In the absence of this analysis, claims that the majority of the designated area is unaffected should be dismissed.
- 3.8 English Heritage's guidance on Enabling Development makes clear the expectation that management or development of important historic sites like Ruperra should be guided by

informed conservation, set out in a Conservation Plan. No such plan has been submitted for Ruperra Castle, Gardens and Park.

4.0 DESCRIPTION OF THE IMPACTS OF THE PROPOSALS

4.1 In the absence of information submitted by the applicant, I have attempted, below, to set out the likely impacts of the proposals on the registered historic landscape, settings of the scheduled monument and listed buildings, and the wider rural landscape.

4.2 Firstly, there is the impact upon designed views within the registered landscape which reach out well beyond the limits of the historic garden identified by Cadw, affecting the entire core area of the registered park and designed landscape. I have attempted to identify these views on figure SBI, based on a rapid review of map evidence and a single site visit limited, of necessity, by limited access to private land. Photographs of most of these views are shown on the attached SB2 to SB16. I describe each of these views in turn, together with my interpretation of the impact of the proposals on these views:

V1 is the view (photograph in Caroe and Partners, 2008) from the summerhouse mound on Coed Ruperra, a scheduled monument and outlying part of the registered landscape, along a forest ride, over an Edwardian garden summerhouse, to an angled view of the north-east corner of the Castle. The foreground in the view to the Castle would be altered by a new house (E03) and drive entrance east of the carnation house; new housing east of the staff quarters (E01 and E02); and domestic subdivision of the gardens between, potentially including normal domestic paraphernalia. The reverse view, V16, is addressed further below.

V2 is a wide arc of view from the site of a summerhouse recorded in the nineteenth century, partly reopened since felling of the twentieth century plantations. Partial views of traffic along the new drive would be generated by the application, affecting the character of the quiet countryside.

V3 is the two-way view to and from the public footpath and farm track which, it is proposed, would be rebuilt as a vehicular drive. This would be an almost direct eastern axial view, affected by reconstruction of a modern vehicular drive over an earlier route, deliberately removed by a landscape design phase of about 1790. This view would also be harmed by the construction of one or two large ephemeral newt ponds, an unspecified amount of soil-covered rubble heaps as newt hibernacula, and the creation of nearly two acres of rough grassland in the immediate foreground to the Castle, to compensate for the loss of other newt habitat. In addition, new

- housing east of the staff quarters and either side of the carnation house (E01 to E04) would be highly visible, together with associated domestic gardens, from the recreated drive.
- V4 is a classic 'burst' view created by the late eighteenth century landscape design, re-routing a drive through dense woodland, Coed Llanvedw. This view would be affected in a similar way to V3.
- V5 is the three quarter view of the Castle from the south-east, representative of the historic views of circa 1770 and 1822 (included as figures 7 and 8 of Cotswold Archaeology, 2007). Although reworked across the nineteenth and early twentieth century, the drive route and view orientation have survived, representing an important shift in landscape design from the axial, enclosed seventeenth century views, to the picturesque landscape. This view would be affected by a widened gateway, new vehicular drive and associated loss of trees, by the creation of a new informal pond south-east of the Castle, and visible new housing (E01 to E04) and domestic, enclosed gardens north-east of the Castle.
- V6 is the southern axial view and approach recorded by Dineley in 1684 (figure 3, Cotswold Archaeology, 2007), from the public footpath and route of an early, southern approach drive, through the Forestry Commission woodland of Coed Wern-ddu, linked by the same public footpath to Cefn Mably Woods, a publicised amenity woodland. The proposals would result in the loss of southern boundary trees due to the new drive construction; and introduce an entirely novel, formal pond garden south of the Castle, where historically this was the main, front entrance originally of terraced entrance courts. This change in character and function could lead to a substantial misreading of the scheduled monument.
- V7 represents an east-west axial view and track recorded by Dineley. The significance of this route would be affected by the proposed new, parallel vehicular drive lying within the application area. The character and appeal of the public footpath which crosses this route would also be affected by a loss of rural tranquility.
- V8a and V8b represent the wider arc of views to the deer park from the west of the Castle and its sheltered western terrace, fundamental to the Courtly and chivalric role of the Castle and its grounds for Royal visits, hunting and events. The appearance of

the striking western terrace is recorded in photographs (for example, photographs in Caroe and Partners, 2008). It was only after the Ordnance Survey map of 1919 that this view was reduced by new planting, some of which has since been lost. As a result, there is now an opportunity to widen this important outlook for the Castle. The proposals involve, by contrast, the permanent loss of the western terrace and wider outlook by the development of seven houses (E12 to E18), drives, garages, and car parking over and adjacent to the western terrace. This would result in the irreversible loss of the western Castle setting, its historic landscape character, outward and inward views from a very large area of the historic deer park, including a public footpath route crossing the western park.

- V9 represents the narrower western views which survive despite twentieth century tree planting, and include the western axis aligned on the twentieth century gateway; the view to the deer house (labelled *stables*); and a view to a striking hill clump, of unknown but high potential archaeological and landscape significance in the deer park. These views would be impacted upon in precisely the same way as V8 above.
- V10 is the conjectured route of an avenue or *Great Walk* recorded in 1764 (Cadw, 2000). While the section identified would not be directly affected by the proposals, in 17th century landscapes these avenues would frequently be aligned to connect with other formal views to create an interlinked system of walks and avenues. Impact upon one alignment (such as V7) would also affect the coherence and quality of circuits associated with the whole. At present, the extent and significance of the seventeenth century landscape remains poorly understood.
- V11 is the north-south axial western terrace walk, represented by a surviving drive and part of an avenue of trees, the alignment of which predates the 1764 demesne survey (in Caroe and Partners, 2008), and therefore possibly a significant component of the 17th century landscape retained through each subsequent design phase, albeit curtailed at the north end with the generator house by 1919. The proposals breach this alignment with a terrace of four new houses (E10 to E13), domestic gardens, a garage block and a short length of avenue planting never present in the past. In addition, drive widening and reconstruction would probably lead to the progressive decline of the surviving avenue trees.

VI2 a-c are three views aligned on the gateways and clocktowers of the early twentieth century stables and staff quarters (for example, figure 16, Cotswold Archaeology, 2007), and a view between the staff quarters and Castle. Even these, short, relatively recent and intact key views and setting of listed buildings are harmed by the realignment of drives, creation of car park spaces and new domestic boundaries which ignore the formal, open character of the original landscape setting.

VI3 When the north end of VII was modified by a generator block, the new entrance route created a new and unbroken view, VI3, of the Castle from the north-west (similar to photographs on pages 17 and 21 of Friend, undated). The proposals also impact on this view from the adjacent public footpath by new housing (E10 to E13) and carport buildings in the immediate foreground of the Castle.

VI4a-d represent four north-south views aligned on the formal garden pathways, the striking and unusual *lights* cut into the woodland (recorded on the 1764 demesne map), with one aligned on the centre of the Castle's north elevation, over the roof of the staff quarters. While the decision to restore, or not, the *lights* in Coed Craig Ruperra, is a matter of choice for the Ruperra Conservation Trust, the proposals prejudge this decision by the loss of all four views within the gardens, interrupted by new housing (E01 to E04), domestic gardens and new boundaries.

VI5a-c are three east-west views and path alignments in the formal gardens plotted in 1764, and probably of 17th century origin. The upper terrace, in particular, survives intact and, with the lower routes, have a high potential for garden archaeology. These views would be broken up by proposed domestic and garden boundaries, and new house building (E01 to E04).

VI6 is the outlook view to and from the central Edwardian conservatory between the two carnation glasshouses, with the reverse view from the Castle. Photographic records (for example, the photographs on pages 16 and 24, Friend, undated) show how the glasshouse complex was the focus of a complex and highly ornamental formal garden. The proposals would closely flank the listed glasshouse with two new houses (E03 and E04), subdividing the setting with domestic gardens which would, inevitably, develop diverse characters over time. More directly, the view between the glasshouse and the Castle would be interrupted by two new houses (E01 and E02) and new tree planting east of the staff quarters.

VI7 is the view from the Edwardian summerhouse illustrated in figure 19, Cotswold Archaeology, 2007. The proposals plan appears to retain trees which obscure the outlook for this building, and does not appear to allocate the building to an appropriately secure garden area. However, if the views were reopened, the mid-ground view would be of rough grass, seasonal ponds and soil-covered rubble bunds designed as newt hibernacula. This would be contrary to the historic character of smooth landscape parkland forming the setting to the Castle.

4.3 Even this rapid overview of readily identifiable, designed views demonstrates, I consider, the extensive and significant impacts of the proposals on the visual setting of the scheduled monument; the landscape character of the conservation area; and upon the entire central area of the registered landscape including wide areas of parkland which surround the registered garden, and the essential setting formed by the adjoining area of Coed Craig Ruperra. In this way I consider the proposals to be contrary to Unitary Development Plan Policies HE2, HE4 and HE8:

HE2 *Development and proposals affecting listed buildings or structures will only be permitted where they would preserve the character and quality of the building or structure and/or its setting.*

HE4 *Development, change of use or demolition will only be permitted in Conservation Areas...where it preserves or enhances the character or appearance of the area.*

HE8 *Proposals which have a harmful impact on the appearance, setting, character, and quality of the following historic parks, gardens and landscapes will not be permitted 3. Ruperra Castle, Rudry.*

4.4 The setting of a historic site is not just a matter of direct visual relationships; it is also a product of the historic context and the functional relationships with the surrounding land.

4.5 Two particular considerations come to mind at this site. Subdivision of the Castle building and grounds into at least thirty different ownerships (together with any additional development on land owned by the applicant south-west of the Castle should the proposed enabling development returns prove inadequate to fund the conservation work) will reduce the incentive for adjacent owners and grant agencies to support the long term conservation of the entire, wider historic landscape park, together with its web of paths and drives which

focus back on the Castle. There would also arise, if permitted, a long term demand for subdivision of the parkland into pony paddocks and other uses for the new residents, further eroding the character and conservation of the wider park which was originally intended purely to serve the single main residence of the Castle. The proposals would lead, over time, to progressive and irreversible subdivision of the registered landscape and Castle setting.

- 4.6 These proposals would also involve the direct loss of any surviving early garden or other archaeology which is likely to survive at this site, due to the new building construction, new roadways, new services and drains, new formal landscaping, and the extensive newt mitigation measures required. This is especially damaging where there is a reasonable prospect of nationally important garden archaeology, capable of rewriting our garden history. The extent of the impact is simply unknown, as no archaeological investigations of the ground areas proposed for development have been carried out. I consider this to be contrary to preferred presumption in Unitary Development Plan policy HE7:

HE7 Where there are archaeological remains or where there is good reason to believe that such remains exist, and their settings are affected by a proposed development, there will be a presumption in favour of their preservation in situ. Where this is deemed inappropriate, proposals will be subject to a requirement to secure the excavation and recording of those remains and, if appropriate, their removal in whole or part.

- 4.7 While I understand that the Countryside Council for Wales is content that the protected species on the development site can be conserved by mitigation measures, albeit with additional impacts upon the registered landscape, I have not seen any evidence that the impact of developing, in effect, a small village on the edge of Coed Craig Ruperra as been considered. In particular, I have seen no assessment of the impact of an influx of pet cats and dogs, for example, on dormice (also a protected species) or on notable woodland birds all of which are understood to use the adjacent areas of woodland. The majority of the trees plotted as *potentially suitable for bats* (figure 1, Cresswell Associates, 2006) are proposed for removal, but there also appears to be no appraisal of the southern boundary trees which would be affected by the development of the proposed new drive. Unitary Development Plan policies IC, C1 and C12 (below) set out a more demanding standard than simply the retention of statutory protected species currently living within the boundary of the development site.

4.8 Finally, there is also the impact of the proposals upon the public amenity and landscape of the Special Landscape Area. The proposals involve the development of thirty dwellings in highly visible open countryside, with a long private drive over a public footpath route, which would be used by a considerable number of vehicles every day. This would change the character, appearance, tranquility and wildlife of a significant area of designated landscape. The area is already in use as a public amenity for informal, quiet recreation using the designated major footpaths which cross the area, linking the designated National Cycle Network cycle route 4 on quiet country lanes with accessible Forestry Commission and community woodlands, including the Ruperra Conservation Trust's Coed Craig Ruperra immediately adjacent. I therefore consider that the proposals do not *minimise harm to other public interests* (English Heritage policy on Enabling Development, 2008), and are demonstrably contrary to three landscape policies in the Unitary Development Plan, namely:

IC *The Council will protect the countryside from inappropriate development and will take account of nature conservation, landscape and amenity value throughout the County Borough. The Council will protect and, where possible, enhance land designated for*
A *its landscape value; or*
B *its nature conservation value; or....*

C1 *Development in the countryside will only be permitted where it will not have a harmful impact on the character, amenity, landscape and nature conservation value of the area.*

C12 *Special Landscape areas are defined at the following locations*

16. South of Rudry and Machen

Within these areas development will only be permitted where it can be demonstrated that there will be no harmful impact on:

A. *Features of landscape interest or nature conservation importance;..*

This policy is expanded upon in the Unitary Development Plan text, paragraph 6.45... *where development would harm the historic or rural setting of the County Borough it will not be permitted. In this context where a development is proposed within an SLA, applicants may be required to demonstrate the effect of the proposal on the wider landscape setting, in particular on significant views, in relation to the rural backdrop of an area,....*

The Environmental Statement includes no such appraisal.

- 4.9 The registered designed park and garden is clearly not in good condition when compared, for example, with the pristine condition of gardens recorded in some historic photographs. However, its condition has not precluded its entry on the Cadw Register of Historic Parks and Gardens; and the assessment of views listed above demonstrates how much of the historic character remains discernable, albeit veiled by a lack of management in some key areas. By contrast, the applicant's proposals would change the use of the historic garden into a mixture of housing, car parking, domestic gardens and protected species habitat which, together, do not comprise *a continued use for a sympathetic purpose*, as required by English Heritage policy on Enabling Development (2008).
- 4.10 Consideration of the designed landscape views and character is a key part of the process to identify the environmental capacity of the site to absorb change. The capacity of the landscape at Ruperra Castle to accommodate change, referred to by John Thorneycroft in his evidence as the *tipping point*, should be, in my view, severely constrained by the extent, nature and sensitivity of the designed views, as well as other considerations. The applicant's proposals dramatically exceed this capacity, and appear not to have been informed by any serious appraisal of the environmental capacity of the site.

5.0 ANALYSIS OF OPTIONS

5.1 In considering the applicant's proposals, Ruperra Castle Preservation Trust have put forward two options not addressed by the applicant's Environmental Statement, namely:

Option A

Acquisition of the Castle site by an appropriate charitable or public body, followed by essential and emergency structural repairs and consolidation of the buildings, and subsequently by a mixed public access use of which would include:

- conservation of the existing bat roosts
- restoration of the *carnation house* glasshouse range
- conversion of the stable block to provide basic visitor facilities, toilets, training rooms and a warden's flat
- adaptation of the staff quarters for Landmark Trust-type holiday accommodation, to fund basic site maintenance
- use of the Castle and other buildings for conservation skills training, public interpretation and fee charged events within a stabilised shell
- progressive restoration of the gardens and grounds as part of a horticultural training facility, supported by external grants and other funding

It is considered that this mixture of landscape conservation and training would be both appropriate and attractive to grant-aiding bodies, and of lower capital cost than full restoration. The land within the control of the applicant would provide attractive visitor access circuits, linked to the public rights of way network, enabling interpretation of the wider designed landscape and architecture. The main costs for landscape conservation would probably include:

- repair of the perimeter stone walls and gates
- low cost clearance of derelict fences, scrub and weeds, partly by volunteers
- tree thinning and arboricultural works to improve the longevity of retained trees
- reinstatement of iron parkland railings to separate grazed parkland areas from mown gardens
- restoration of gravel paths, forecourts and drives on historic alignments, to provide for public access and circulation
- limited replanting of ornamental shrubs, hedges and trees around the Castle

- restoration of the *carnation house* as the central focus of an horticultural training area, for trainees and volunteers, led by a professional head gardener, to reinstate productive terraced gardens on the historic site
- removal of inappropriate modern works, such as the empty swimming pool, primarily by earthworks
- repair of an outbuilding as the gardener's, trainees' and volunteers' mess room, tool store and the like.

Option B, by contrast, would leave the site as a privately-owned, high quality single residential dwelling in the staff quarters, with the stables used for its original purpose, and equestrian grazing and use of the Castle grounds. A building preservation trust could take on a short lease of the Castle, generator house and *carnation house* and seek grants for stabilisation of the Castle, and repair of the generator house (as a bat roost) and *carnation house*. A programme of training and volunteer involvement would improve public benefit, while private residential amenity of the single dwelling could be protected by the allocation of well-defined areas for temporary compounds, workshops, equipment and parking. On completion of the conservation work, the buildings would be returned to the residential owner, as private gardens and grounds, with a provision for occasional, controlled open day public access, similar to many other grant-aided repair projects on private property.

- 5.2 Option A is considered preferable in terms of public benefit, access to the designed landscape and wider countryside, and landscape amenity, in accordance with Unitary Development Plan policy. However, both options are considered to be feasible in the medium term, *avoid detrimental fragmentation of management* (English Heritage policy on Enabling Development, 2008), and are capable of attracting the necessary subsidy or funding from other sources, based on comparable examples.

Both options conserve the surviving registered historic landscape, and setting of the historic building, albeit with some public subsidy. However, English Heritage guidance on Enabling Development (2008, para 4.3.6) spells out that *Enabling Development should always be seen as a subsidy of last resort since it is an inefficient means of funding a conservation deficit.*

6.0 CONCLUSIONS

- 6.1 In reviewing the readily available documentary evidence, I have identified a number of significant phases of development of the designed historic landscape at Ruperra Castle. Although of national importance, there remain substantial gaps in the understanding of the site, and the proposals have not been informed by a well-researched conservation plan.
- 6.2 The planning application submitted is not supported by any of the following documents:
- a comprehensive Environmental Statement
 - any landscape and visual impact appraisal
 - an assessment of the historic landscape, views and setting
 - an archaeological appraisal which identifies the extent of impact on buried archaeological remains
 - a tree survey, protection plan and appraisal of impacts on trees
 - an assessment of impact upon adjacent wildlife habitats
- 6.3 A rapid overview of seventeen designed views to and around the Castle grounds has identified that almost every view would be damaged in some way by the proposed development. In addition, the proposals would subdivide management and ownership of the site, remove potentially important garden archaeology, impact upon the wider landscape character, pose risks to wildlife in the adjacent woodland, and preclude future comprehensive conservation of the registered landscape. I conclude that the proposals dramatically exceed the capacity of the landscape to absorb change, and *materially harms the heritage values of the place and its setting*, contrary to English Heritage policy on Enabling Development, 2008.
- 6.4 I have also reviewed two options not presented by the applicant which appear to offer a realistic, alternative and sustainable future for the site, one of which includes scope for substantial long term public benefit, without resorting to Enabling Development in the designed landscape setting of Ruperra Castle.

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