

**REVIEW - PARK AND GARDEN CASE- KNOWLE, SIDMOUTH,  
EAST DEVON**  
**Case Reference: 472979**

**Request for Review**

English Heritage and the Department for Culture Media and Sport (DCMS) have received a request to review the decision not to designate Knowle House and its garden. As listing reviews are co-ordinated by the DCMS they will provide a response to this and English Heritage will provide a response to the Parks and Garden element.

**Responses to Review**

**CLAIM 1:** the English Heritage report chooses to undervalue an important heritage asset. By referring to simply 'some of the trees', the full impact and significance of the 1956 'blanket TPO' from central government has been minimised: in fact, every tree which is over 50 years old is protected, which amounts to most of the arboreal specimens in the grounds – many of which are threatened under the Outline Planning Application.

**RESPONSE 1:** Tree Preservation Orders are issued by the local planning authority. While the existence of original tree planting can add to the interest of a designed landscape, the existence of such hard planting must be considered in relation to the survival of other features within a designed landscape.

**CLAIM 2:** the Public Open Space declaration made in 1973 by the departing Sidmouth Urban District Council makes it absolutely clear that this landscape should receive the fullest protection. This was, moreover, in recognition that this public space is of historic value, in that there has been public access to the grounds of Knowle since its earliest days, as stated above. Registration of the grounds would recognise the historic right of access to these heritage assets within the community.

**RESPONSE 2:** the English Heritage advice report has acknowledged that the grounds of Knowle were made a Public Open Space in the late C20. While this certainly demonstrates the local interest of the site, in terms of the registration assessment, the criteria which English Heritage must apply relates to the special historic interest of the grounds. Moreover, the inclusion of an area on the Register of Parks and Gardens does not confer public access. Indeed, a large number of the sites on the Parks and Gardens Register are privately owned with no public access

**CLAIM 3:** by referring to the substantial, historic gardens as the ‘remains of the gardens’ the report seriously diminishes the worth and impressiveness. The grounds are largely those laid out by Fish in the 1840s and when the hotel was created in the 1880s and 1890s it was the case that already large areas of grounds were being developed. Despite the impact of housing encroaching on the grounds there has been a remarkable respect shown over the years in the preservation of the grand sweep of the southern gardens up to the façade of the Hotel and of the extensive parkland which has lined the main road ever since its inception. Housing has indeed encroached on the original area covered by the gardens; this does not mean, however, that the character of the original gardens has been lost: on the contrary, the pieces of land sold off over the past century or more have been at the edges and so have not impacted in a major way on the overall structure, layout and planting of the gardens and parkland. It is accurate for the Report to state that there have been sections of the parkland sliced off over the decades, and yet this has been the case with most parkland and gardens in the country. What remains at Knowle is nevertheless not only representative of the original, but the present-day gardens present a coherent whole, which can be appreciated on its own merit as well as providing the original 1880/90s hotel building with an impressive approach. The original 1840s grounds have also not been ‘heavily altered’: cutting-away is not the same as alteration, as the fundamental layout and features of the fine early Victorian garden are largely intact. Simply because an asset has been compromised does not mean it should be completely discarded: in order to prevent further loss, this heritage asset should be afforded the protection it has been denied these last four decades. Moreover, to minimize its value by diminishing the quality and quantity of the elements does the gardens and parkland little justice.

**RESPONSE 3:** when assessing a garden for designation it is important to look at the whole of the historic extent of the landscape. At Knowle the piecemeal development which has occurred to parts of the original garden has affected the holistic design of the grounds. In terms of alteration to a designed landscape, the loss of land to irreversible development such as housing means that it is unlikely that the garden will meet the criteria for inclusion on the List. Despite the survival of paths and trees, the housing developments and car parks which have been built on the south, north and west side of the former grounds have led to the loss of a large part of the original designed landscape.

**CLAIM 4:** today, the ‘complex of C20 flats’ not only lies well beyond the southern drive, but these and other recent housing bring absolutely no visual impact to bear on the form and design of the gardens as they appear today.

**RESPONSE 4:** the C20 flats known as Knowle Grange lie to the south of Knowle and occupy land which is understood to have once been part of the original grounds of Knowle Cottage.

**CLAIM 5:** any judgements about the 'current remains of the gardens' contained in the Report is seriously undermined by the fact that English Heritage did not visit the site and cannot be corroborated by observation on the ground.

**RESPONSE 5:** it is not always possible or necessary to carry out a site visit. In this case the designation applicant provided various images of the grounds which were used in conjunction with other information including historic maps and aerial photographs to inform our assessment.

**CLAIM 6:** the report issued by the Devon Gardens Trust as part of its objection to the District Council's Outline Planning Application is very much based on actual inspection of the gardens and an intimacy spanning many years with the site; and yet its submission has been considered too parochial by English Heritage and has thereby been dismissed.

**RESPONSE 6:** we received a report from the Devon Gardens Trust which was very informative and the information was taken into consideration when compiling our advice report. Their report confirmed that the grounds have been diminished by the various unsympathetic alterations which had occurred to the grounds and their recommendation was that the site should be added to the Devon Local Register. In their covering email, the Trust expressed the view that they did not consider that the garden merited Registration.

**CLAIM 7:** there are in fact two lodges: one at the main vehicular entrance and opposite where the care home is to be built under the Outline Planning Application; the other at the narrower southern drive and pedestrian access to the southern gardens, opposite where housing is to be built.

**RESPONSE 7:** it is acknowledged that there are two lodges, the listed Grade II lodge to the north and the unlisted lodge to the south.

**CLAIM 8:** the Report has overlooked the evidence provided, that the gardens at Knowle, with their terracing and planting of exotic species, some of them amongst the first to be introduced into Britain, date from the 1840s.

**RESPONSE 8:** the English Heritage advice report does acknowledge that Mr Fish made improvements to the landscape. The Devon Gardens Trust states in their report this occurred between 1836 and 1861. The selection criteria quoted in the advice refers to the earliest point in this date range, the selection criteria for gardens laid out after the 1840s is considerably higher in terms of historic interest and survival.

**CLAIM 9:** the purpose of any listing is to protect a site from the danger of further degradation, development or encroachment, in which case, the Knowle grounds should be added to the Register.

**RESPONSE 9:** the Register of Parks and Gardens is intended to raise awareness of the historic significance of individual parks and gardens. The designation is treated as a material consideration in determining planning applications affecting the park and garden but the designation does not confer any statutory controls. However, a site must first meet the selection criteria in order to merit inclusion on the Register.

**CLAIM 10:** the EH Application 472979 has not been concerned with 'planting schemes' as such: rather, the walks through the gardens, the shrubberies, the century-and-a-half trees and hedges – these all amount to 'permanent elements' which provide the substance and charm of this piece of heritage, and as such should be afforded proper protection.

**RESPONSE 10:** while permanent elements, such as paths, trees, shrubberies and landscaping, do survive at Knowle, the extent of the development which has occurred on this site has meant that large areas have been adversely affected by permanent change which means that the overall design of the C19 garden does not survive well.

**CLAIM 11:** with the remit of the DCLG shifting under the 2011 Localism Act, this both deeper and wider perspective on community and cultural assets is affecting the interpretation of how such sites which are 'highly valued by the local community' should be regarded: Localism requires that local value be respected, in that what might be regarded as of minimal value nationally will have deep significance to a locality and the widest possible appeal to the community. Another framework offering important 'national context' is the 2012 National Planning Policy Framework. This identifies the circumstances under which any harmful impacts (landscaping, architectural, heritage, etc) which would be justified if the public benefits of any such planning scheme could be proven. The District Council's Outline Planning Application has been received with almost universal condemnation, as the submissions on its on-line planning portal demonstrate. This planning scheme cannot, therefore, be seen to outweigh the public benefits, as both the public themselves and several local, county and national organisations have provided overwhelming evidence questioning the public benefit.

**RESPONSE 11:** the issues raised above relate to the current outline planning application and are best addressed to the local planning authority as part of the planning process.

**CLAIM 12** : the presence of other listed buildings in the immediate vicinity has a positive effect when determining a new listing – rather than appearing detrimental to any application: the lodge(s) at either end of the parkland, together with several other pieces of C19 garden architecture in fact add to the totality of a rich rus-in-urbis landscape

**RESPONSE 12:** the presence of other associated listed buildings can contribute to the group value of a site; however, in order to merit designation it will only be in exceptional circumstances that this alone will mean a landscape warrants designation. In this case the garden does not meet the other criteria for designation.

**CLAIM 13:** regarding the photographs from East Devon as part of the listing application: no photography was included by the District Council of the grounds.

**RESPONSE 13:** East Devon District Council were asked only asked to send images of the building as it was felt the information supplied by the applicant regarding the grounds was sufficient to carry out as assessment.

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**Countersignature:**  
Agreed.  
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20/11/2012

Agreed, also.  
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29/11/2012