HALLAM LAND AND WILLIAM DAVIS

WARWICK DISTRICT PUBLICATION DRAFT LOCAL PLAN APRIL 2014

REPRESENTATION ON BEHALF OF HALLAM LAND AND WILLIAM DAVIS

Dr Chris Miele IHBC MRTPI
Senior Partner
Montagu Evans LLP

Heritage Matters

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5 Bolton Street
London
W1J 8BA
Tel: 020 7493 4002
Fax: 020 7312 7548
www.montagu-evans.co.uk

5 B
Lor
W1
Tel:
Fax: 020 7312 7548
www.montagu-evans.co.uk

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APPENDICES

1.0 INTRODUCTION

1.1 Hallam Land Management (HLM) and William Davis (WD), the joint promoters of proposed housing for land at Gallows Hill, have instructed Montagu Evans LLP to provide heritage and related master planning advice in relation to the site which formerly was subject to a planning application for residential development.

1.2 This application is withdrawn and had the reference W/13/1434. The red line plan accompanying that application is reproduced here as **Appendix 1.0** for the sake of clarity

1.3 There is no doubt that the land immediately south of Warwick is a sustainable location for development, as reflected by the Council's decision to allocate the land at Gallows Hill for housing in the earlier iterations of the Local Plan.

1.4 This representation was prepared by Dr Chris Miele, advising HLM and WD. He is a Senior Partner in the Planning and Development Department at Montagu Evans and an expert in heritage and related planning matters. It is intended he will take part in the Examination. **Appendix 2.0** comprises a note on his background and experience for information.

1.5 As part of our instruction to review the recently withdrawn scheme and to make representations in response to the Publication Draft Local Plan, we have overseen the completion of extensive historical research to understand how the subject land can be said to relate significantly, if at all, to the adjoining heritage asset of Warwick Castle Park, a Grade I Registered Park and Garden.

1.6 It is accepted that other heritage assets have been identified through the development plan and application process, and these are considered in documentation prepared by the Council. The focus of this representation is on Castle Park, the key heritage asset, in our view, relevant to the allocation.

1.7 For completeness' sake, we comment on the other heritage assets in the concluding section of this representation.

1.8 There is no dispute about the history and interest of that primary asset asset itself, the Grade I Registered Park associated with Warwick Castle. This is subject of different analyses and benefits from a detailed registered entry, which we reproduce at **Appendix 3.0**.

1.9 As part of our work, we reviewed the withdrawn application and supporting materials, as these relate to our topic area. We also considered consultation responses and a draft of the lengthy analysis prepared by the District Council which has regard to setting considerations.

This Representation

1.10 Accordingly we have reviewed the policies and proposals relating to heritage matters in the Publication Draft of the Warwick District Local Plan (2011-2029) with regard to the test of "soundness" as identified within the Guidance Notes supporting the consultation draft. Our findings are incorporated within the submissions to be prepared by Marrons Planning on behalf of HLM/WD.

1.11 The Draft guidance notes that the Inspector has to be satisfied that the Plan is positively prepared, justified, effective and consistent with national policy. Plans also have to be based on sound evidence. We have therefore considered in some detail the Council's approach to the development potential of our clients' land in the context of those tests and the issue set out at 1.5 above. Our findings are set out below.

Summary

1.12 In summary this representation draws two discrete conclusions.

1.13 First, whilst HLM and WD welcome broad principles that support the conservation of the historic environment, they are concerned that more detailed policies contained in the Plan do not comply with the provisions or approach of the National Planning Policy Framework.

1.14 In these cases, the representation identifies the passages with which we take issue, explains the reasons why we do take issue, and so, as appropriate, makes suggestions for alternative policy wording.

1.15 These comments are set out fully in the commentary table comprising **section 2.0** of this representation.

1.16 Our second discrete finding is in relation to the Site Allocations.

1.17 In essence, we consider that the site that HLM/WD have been promoting through the application process, and on the basis of an earlier allocation (see Appendix 1), should be identified as a potential housing site.

1.18 Furthermore, we conclude that the reasons for removing this site from the allocation are not well founded. Neither do they reflect a detailed understanding of the contribution which setting potentially makes to the particular significance of the various historic assets as identified in the area. For that reason we conclude the Council has no sound reason to exclude the land from its intended schedule of allocated housing land.

1.19 This is the finding we make on the basis of site inspections and the detailed research already identified.

1.20 This finding, being of a detailed nature, is set out separately in **section 3.0**.

1.21 To support it we provide two pieces of evidence. The research report which we prepared jointly with Howe Malcolm (researchers we use regularly) provides new and more detailed information about the history of the park in relation to surrounding land. This is **Appendix 4.0**.

1.22 To supplement this work we have also prepared a note that considers the cultural context for planned and designed parkland, looking particularly at its interaction with surrounding land. This is **Appendix 5.0**.

1.23 On these bases, detailed analysis previously not carried out, we conclude that the principle of residential development on the site can be supported subject to mitigation through landscape and layout. We conclude that such development would cause no more than very limited harm at most, such that – with reference to paragraph 134 of the National Planning Policy Framework – the countervailing benefits of providing housing are easily capable of outweighing that harm. We rely in our judgments on those of HLM and WD's consultants Marrons Planning.

1.24 Neither do we consider that there has been any material change to understanding or to policy that would lead us to draw a different conclusion.

1.25 We form this view mindful of the recent Court of Appeal Decision in the manner of Barnwell Manor (**Appendix 6.0**). In our opinion 'Barnwell' merely clarifies the approach put into play by statutory provision. Here it is section 72 of the Planning (LBCA) Act 1990 – relevant here because the parkland is in a conservation area – see Appendix 7 for its boundaries.

1.26 As the Council will doubtless be very well aware parks and gardens enjoy no specific statutory provision. Protection of their setting falls, however, within the scope of national policy on heritage (Chapter 12 of the NPPF) and also reasonably within the scope of the development plan. Nevertheless, section 72 gives effect to the Barnwell consideration, bearing in mind that the parkland is one element in a conservation area, and one that has been altered and is now separated – in use and ownership – from its supporting asset, the Castle itself.

1.27 We include as **Appendix 7.0** a separate note on our understanding of how Barnwell applies to such matters, which is, as we repeat, only what was already generally understood amongst practitioners: great weight must be given to the desirability of preserving or enhancing the significance of designated heritage assets as distinct from the undertaking of any planning balance.

1.28 The decision of the Council to remove the HLM and WD site from the Schedule of Allocated Housing Sites appears to be based on an analysis undertaken with the assistance of English Heritage's Guidance on the Setting of Heritage Assets (2011/republished with a flysheet commenting on NPPF compliance 2012).

1.29 We stress that this guidance is useful principally for setting out a method which is transparent. It does not comprise new policy. The Council have carried out an assessment against the terms of the analytic matrices at pages 19 and 21 of the

guidance document document. Apart from being needlessly repetitious and lengthy (against the terms of the guidance and suggesting, by sheer volume, substance), this document is not informed by any appreciation of the detailed evolution of the landscape and its surrounds, Nor does it appear to be based on any understanding of Georgian landscape design more generally.

1.30 For reasons set out in **section 3.0**, we question the findings of the analysis and evaluation which underpins the Council's report. We do not consider it is based on any robust historical evidence or reasoning, and consequently makes assertions which are not supported. In so doing it draws conclusions which are contrary to national policy, namely to consider the particular significance of a heritage asset in a manner proportionate to its interest, and thereafter to consider whether setting makes a positive, negative or neutral contribution to an appreciation of that significance.

1.31 Given its form and nature, we see no advantage in detailed critique, except to say that we disagree with the assertion that the Banbury Road was laid out expressly with a distant viewing sequence in mind, one having a positive relationship with other assets, notably the Church of St Nicholas, so as to make the proposed allocation unsuitable for housing.

1.32 Our finding of harm relates, in summary, to the fact that the original parkland setting consisted of open agricultural land, variously enclosed. We are mindful, furthermore, that the estate had a number of interests in the surrounding land though there is no particular historical association between the estate and the HLM and WD land. Nevertheless, and notwithstanding the land remains open and in agricultural use, the structure of the landscape has changed through the removal of field boundaries and erosion of its context through the expansion of the town. Additionally that land is already subject to certain evident urbanising influences which can be agreed.

1.33 In general terms, the context of the Registered Park has been urbanised to a large extent, and certainly beyond what can still be appreciated in certain notable examples. Accordingly, that makes the HLM and WD land less sensitive in heritage terms.

Regarding Soundness

1.34 Therefore, and mindful of the criteria which apply to testing the soundness of a plan, our representation concludes the plan:

- Is not positively prepared, because potential housing sites are ruled out unreasonably on the basis of heritage considerations, so reducing the plan's capacity to meet objectively assessed need;
- Is not justified in ruling out certain potential housing sites, because it is not based on proportionate evidence that adequately describes the significance of affected assets and how their setting contributes to that significance; and
- Is not consistent with national policy, and in particular with the policies of the NPPF 129, 132 and 134.

2.0 REPRESENTATIONS ON THE DRAFT LOCAL PLAN

2.1 Our representations on the emerging local plan follow in tabular form.

2.2 Where our comments can be dealt with relatively briefly, they are set out in the table.

2.3 Each entry concludes with potential changes to the policy wording, and in each case this is more clearly to reflect the provisions of the NPPF and best practice in these matters. They are incorporated within the submissions made by Marrons Planning save for the comments on Policies HE1; HE2; and HE4, which are presented as stand alone comments on these policies.

REFERENCE	COMMENT
STRATEGIC POLICY DS3 Supporting Sustainable Communities.	HLM and WD support the policy and its aims, in particular 2.8 (b): *'Caring for our built, cultural and natural heritage'.* Our suggestions are intended to make the policy as drafted more robust, reflecting fully the provisions of the Framework at Chapter 12. **Discussion** We suggest that the strategic policy should encourage the enhancement of the ability to appreciate heritage assets where appropriate, in line with the National Planning Policy Framework paragraph 126, namely: *'Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment… In developing this strategy, local planning authorities should take into account:…* *- the desirability of new development making a positive contribution to local character and distinctiveness; and* *- opportunities to draw on the contribution made by the historic environment to the character of a place.'* We also think the policy would be more effective if it did not distinguish between 'built' and 'cultural heritage', but rather used the term 'cultural heritage' which is very broad and allows of wide application across a range of cases.. **Recommendation** Thus we suggest a slightly expanded wording as follows: *'Caring for, and where appropriate enhancing the appreciation of, the District's cultural and natural heritage'*
Paragraph 2.10	HLM and WD broadly support the Council's desire to integrate new and historic development, for example, at 2.10, to "*integrate new development into the natural, built and historic environment.*" **Recommendation** However, in line with our previous recommendation, we think this may be usefully expanded thus:

	"…*integrate new development into the natural, built and historic environment, and simultaneously to look for opportunities to enhance those environments and people's appreciation of their special interest and their potential to contribute positively to quality of life of future users and residents.*"
STRATEGIC POLICY DS4 Spatial Strategy	Policy DS4 relates to the distribution of Allocated Housing and Employment across the District. It describes a series of qualifications for a site to be considered for housing. Part (e) is drafted as follows: *"sites which have a detrimental impact on the significance of heritage assets will be avoided unless suitable mitigation can be put in place".* **Discussion** This wording is not consistent with the objectives of the National Planning Policy Framework (NPPF). It implies a general principle of restraint. The Framework's approach, by contrast, is to seek to identify the degree and nature of any harm, and on that basis conclude either: • the case of substantial harm (paragraph 133) to accept such harm essentially on the basis of special circumstances variously defined (we do not repeat the NPPF formulation which is familiar to the Inspector). • or, in the case of less than substantial harm (paragraph 134), to recognise that a balanced judgment is required on a case by case basis. Furthermore, the adjective 'suitable' is subject to wide interpretation without any policy basis against which to judge it. **Recommendation** Accordingly, we suggest the following wording for part (e) of DS4: *'The effects of proposed sites on the significance of heritage assets will be assessed on a case by case basis, having regard to: the particular significance of the asset; settings' contribution to that significance; the proposed design and use(s); and broader planning considerations taking into account all relevant statutory provision'.*
Policy DS11 Allocated Housing Sites	Policy DS11 identifies sites allocated for housing development and associated infrastructure and uses. HLM and WD object to the removal of the Land at Gallows Hill from the schedule of potential housing sites. This removal is not based on sound evidence. The earlier accepted allocation in the RDS and the Preferred Options

Policy DS11 Allocated Housing Sites (Cont.)	was made in full knowledge of the importance of the Registered Park and Garden, and its Grade I registration, as well as with an understanding of the impact on other heritage assets on this side of the town. There are two purported reasons for removing the site and are alleged to comprise evidence: • Strategic Housing Land Availability Assessment (SHLAA) Site Assessments: Warwick (May 2014); and • The Setting of Heritage Assets: Gallows Hill, Warwick (Warwick District Council) (Draft) (February 2014). The first is consequent upon the second. The SHLAA site assessment concluded that the overall suitability of the Land at Gallows Hill was: *"Not suitable – study on "The Setting of Heritage Assets" (Feb 2014) concludes that the site should not be developed as the impact upon the setting of the highly significant assets, although less than substantial harm, could not be fully mitigated such that harm would still be apparent to significant historic assets."* For reasons set out in **section 3.0**, we question the findings of the analysis and evaluation which underpins the Council's report. We do not consider it is based on any robust historical evidence or reasoning, and consequently makes assertions which are not supported. In so doing it draws conclusions which are contrary to national policy, namely to consider the particular significance of a heritage asset in a manner proportionate to its interest, and thereafter to consider whether setting makes a positive, negative or neutral contribution to an appreciation of that significance. We refer to our detailed findings in more detail in section 3.0. This section also offers comments on the authority's setting assessment.
Policy HE1: Protection of Statutory Heritage Assets	In general terms many of the policies in this topic suite are worded negatively, and restrictively, and so conflict with the Framework, exceeding even statutory provision (sections 16, 66 and 72 of the Planning [LBCA] Act 1990). That is the case for HE1, which must be extensively revised as suggested to ensure compliance with the NPPF and its practical application more generally. The drafting of HE1 does not include the concept of 'proportionality' which is essential to the delivery of sustainable development underpinning several topic areas of the NPPF. **Recommendation** *'Proposals to alter a listed building will be assessed in relation to the impact on its cultural significance as variously defined and in proportion to its interest and the degree of changed proposed to it.*

Policy HE4: Protection of Statutory Heritage Assets (Cont.)	*Likewise development in the setting of a listed building will be considered in light of its impact on the asset's significance.* *The Council encourages the continuation of the original use of a listed building, unless it can be demonstrated that a proposed new use does not cause material harm to the significance of an asset or unless the original use does not support the asset's long term conservation.* *In determining such applications, the Council will consider the impact of any new use on the physical characteristics of the building and on its character, including public access where this contributes to significance.* *The Council will encourage the use of traditional materials and techniques in works of alteration/extensions to/of listed building as appropriate to the nature of the proposals to the listed building.'*
Policy HE2: Protection of Conservation Areas	This general policy is inconsistent with many principles extant in the Framework, Chapter 12, not least because in seeking to protect unlisted buildings in a Conservation Area, the draft policy blurs the statutory distinction between listed and unlisted structures. In respect of this matter, the policy exceeds the Framework advice in paragraph 138, presenting major inconsistencies with it. Other parts of the policy operate a draconian presumption against one a designated and a non-designated heritage asset, leaving no room for the reasonable and flexible application of policy to deal with a range of circumstances, in line with the approach taken in the Framework at paragraphs 131 through 134. Accordingly, we conclude that HE2 needs significant redrafting and simplification. Furthermore, it is not clear which body will undertake to improve parts of any conservation area. This is intended as a DC policy not a strategic commitment from the Council. The policy is thus, in current wording, neither justified nor compliant with the NPPF. **Recommendation** The text of the policy should read as follows: *'Development in the setting of Conservation Areas will be expected to preserve their significance.* *In determining applications for the change of use, the Council will have regard to the impact of such a use on the significance of the Conservation Area taking into account the desirability of maintaining such a use.* *Unsympathetic alterations to or extensions of unlisted buildings will be discouraged, subject to the impact on the Conservation Area's cultural significance as a whole and in proportion to its interest and the degree of changed proposed or setting.* *Consent for total demolition of unlisted buildings will only be granted where the design of the replacement either preserves or, where possible, enhances, the character or appearance of the Conservation Area.*

	New development within Conservation Areas should make a positive contribution to the local character and distinctiveness of the Conservation Area.' We appreciate that this is, essentially, an entirely new policy wording. We found this necessary given the degree of conflict with national policy.
Policy HE4 Protecting Historic Parks and Gardens	This policy refers to 'harm to the setting' of an historic park or garden. Furthermore, the policy lists a range of attributes which can only ever be partial and so lead to uncertainty in the policy application. Ultimately, the policy seeks to conserve 'significance' which may or may not be expressed in any of the physical characteristics or associations of a site. As the Framework makes clear, and is supported in the National Planning Practice Guidance, setting is not an asset. It is valuable to the degree it enables appreciation of special interest. Setting, the policy states, may also make a positive contribution to significance, a negative one or none at all. The policy also exceeds the term of both statute and paragraph 133 of the Framework in offering a blanket ban on development causing substantial harm. Whilst, clearly, such harm is exceptional, the national policy does contemplate situations where it may be desirable for some other planning reasons. Accordingly, as worded, the policy introduces potential conflict and uncertainty in its practical application. The use of the verb 'should' in the second part of the policy is unclear. **Recommendation** The policy as worded does not accord with the Framework and so should be amended. *'Development will not normally be permitted if it would result in substantial harm to the significance of Parks and Gardens of Special Historic Interest included in the English Heritage Register, as defined on the Policies Map. Development in the setting of Registered Parks will be assessed in relation to its impact on the asset's particular significance. Development that would cause less than substantial harm to the significance of these assets will be weighed up against any public benefits of the proposal, including securing the asset's optimum viable use.'*
HE5: Locally Listed Historic Assets	This policy is inconsistent with the principles extant in the Framework, Chapter 12, not least because in seeking to protect unlisted buildings, the draft policy blurs the statutory distinction between listed and unlisted structures. In respect of this matter, the policy exceeds the Framework advice in paragraph 135, presenting major inconsistencies with it. Other parts of the policy operate a draconian presumption against a demolition or loss of significance of a non-designated heritage asset. **Recommendation**

	The policy as worded does not accord with the Framework and so should be amended. *'Development that will lead to the demolition or loss of significance of a locally listed historic asset will be assessed in relation to the scale of harm or loss and the significance of the asset.* *The Council will support change to locally listed historic assets using traditional detailing and using traditional methods.'*

3.0 DETAILED COMMENTARY ON DS11 (SITE ALLOCATIONS)

Introduction

3.1 Policy DS11 identifies sites allocated for housing development and associated infrastructure and uses.

3.2 HLM and WD consider that the land show edged in red at Appendix 1 and previously comprising a planning application Reference no W/13/1434, should be included within the schedule of Greenfield sites on the edge of Warwick, Whitnash and Leamington Spa, as set out in the policy.

3.3 The Land at Gallows Hill was included in the earlier two iterations of the Draft Local Plan but has been removed on the basis that it is no longer considered to be an appropriate site for development, for the reasons set out in the SHLAA

3.4 These comments seek to address the heritage reason(s) why the Council do not consider this to be a suitable site and demonstrate that their assessment in that regard is not sound.

3.5 There are two documents that contribute to the evidence base informing the decision to remove the Land at Gallows Hill:

- *Strategic Housing Land Availability Assessment* (SHLAA) *Site Assessments: Warwick* (May 2014); and
- *The Setting of Heritage Assets: Gallows Hill, Warwick* (Warwick District Council) (Draft) (February 2014).

3.6 The SHLAA site assessment concluded that the overall suitability of the Land at Gallows Hill was:

> *"Not suitable – study on "The Setting of Heritage Assets" (Feb 2014) concludes that the site should not be developed as the impact upon the setting of the highly significant assets, although less than substantial harm, could not be fully mitigated such that harm would still be apparent to significant historic assets."*

3.7 The *Setting of Heritage Assets: Gallows Hill* states that the development of the Land at Gallows Hill would result in "less than substantial harm" to the following heritage assets in line with paragraph 134 of the NPPF:

- Warwick Castle Park (Grade I);
- Warwick Castle (Grade I);
- Warwick Conservation Area (including St. Nicholas Church (Grade I), St Mary's Church (Grade I));
- Warwick Castle Bridge (Grade II*);
- Tollgate Cottage (Grade II); and

- The Asps (Grade II).

3.8 We pause here to note that even on that basis – of less than substantial harm – the site could reasonably be included to meet housing land supply objectives. The terms of paragraph 134 in the Framework allow that in cases of less than substantial harm, the decision on any particular application should be taken on the balance of benefits, and having regard (see paragraph 131) to the great weight Parliament attaches to the conservation of designated assets.

3.9 Paragraph 6.1.2 of the document summarises where the said harm will be experienced:

- The unique approach to all the Historic assets will be changed;
- The unique approach to the defensible town will be changed south beyond the river crossing;
- The unique approach to the Assets to include open countryside as part of the designed landscape will be changed;
- The setting of Warwick Castle Park will be compromised;
- The horizon view from Castle Towers and St. Mary's (to a lesser extent) will become urbanised
- Agricultural setting of the Park will be changed; and
- The unique approach to the Town will be degraded to that of the three other approaches to the Town.

Summary of Historic Background

3.10 The Council's *Setting of Heritage Assets: Gallows Hill* document is structured according to English Heritage's guidance *Setting of Heritage Assets* (2011). It is not based on any detailed historical analysis, in particular to support the claim, repeated, that particular experiences are 'unique'. Of course every experience and site is to some extent unique, because site conditions will vary. The Council intend the word, however, to suggest a particular intention which is not apparent, in our judgment, and is not documented in any historic source. We do not think the significance of the heritage assets has, therefore, been correctly analysed, notwithstanding the length of this document.

3.11 To support our findings we attach research documentation relating to the history of Castle Park and the creation of Banbury Road in its modern form (**Appendices 4.0 and 5.0**) and provide a summary to assist in providing context for our specific objections.

3.12 The Castle Park is a Grade I registered park and garden as designated by English Heritage in 1986. In the past it has been gradually extended to form a single coherent, landscape closely associated with the castle. The division in ownership of the two materially affects the way the asset can be appreciated and undermines its significance. There is no public access and, insofar as we are aware, no active management or restoration programme leading to further enjoyment of the asset or its reintegration with its supporting building, the castle. The relationship of the park to the castle is the primary one.

3.13 The character of the castle component of the whole asset is materially affected by its use as a popular tourist attraction. Whilst that undermines the original use to some extent, it presents a clear benefit by way of access, albeit this is paid and managed.

3.14 Beyond the park the formerly landscaped parkland has reverted to farmland with a number of enclosed fields under arable and pastoral use. On the west bank of the Avon, the Leafields area retains some woodland towards the north but housing estates extend along the Stratford Road with a sewage farm close to the Avon where much of the former woodland has been cleared. Spiers Lodge and its immediate surrounds survive but the setting has been significantly harmed by the sewage farm to the west and tree plantation screening views around the building.

3.15 East of the Avon, the New Waters is now much diminished in size and dammed with weed. The land between it and the castle is now divided into a mixture of pasture and arable fields with some of the clumps of woodland surviving but not many of the individual trees apparent in Sandby's 1776 painting of this part of the park.

3.16 The sub-division into fields within the park has swept away Brown's and the 2nd Earl's purposeful design of a natural landscape to be enjoyed from the castle or by visitors to the park. The requirements of modern agriculture have introduced hard straight edges where none existed before destroying the unenclosed beauty that was such an important contributor to its significance. The area beyond the New Waters has been less affected as the extensive Nursery Wood survives, albeit with modern farming to the south and the corridor of the M40 now forming the backdrop to the park.

3.17 The eastern perimeter of the park retains its wide belt of trees that separates the park from what lies beyond. In this respect it has remained largely unaltered since the trees matured in this part of the park during the early 19th century. Views of the wider landscape from within the park are generally screened by the tree belt. Views into the park, meanwhile, are generally not possible due to the density of vegetation. Overall, the park is inward looking with designed vistas across and within the designed landscape.

3.18 The land to the east of the Banbury Road has been developed opposite Bridge End and to the east of Gallows Hill, but these areas have no relationship with the park and were never intended to have one. The focus has always been internal with even longer views directed principally to or from Spiers Lodge, not into the surrounding countryside, or what has now replaced countryside.

3.19 The proposed site allocation was never part of the park. In the C18, it was laid out as enclosed fields, and those boundaries have been removed. The use remains agricultural but there are significant urbanising influences. We found no historical evidence specifically linking the use of this land to the castle, though we consider it is not unreasonable to assume that at different times the estate had some interest in this land.

3.20 One way to understand this is to think of other parklands, for example, Chatsworth House in Derbyshire, or Harewood House, West Yorkshire which retain an original agricultural setting.

3.21 Thus what we are dealing with here is park land which has been separated, by ownership and use, from its parent building, and whose wider setting has been significantly altered through the expansion of Warwick.

3.22 Unlike other landscapes from this period, this one did not rely on borrowed landscape outside it to create longer views. There are no planned views within the landscape out from it. The park was intended to be appreciated from within its well-defined boundaries, and indeed its creation entailed the removal of all public access from it. The public was allowed a view of the private domain, but that was tightly managed from the bridge, now listed.

3.23 Apart from that managed view of the castle, there is no evidence that the new alignment of the Banbury Road was planned with a particular view sequence in mind or as some kind of avenue feature presenting a considered design intent. This would have been uncharacteristic of C18 park design. The position of the Banbury Road was set, we conclude, by the internal arrangements of the new park, and so was the result of an internal design process not of any planned one looking in.

3.24 There are indeed wider views over the surrounding landscape from the tower of the castle, and this forms part of the visitor experience (see **Appendix 8.0**). This enables the viewer to appreciate the broad sweep of the park and the Avon valley along with the edge of the urban settlement. It is a view which has changed very significantly over time. There is no indication that the land subject to this representation had any special role in this view.

3.25 As a result, any developments east of Banbury road have little relevance to the park itself and its significance, beyond reflecting an older pattern of use. And the disposition of even that use is now different to how it was when the landscape achieved its current extent.

Specific Objections

3.26 Chapter 1 of the Council's 'Setting' Document does not contain a comprehensive analysis of the particular historic interest of the key assets. This lack of understanding leads to a number of judgements in Section 2.3.5 with which we disagree.

Modern Character of Land East of Castle Park

> *"The Gallows Hill Site forms a significant part of the boundary of Banbury Road and the Castle Park. The open aspect of the*

> *Gallows Hill Site is of particular importance to the way in which the approach to Warwick Castle and Warwick are appreciated. The open aspect of this area of land enables the tree belt defining the boundary of the planned park to be fully appreciated, and forms part of the eastern open aspect with Warwick School and Myton Fields which are also important parts of the setting of Warwick Castle and the approach to it."*

3.27 We disagree with this characterisation. To start it does not reflect the current characteristics of the land and its immediate setting, which has been significantly influenced by urbanising features. The landscape to the east of Castle Park reflects the openness of this one part of an earlier setting. There is no mention of the disposition of the land/its subdivision or awareness of the loss of historic enclosures. The Warwickshire Historic Landscape Characterisation describes the land to the east of Castle Park, and part of the Land at Gallows Hill site as "very large post-war fields".

3.28 There is no evidence for any intention for the park to be appreciated from the Banbury Road. The substantial tree planting, followed by additional land take and enclosure and more tree planting ensured views from the new Banbury Road were very limited. Carriageways and rides were separated from the eastern boundary by the circumferential tree belt.

3.29 Finally, we cannot see what is meant by the phrase 'to be fully appreciated'. We can understand how development close to the boundary would detract from an appreciation of the scale of the tree belt (which has thinned in parts). However, a landscape edge of some description, combining open areas in suitable management and development set back behind screening should not in principle diminish public estimation of this landscape feature.

3.30 Identifying the site as suitable for housing does not remove the need for careful masterplanning and design to ensure this particular feature is respected.

<u>Nature of Approach into Warwick</u>

> *"The topography of the site is such that there are clear views to the east of the open agricultural aspect as distinguished from the tree belt of the Castle Park on the west. This is all part of the unique approach to Warwick from the south as previously identified."*

3.31 We find no evidence to support the notion that this approach to Warwick is "unique" or that it designed to distinguish the park from the adjacent agricultural land that was owned by the estate. The road was moved in the 1780s to enlarge Castle Park as part of the 2nd Earl of Warwick's designs. The distinction between the agricultural and designed landscape was therefore fortuitous and necessary, rather than being a conscious aesthetic device.

3.32 In fact, we find the contrary assertion – not supported by any evidence – surprising and contrary to the general principles of the eighteenth-century landscape tradition.

View towards Gallows Hill

> *"At the Toll Cottage junction there is a clear view across the Gallows Hill Site to the horizon – after this junction the relationship of the Castle Park to the open countryside can be fully appreciated by the open aspect of the Gallows Hill Site until Turnbull Gardens, which is currently some way out into the countryside."*

3.33 As a general point, the landscape setting of Castle Park as a whole has changed materially since the eighteenth century due to the urbanising influences of the attendant ring road system, urban extension to Warwick to the west, and development to the east. Such change has also taken place, though to a lesser extent, in the south east.

3.34 The assessment suggests an aesthetic relationship between the open agricultural land on Gallows Hill and Castle Park. However the only reason for the view is due to the recent reconfiguration of the Gallows Hill/ Banbury Road junction resulting in the removal of the previous hedge and tree field boundary.

Maximising Enhancement and Minimising Harm

3.35 Chapter 4 of the Council's setting document responds to Step 4 of English Heritage's guidance, paying particular attention to bullet points on page 20 of the latter.

3.36 With regards to mitigation, the Council states at Section 4.3:

> *"Historically it is unlikely that there would have been any planned development within the Gallows Hill Site or buildings planned that could be introduced into such a scheme to recreate any form of historical setting. If a tree belt were introduced to reduce the impact of new dwellings from the Banbury Road or Gallows Hill this would clearly be a new introduction. It would not be introducing anything that was historically correct as the land was agricultural land and never intended to be enclosed in anyway by tree belts in the same way that the Castle Park is enclosed.*
>
> *There is a sense in which a managed tree belt would correspond with the tree belt around Castle Park on Banbury Road however this is not introducing anything that is historically correct and would effectively detract from the tree belt forming the boundary of the park. An alternative would be to maintain a significant belt of open land abutting particularly Banbury Road and managing the hedge row and existing tree line to Banbury Road thus creating something*

of the open element that originally existed but providing some form of tree belt beyond. Any alternative to this would clearly show development visible from the road."

3.37 National policy and guidance is clear that conservation is a process of managing change. Conservation does not comprise maintaining the existing condition for its own sake or, indeed, managing change on the basis that a building or piece of land must be restored to its previous condition. Such opportunities may not arise or indeed even be desirable. The emphasis is on understanding what is special about a heritage asset, and by extension, identifying those elements which are capable of accepting change without harm to the special heritage values of a place.

3.38 On the Council's reasoning, no new feature could ever be introduced into the setting of a designated asset without causing harm. That is, we submit, an unreasonable position and one, in any event, not consistent with the Framework which advises the management of change on the basis of appreciating the particular significance of any asset.

3.39 Indeed, it is also material that the landowner is capable of planting a tree belt along Banbury road, without planning permission. Implementing such boundary treatment would have the potential to alter the setting of the approach and views along Banbury Road.

3.40 Furthermore, and in conclusion, we do not think that the analysis reflects the provisions of Framework 134 fairly, and instead treats the potential for harm as the basis for making the allocation unsuitable in principle. We note that our analysis here is consistent with other points we have made in the previous section on general policies.

4.0 SETTING ASSESSMENT OF LAND AT GALLOWS HILL

4.1 In this section we provide an analysis of the proposed site's contribution to the significance of the adjoining Registered Park, the primary heritage asset. In preparing this we have had regard to other assets to the extent we think they bear particularly on this analysis.

4.2 We carry out this analysis on the staged basis advised in English Heritage's *Setting of Heritage Assets* (2011), which has already been cited. In particular we apply the criteria based approach as set out in that document at pages 19 and 21.

Contribution to the Significance of Castle Park

4.3 First, we consider whether, how and/or to what degree the land proposed for inclusion in the allocation schedule contributes to the significance of the asset. We set out each criterion with a commentary as appropriate.

Topography

4.4 The site's topography, level with the asset and gently rising, does not materially contribute to the significance of the Park.

Other heritage assets (including buildings, structures, landscapes, areas or archaeological remains)

4.5 The site does not contain any heritage assets contributing to the site's significance. It does abut the cottage serving the toll road, and so has an association with the road that bounds the estate. There is, then, a historical connection communicated by the aesthetics of the cottage (its appearance). This is a point of visual setting rather than use (since the toll house cottage has no particular relationship with the agricultural use of the site.

Definition, scale and 'grain' of surrounding streetscape, landscape and spaces

4.6 This is not applicable.

Formal design

4.7 The boundary of the site is the product of the new road layout, in turn the product of the estate design. There is no demonstrable design relationship in the geometry of the site. Rather the shape of the site on this side is expedient (that is, what was left once the park pushed the road into this position).

Historic materials and surfaces

This is not applicable.

Land use

4.8 The agricultural use of the land is traditional, and the land has been in this use historically in the setting of the park. There is no particular historical or intentional relationship which is demonstrable or evidence in documents we have inspected. Furthermore, the land is no longer subdivided/enclosed by hedges and so its structure has changed, with the result it appears as a large and typical post-WWII field, and it is subject to urbanising influences. Hedging has been lost in places on the periphery, particularly at the north end of the site. Nevertheless, the sites use, and consequent openness is a reminder of the original setting even in its compromised state. It is a point of judgment as to whether, and to what extent, that in itself has value in relationship to the main significance of the Park. We conclude that this use does not make a material contribution to an appreciation of the Park's essential interest.

Green space, trees and vegetation

4.9 See above where this topic is considered.

Openness, enclosure and boundaries

4.10 The road defines the boundary of the Registered Park, and historically this had a tree belt on one side, cutting off the park visually from passing traffic, and a hedge on the other, as part of a larger field system since eroded. Apart from the agricultural use, which is historical, and considered above, we conclude the site boundaries where hedged do contribute to the setting of the Park by communicating its original agricultural use. Views into the site would necessarily, however, have been limited by the height of the hedge.

Functional relationships and communications

4.11 There is no particular, evidenced, functional relationship between the park, laid out for aesthetic effect, and the surrounding farmland. For example, the site is not associated with a 'home farm' obviously linked to the estate.

History and degree of change over time

4.12 See above. The historical integrity of the site has been eroded by the loss of field boundaries, the effects of traffic and nearby land uses.

Integrity

4.13 See above, under 'History…'.

Issues such as soil chemistry and hydrology

4.14 This is not applicable.

Perception of the Asset's contribution

4.15 In relation to the experience of perception of the asset's contribution to the Registered Park's significance, we comment as follows, again staying with the page 19 criteria.

Surrounding landscape or townscape character

4.16 One is aware of the modern extension of Warwick and various urbanising influences as one approaches the proposal site along the Banbury Road. These influences are greater as one moves along the boundary from south to north.

Views from, towards, through, across and including the asset

4.17 There is no intentional intervisibility between the site and the Registered Park or to other heritage assets. There is a fortuitous view of the Castle from the site, however, and so some potential intervisibility which could be exploited in any new layout to introduce a sense of identity and place. However, this view is not currently available to the public. There are distant views of the St Nicholas Spire as one moves along the road, which becomes part of the experience during the approach sequence. We do not think, however, that the open character of the land per se contributes to that. Rather it is the enclosure provided by the hedge.

Visual dominance, prominence or role as focal point

4.18 The site's low hedging, and rural boundary, contrasts with the tree belt, which is as a result a significant landscape feature in one's experience of the Banbury Road.

Intentional intervisibility with other historic and natural features

4.19 None.

Noise, vibration and other pollutants or nuisances/Tranquillity, remoteness, 'wildness'

4.20 Any of these perceptions are lessened by the site's proximity to the town.

Sense of enclosure, seclusion, intimacy or privacy

4.21 See earlier comments, in the previous section. The boundary to the site defines the alignment of the road along this frontage. As with any hedged field, there would have been no real inter-visibility into the land. So, we conclude no significant contribution here.

Dynamism and activity

4.22 Not applicable.

Accessibility, permeability and patterns of movement

4.23 See comments on site boundary relationship to the Banbury Road.

Degree of interpretation or promotion to the public

4.24 Not applicable at present, though there is the opportunity to provide views of the Castle from within the site and so increase appreciation of it in line with the EH guidance.

The rarity of comparable survivals of setting

4.25 It is common to find agricultural land on the edges of parkland. Not rare.

4.26 So finally we consider those more intangible associations, which are intellectual not perceptual.

The asset's associative attributes

4.27 We can assume some historical relationship with the parkland, since large landowners often had interests in the surrounding productive land. Our research has not uncovered any conclusive proof of this, however, and so we refer back to the open character of the land reflecting to some extent an historical condition.

Associative relationships between heritage assets

4.28 The site's proximity to the cottage constructed to administer the road tolls, and the Banbury Road's alignment, whose straight geometry communicates it was laid out by a surveyor in association with the design for the new parkland. The geometry of the road, defining one site boundary, communicates that there was here some significant intervention in the landscape associated with the tree belt, both artificial features.

4.29 The road, the tree belt, the hedged boundary of the site, the toll house cottage, and the bridge are related one to the other historically, though we can see no designed intention. This associational value is something one understands, with the benefit of historical information.

Celebrated artistic representations

4.30 None from along the site boundary, but from the bridge at the north end of the road there is a view of the castle. This view is achieved after one passes the site. The view has been represented historically and is still something tourists walking down from the town to seek out.

Traditions

4.31 None.

Potential Effects on Significance

4.32 In this section we look at the potential effects on significance of bringing forward the site for housing. There is no current application before the authority so we base our comments on the masterplan previously submitted.

4.33 First, we deal with the guidance heading 'Location and siting of development' under these headings.

Proximity to asset

4.34 This is a critical consideration. Potentially the site is large enough to have a substantial landscape buffer comprising the hedge there now, strengthened and consolidated, an open area and landscape screening to the new development. Thus a development could be well concealed such that a motorist passing would not be aware of the housing.

Extent

4.35 This can be considered on the basis of the previous application as above.

Position in relation to landform

4.36 Comments above apply equally here.

Degree to which location will physically or visually isolate asset

4.37 Developing the site for housing would not isolate the asset from any other asset or any significant feature in the wider landscape.

Position in relation to key views

4.38 No views from within the parkland would be affected. Through design, including landscape, we think it is possible to maintain the character of Banbury Road as perceived along this edge of the park. There will be a slight effect on the views of the wider landscape as perceived from the castle tower.

Physical Characteristics of any Proposed Development

4.39 Next we deal with the physical characteristics of any proposed development, its form or appearance. This is relevant in two respects, first in relation to landscaping and the position of the development, which we consider can successfully be managed to minimise impacts from the road and, equally, in that higher level view from the castle.

4.40 And so with the assistance of appropriate landscaping, we do not consider housing proposals would be prominent or conspicuous in the setting of the park or related assets, detracting from, for example, the prominence of the tree belt or of other heritage assets. Other design considerations would be considered through an application prepared at an appropriate level of detail.

4.41 Turning to other effects of the development, there would be a change to the character of the land, from agricultural to urban albeit with significant landscape features and

open areas. Other aspects, such as light spillage, access and amenity issues would have to be worked through as part of any application, though there is no reason for concluding, as a matter of principle, that these matters cannot be dealt with effectively at application stage. Here I refer to the conclusions of the ES supporting the withdrawn application, namely that the proposals did resolve all technical and environmental (including heritage) issues. Our analysis leads us to the same conclusion.

4.42 The development of the site for housing would obviously bring about a change to the general character of the land, but the setting of the park and related assets is already subject in varying degrees to urbanising influences. Housing would not, we think, be an utterly new influence. There is an opportunity to enhance appreciation of the castle as an asset by planned views of it from within the site, and this could also be used to create local identity. Again, these considerations would follow and appear to us to seem perfectly capable of resolution through design development evaluated through the application process.

Conclusions

4.43 Overall, then, and subject to suitable incorporated mitigation, identifying the site as suitable for housing would not lead to development causing any material harm to the park and the wider experience of the several assets.

4.44 There would be, we accept, a degree of harm from change to landscape character, bearing in mind that historically the use of the land was agricultural. However, the land itself no longer has an historic character (in landscape terms) and is already subject to urbanising influences.

4.45 Therefore, if there is any potential for residual harm, after mitigation, we conclude it must be less than substantial and so, on current policy, acceptable in the context of wider development plan objectives.

5.0 OTHER HERITAGE ASSETS

5.1 In this section we provide an analysis of the proposed site's contribution to the significance of the other heritage assets:

- Warwick Castle (Grade I);
- Warwick Conservation Area (including St. Nicholas Church (Grade I), St Mary's Church (Grade I));
- Warwick Castle Bridge (Grade II*);
- Toll House (Grade II); and
- The Aspens (Grade II).

5.2 In completing this assessment we have had regard to English Heritage's *Setting of Heritage Assets* (2011).

Warwick Castle (Grade I);

Significance

5.3 Warwick Castle is a grade I listed building located on the southern boundary of Warwick town centre, and facing south, overlooking the River Avon. The castle dates mainly from the 14th century, with pre-Conquest origins, with further additions resulting from 19th-century restorations. The uninhabited part of the castle is a Scheduled Monument.

5.4 The Castle was built around a courtyard, with a motte or mound to the south west of the domestic ranges in the south east. The western entrance is flanked by 15th century towers (Bear Tower and Clarence Tower). The north east elevation is dominated by Guys Tower and Caesars Tower, which both date to the 14th century.

5.5 The Castle is a very fine example of English medieval fortification that was later used as a residence for the Earls of Warwick. The significance of the building is derived from its outstanding evidential, aesthetic (design) and historical values (both associative and illustrative) in addition to communal values related to the modern use as a tourist attraction.

Setting

5.6 The asset's physical surroundings influence how the building is experienced, particularly because it lies in prominent position overlooking the Castle Park and landscape to the south. The Castle was intended to defend the crossing of the River Avon and this leads to a historical relationship with Warwick Castle Bridge and the historic town, part of which now forms the Warwick Conservation Area.

5.7 The experience of the asset is defined by the relationship with the area immediate to the castle, and the landscape and town setting beyond.

5.8 In the first instance, the Castle is a dominant and defining feature as perceived from within the town to the north and northwest where the urban, tight grain of development expands up to Castle boundary.

5.9 Within the Castle courtyard, the wall creates an enclosed character, secluded from the town to the north.

5.10 To the south and south east, conversely, the landscape is more open but is varied and partly urbanised or subject to such influences.

5.11 Castle Park lies immediately to the south and was designed intentionally to include views of the Castle.

5.12 The land to the west of the Castle Park, and which includes the Land at Gallows Hill, is agricultural. The land has lost its historic structure and is subject to urbanising influences including the Warwick Technology Park and modern extensions to Warwick.

5.13 The extension of the Park in the late-eighteenth century led to the re-alignment of the Banbury Road, an important road leading into the historic town. The re-alignment led to the construction of the Castle Bridge and a planned view from it of the Castle, one which has been recorded in numerous artistic representations. Our research has not identified any evidence to support the allegation that the road was designed specifically to celebrate the approach to the Castle, in some formal, intentional manner (for example, as at Stowe in north Bucks where the house is a terminating feature in a long approach through gates.

5.14 Rather the opportunity was taken to create a view from one particular point, a passing and oblique one, albeit of aesthetic interest. The lead up to that viewing moment included, originally, a tree belt (not a wall with gates) on one side and hedged fields on the other. In other words, the planned landscape was not extended over the road to the field side. Rather the left side of the road is characterised by a tree belt intended to separate the whole of the Castle estate from the public road.

5.15 In summary, the setting of the Castle is defined by the building's relationship with the town, the designed landscape to the south and views towards and from the castle which reinforces its historic position.

Contribution of the Assessment site to the significance of the Heritage Asset

5.16 The road from Banbury (and London) has always been an important approach road to Warwick and therefore the castle. However, following the creation of Castle Park in the 18th century access from the old and then the new Banbury Road was very limited. The construction of the new road and bridge over the Avon, and the construction of the new lodge and access to the Castle moved traffic and people further away from the Castle and its grounds. The Land at Gallows Hill is located adjacent to the new Banbury road and it is on the main approach to Warwick.

However, the site does not contribute to the approach especially now that the late eighteenth century enclosures have been swept away.

5.17 There is a fortuitous view of the Castle from the Land at Gallows Hill. Consequently, there is some potential intervisibility. However, such indivisibility can be seen from much of the landscape to the south including from the Technology park.

5.18 There is no evidence that views to or from the Land at Gallows Hill were ever of any particular relevance to the setting or heritage significance of Warwick Castle.

5.19 We conclude, therefore, that the application site makes no material contribution to the overall significance of the Land at Gallows Hill.

5.20 There is a view towards the site, south, from the publicly accessible Guys Tower. These are panoramic and include the broad sweep of the valley, the enclosing ridge in the distances, and the extent of the settlement to the south. That view is of the urban edge of the settlement and its transition to countryside. The site forms a very small element in the overall view experience, and if developed would not change the character or composition of the view materially. We cannot see how a minor change in this broader setting could be said to cause any material harm to the Castle's significance as an asset, as has been above defined and can be agreed.

Warwick Conservation Area (including St. Nicholas Church (Grade I), St Mary's Church (Grade I));

Significance

5.21 Warwick Conservation Area comprises the historic town core of Warwick and Castle Park. It also contains the Churches of St Nicholas and St Mary's and the Castle Bridge built in the late 18th century.

5.22 The Conservation Area has considerable evidential value (derived from buried remains and standing buildings), aesthetic designed value linked to the architectural quality of a large number of buildings within the area and communal value linked to its status as a destination for tourists.

5.23 In 2007 Warwick District Council published summary guidance on the character and appearance of the Conservation Area, subdividing the designated area into a series of character areas.

5.24 Area 3: Bridge Street/Bridge End is described as having ancient origins and was formerly a suburb of the Medieval town at the foot of the medieval bridge. The use is largely residential, while Bridge End takes the form of a curved street fronted by terraced runs of dwellings, and later, more modern infill property. The guidance also notes that the landscape strip fronting Banbury Road provides a significant buffer between the road and built development. The area between the River Avon and the Park House development forms another important "landscaped" buffer.

5.25 Area 10: Castle/Castle Park includes the Castle and Castle Park to the south and is described as an "impressive castle complex on high ground to the north, overlooking the River Avon. Castle park lies to the south." In terms of landscape, the guidance notes that the area" is extremely important both locally and on a national scale. They are Listed Grade I in the Register of Historic Parks and Gardens".

5.26 St Mary's church was found in 1123 by the Earl of Warwick, with the chancel, vestry and chapter house rebuilt in the fourteenth century. The church was devastated by the Great Fire of Warwick in 1694. The nave and tower of the building were rebuilt in 1704 in a Gothic design by William Wilson.

5.27 The church of St Nicholas was rebuilt in the eighteenth century on site of a medieval church with Saxon origins. The steeple and porch at the west end was rebuilding in 1748 and was most likely altered when the church was rebuilt again between 1779 and 1780 in a mixed Perpendicular and Flamboyant style by Thomas Johnson of Warwick. The steeple is visible from areas within the historic core when approach from Castle Bridge.

Setting

5.28 The southern part of the Conservation Area follows the boundary of Castle Park on the Banbury Road. Views into the Conservation Area (Castle Park) from the road are largely screened by the dense, enclosing tree belt on the eastern side of the Park. The experience of the Conservation Area in the vicinity the Land at Gallows Hill is very similar to that of Warwick Castle Park as discussed in Section 4.0.

5.29 The Banbury Road has been an important route into Warwick and from this road there are views of the Church of St Nicholas, and in the northern part, Castle Bridge and Bridge End.

5.30 The landscape setting to the south east of the Conservation Area (and the Banbury Road) has changed fundamentally since the eighteenth century due to the urbanising influences of the attendant ring road system, urban extension to Warwick to the west, and development to the east. The landscape to the east of Castle Park reflects the openness of the original setting. However, particular characteristics of the land have changed.

5.31 St Mary's is connected with the historic core of Warwick and like St Nicholas', shares views of the land to the south of the town from the top of the west tower. Outward views are, however, restricted to relatively small arches within the tower.

Contribution of the Assessment site to the significance of the Heritage Asset

5.32 The agricultural use of the Land at Gallows Hill is traditional, and the land has been in this use historically in the setting of Castle Park. There is no particular historical or intentional relationship which is demonstrable or evidence in documents we have inspected.

5.33 Furthermore, the land is no longer subdivided/enclosed by hedges and so its structure has changed, with the result it appears as a large and typical post-WWII field, and it is subject to urbanising influences. Hedging has been lost in places on the periphery, particularly at the north end of the Land at Gallows Hill. Nevertheless, the site's use, and consequent openness is a reminder of the original setting even in its compromised state. It is a point of judgment as to whether, and to what extent, that in itself has value in relationship to the main significance of the Conservation Area. We conclude that this use does not make a material contribution to an appreciation of the Area's overall significance.

5.34 Views towards the Conservation Area from the wider landscape are numerous. There are distant views of the St Nicholas' spire as one moves along the road. These views are over some distance, where it does not make a significant impression as a terminating. The spire of course becomes more distinct as you near the town. This does not have the character of a planned view sequence, and any straight road to this point would have the same effect. Does the Gallows' Hill land add anything to this increasing awareness? We conclude it does not, as an experience, and there is no historical evidence to suggest any designed intention.

5.35 The view of the Land at Gallows Hill from the tower of St Mary's Church would be distant, and gained through limited viewing opportunities and over some distance, including other urban features such as the Technology Park. It is for this reason that we conclude the site makes no material contribution to the overall significance of the Church.

Warwick Castle Bridge (Grade II*);

Significance

5.36 Warwick Castle Bridge was constructed between 1789 and 1793, as a new bridge replacing an earlier structure and forming the northern connection between the new Banbury Road and the historic town.

5.37 The significance of the structure is derived from its historical illustrative and aesthetic values having been designed by David and William Saunders. It was constructed in sandstone ashlar with a single span of one segmental arch.

5.38 As noted above The bridge has communal and aesthetic value as it forms a significant viewing point from which to appreciate the Castle, and from where numerous artistic representations have been made.

Setting

5.39 The setting of the bridge is primarily derived from its association with the Banbury Road and Warwick Castle. It is only generally visible from the northern part of the road, as the viewer approaches Bridge End.

5.40 Indeed, due to its design, it has little profile within the wider area.

5.41 Nevertheless, the bridge is an important crossing point over the River Avon and therefore forms part of the overall experience of travelling into and out of the historic town.

Contribution of the Assessment site to the significance of the Heritage Asset

5.42 The road, the tree belt, the hedged boundary of the assessment site, the toll house cottage, and the bridge are related one to the other historically, though we can see no designed intention. This associational value is something one understands, with the benefit of historical information. The tree belt is not continuous with the bridge view. Indeed, the setting of the bridge to the south and west includes Bridge End, and the bridge is approached across a roundabout which breaks the sense of continuity with the Registered Parkland. This has the effect of dissociated the parkland, as represented by the tree belt, from the view of the Castle, at least to some extent.

5.43 Overall and when viewed as an individual asset, the assessment site makes no material contribution to the overall significance of Castle Bridge.

Toll House (Grade II)

Significance

5.44 The Toll House on Banbury Road dates from the turn of the nineteenth century and was built to serve the adjacent turnpike road with its principal elevation facing north, away from the assessment site. It is located to the north-west of the Gallows Hill Site. It is now has a residential use following conversion, but its form and position convey its original purpose.

5.45 The significance of the building is derived from historical associative value related to toll houses more generally which survive as historical remainders of modern road systems (the turnpike road movement which characterises the eighteenth century). The aesthetic design value is related to the design of the building as a single storey ashlar house with a low pitched roof of Welsh slate.

Setting

5.46 The setting of the Toll House is defined by its relationship with the Banbury Road and private garden to the south east. The land beyond, adjacent to the assessment site, has since been replaced with a new road forming a new junction at this point, and creating an island in which the House sits, and which has an isolated character.

5.47 The Toll House is generally experienced from travelling along the Banbury Road, as the building lies adjacent. When viewed from the north, the building is seen with the backdrop of Land at Gallows Hill rising behind.

Contribution of the Assessment site to the setting of the Heritage Asset

5.48 As noted for the Castle Bridge, the Banbury Road, the tree belt adjacent to Castle Park, the hedged boundary of the assessment site and the toll house cottage, are related one to the other historically. We can see no designed intention however, between the Toll house and the Hallam Land and William Davis site. This associational relationship with the re-alignment of the Banbury Road (and thus the land at Gallows Hill) is something one understands, with the benefit of historical information, but does not contribute to the underlying significance of the toll house itself as this is experienced.

The Aspens (Grade II).

Significance

5.49 The Aspens is a farmhouse dated from the 17th/18th centuries. It is two storeys with three bays and a steeply pitched plain tile roof. The significance of the building is derived from its historical and aesthetic values related to its age and architecture typical for a Georgian farmhouse.

Setting

5.50 The building is set back from the Banbury Road within a private plot with a garden laid to lawn. A hedge occludes the lower storey of the western elevation of the farmhouse. The upper storey is discernable and can be recognised as a farmhouse from the proportions and traditional detailing.

5.51 The complex of buildings to the rear (northeast) of the farmhouse screens views to the north east. These structures serve to isolate the house from the assessment site.

Contribution of the Assessment site to the significance of the Heritage Asset

5.52 The assessment site does not make any contribution to the overall significance of the Aspens farmhouse.

6.0 SUMMARY RECOMMENDATIONS

6.1 In this section we summarise the recommend amendments set out earlier in this report.

Policy DS11: Allocated Housing Sites

6.2 Policy DS11 identifies sites allocated for housing development and associated infrastructure and uses.

6.3 HLM and WD object to the removal of the Land at Gallows Hill from the schedule of potential housing sites.

6.4 This removal is not based on sound evidence.

6.5 The earlier accepted allocation in the RDS and the Preferred Options was made in full knowledge of the importance of the Castle Park Registered Park and Garden, and its Grade I registration, as well as with an understanding of the impact on other heritage assets on this side of the town.

6.6 There are two purported reasons for removing the site and are alleged to comprise evidence:

- Strategic Housing Land Availability Assessment (SHLAA) Site Assessments: Warwick (May 2014); and
- The Setting of Heritage Assets: Gallows Hill, Warwick (Warwick District Council) (Draft) (February 2014).

6.7 The first is consequent upon the second.

6.8 The SHLAA site assessment concluded that the overall suitability of the Land at Gallows Hill was:

"Not suitable – study on "The Setting of Heritage Assets" (Feb 2014) concludes that the site should not be developed as the impact upon the setting of the highly significant assets, although less than substantial harm, could not be fully mitigated such that harm would still be apparent to significant historic assets."

6.9 For reasons set out in section 3.0, we question the findings of the analysis and evaluation which underpins the Council's report. We do not consider it is based on any robust historical evidence or reasoning, and consequently makes assertions which are not supported.

6.10 In so doing it draws conclusions which are contrary to national policy, namely to consider the particular significance of a heritage asset in a manner proportionate to its interest, and thereafter to consider whether setting makes a positive, negative or neutral contribution to an appreciation of that significance.

Other Policies

6.11 In relation to other policies We suggest the followings changes to the policy wording:

Strategic Policy DS3 2.8(b): Supporting Sustainable Communities

'Caring for, and where appropriate enhancing the appreciation of, the District's cultural and natural heritage'

Strategic Policy DS4: Spatial Strategy

'The effects of proposed sites on the significance of heritage assets will be assessed on a case by case basis, having regard to: the particular significance of the asset; settings' contribution to that significance; the proposed design and use(s); and broader planning considerations taking into account all relevant statutory provision.'

Policy HE1: Protection of Statutory Heritage Assets

'Proposals to alter a listed building will be assessed in relation to the impact on its cultural significance as variously defined and in proportion to its interest and the degree of changed proposed to it.

Likewise development in the setting of a listed building will be considered in light of its impact on the asset's significance.

The Council encourages the continuation of the original use of a listed building, unless it can be demonstrated that a proposed new use does not cause material harm to the significance of an asset or unless the original use does not support the asset's long term conservation.

In determining such applications, the Council will consider the impact of any new use on the physical characteristics of the building and on its character, including public access where this contributes to significance.

The Council will encourage the use of traditional materials and techniques in works of alteration/extensions to/of listed building as appropriate to the nature of the proposals to the listed building.'

Policy HE2: Protection of Conservation Areas

'Development in the setting of Conservation Areas will be expected to preserve their significance.

In determining applications for the change of use, the Council will have regard to the impact of such a use on the significance of the Conservation Area taking into account the desirability of maintaining such a use.

Unsympathetic alterations to or extensions of unlisted buildings will be discouraged, subject to the impact on the Conservation Area's cultural significance as a whole and in proportion to its interest and the degree of changed proposed or setting.

Consent for total demolition of unlisted buildings will only be granted where the design of the replacement either preserves or, where possible, enhances, the character or appearance of the Conservation Area.

New development within Conservation Areas should make a positive contribution to the local character and distinctiveness of the Conservation Area.'

Policy HE4: Protecting Historic Parks and Gardens

'Development will not normally be permitted if it would result in substantial harm to the significance of Parks and Gardens of Special Historic Interest included in the English Heritage Register, as defined on the Policies Map. Development in the setting of Registered Parks will be assessed in relation to its impact on the asset's particular significance. Development that would cause less than substantial harm to the significance of these assets will be weighed up against any public benefits of the proposal, including securing the asset's optimum viable use.'

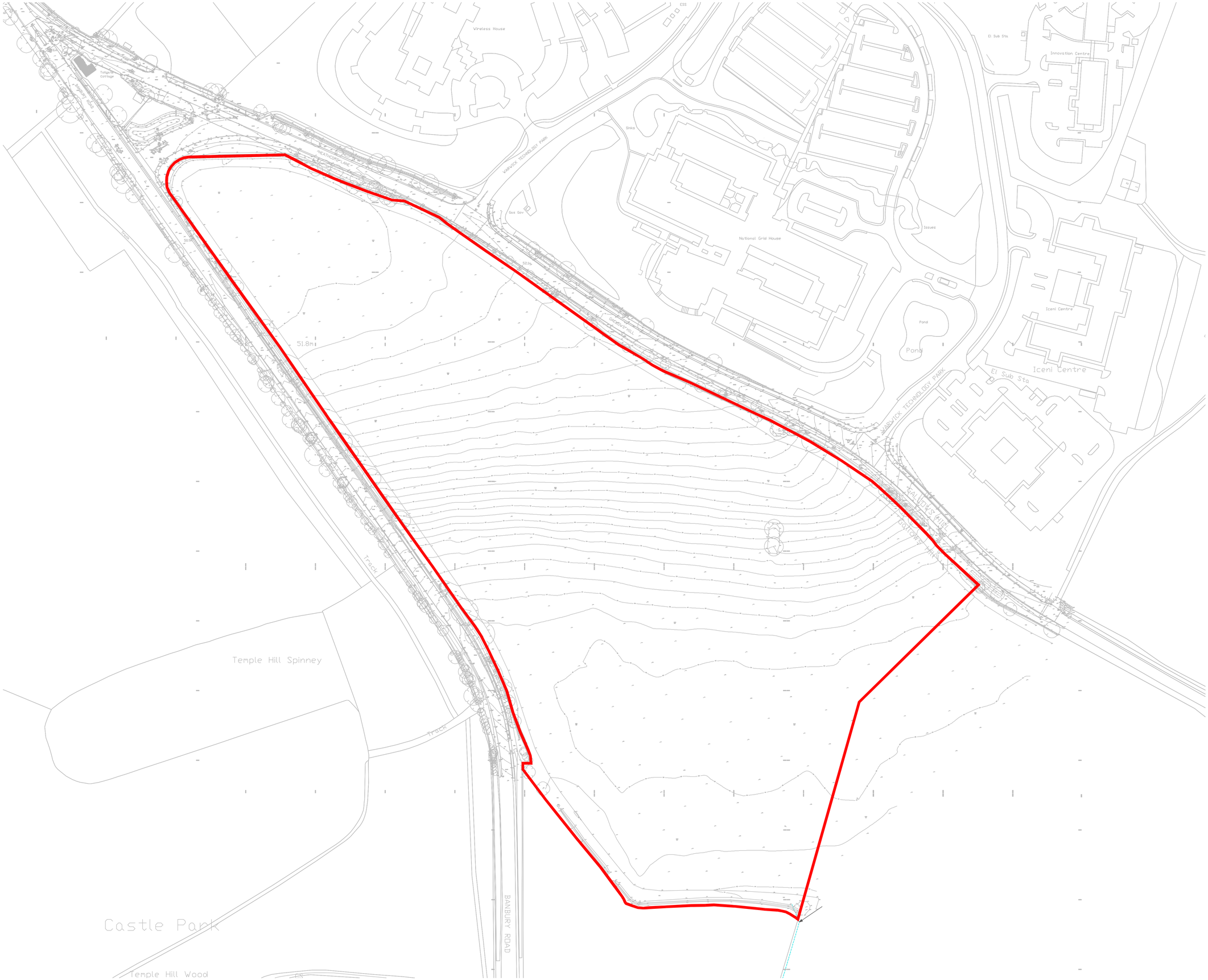
Policy HE5: Locally Listed Historic Assets

'Development that will lead to the demolition or loss of significance of a locally listed historic asset will be assessed in relation to the scale of harm or loss and the significance of the asset.

The Council will support change to locally listed historic assets using traditional detailing and using traditional methods.'

Appendix 1

Red Line Plan of the Land at Gallows Hill



NOTES

All dimensions to be verified on site. Do not scale this drawing. All discrepancies to be clarified with project Landscape Architect.

PLANNING

rev	date	description	by

master/planning
environmental assessment
landscape design
urban design
ecology
architecture
arboriculture

FPCR Environment and Design Ltd
Lockington Hall
Lockington
Derby DE74 2RH

t: 01509 672772
f: 01509 674565
e: mail@fpcr.co.uk
w: www.fpcr.co.uk

client
Hallam Land Management and William Davis

project
Gallows Hill,
Warwick, Warwickshire

drawing title
APPLICATION SITE
LOCATION PLAN

scale	drawn	date
1:1250	KMS	July 2013

drawing number
3702-P-01

rev
-

CAD file: \\Nas04\projects\3700\3702\CAD\Red Line Plan.dwg

Appendix 2

Dr Chris Miele – Background and Experience

Chris Miele BA Hons MA PhD MRTPI IHBC FRHS FSA

Position
Partner

At Montagu Evans since
2006

Date & Place of Birth
6th November 1961, Washington DC

Main Areas of Expertise
Planning & the Historic Environment

Professional Affiliation
Member, Royal Town Planning Institute
Member, Institute of Historic Buildings Conservation
Fellow, Royal Historical Society
Fellow, Society of Antiquaries, London

Key Commercial Clients

Stanhope Plc, Chelsfield LLP, Minerva Plc, Berkeley Homes, Gladedale Properties, Hammerson Plc.

Key Public Clients

United States Government, City of Westminster, British Museum, Natural History Museum, Victoria and Albert Museum, English Heritage, Coin Street Commercial Builders, Greater London Authority, Trustees of the Southbank Centre & other Public Authorities including the London Boroughs of:
Hackney, Lewisham, Lambeth & Haringey.

Key Projects

- United States Embassy, Grosvenor Square
- British Museum
- Parliament Square Re-design
- Doon Street Tower
- Clapham Junction Interchange
- Ram Brewery, Wandsworth
- Oxford Colleges of Magdalen & Keble and the University of Oxford Biochemistry Laboratory
- Waterloo Development Framework

Professional Experience Includes:

- 2004-2005, Senior Planning Director, RPS Planning. Experience included major infrastructure projects, expert evidence at complex planning inquiries, and other development projects of a significant scale, for a range of private and some public clients.
- 1998 - 2004 Director, Alan Baxter & Associates, Advising on planning and related urban design matters affecting the historic environment, to inform emerging design proposals; masterplanning, conservation plans and urban design studies; drafting planning policy guidance for historic sites.

Areas of Expertise

All aspects of PLANNING & THE HISTORIC ENVIRONMENT, with particular expertise in:

- Concept design and detailed approach to historic buildings and new development in historic areas; conservation and management plans; conservation area appraisals, PPG15 assessments; expert witness work; historic landscape analysis; historic building analysis and recording; masterplanning/development frameworks in the historic environment; heritage impact assessments; representations and advice spot listings, delistings and certificates of immunity from listing; experience of scheduled monument consents; historic landscape and urban characterisation; historical research.
- Additional experience facilitating community consultations and enquiry by design processes.
- Experience of: hotel and restaurant, residential, office, retail, live-work, retail, mixed use, and extensive experience of arts projects (museums and theatres).
- 1991-1998 Historic Buildings Advisor, English Heritage. Experience included providing advice on listing and in support of English Heritage's statutory role in relation to listed building and conservation area consents and planning applications. Advice to local authorities on conservation area designations.

Curriculum Vitae

Chris Miele BA Hons MA PhD MRTPI IHBC FRHS FSA

Forthcoming

- 'Community Heritage' and other Victorian Myths: Reflections on the English Experience', ed. Melanie Hall, The History of Preservation: International Perspectives (Boston University Press, 2009).
- 'Gothic Sign. Gothic Realia: Reflections on the Holy Sepulchre, Architectural Representation', Celebrating a Century of the Victorian Society: Essays and Reflections, ed. Rosemary Hill and Andrew Saint (Victorian Society, 2009).
- The Anatomy of a Georgian Villa, Danson House, author (English Heritage 2009)

Published Works

- The Supreme Court of the United Kingdom: History, Art, Architecture (Hardcover) , editor and contributor (2010)
- From William Morris: Conservation and the Arts and Crafts Cult of Authenticity, editor and contributor (2005)
- "English Antiquity: Saxonism and the Construction of National Architectural Identities". In Architecture and Englishness, Con. Proceedings Society of Architectural Historians. (2005), ed. I. Dungavell and D. Crellin.
- Designing the World: Engineering, Architecture and the Royal Navy", Architectural History (Jr of the Society of Architectural Historians, UK), vol. 49, 2006.
- "Conservation", in The Oxford Dictionary of Architecture, 2005.
- "Conservation and the Development Process", Journal of Architectural Conservation, July 2005.
- "Danson House Restored", Country Life, 24 March 2005.
- "The Value of Conservation Plans?", IHBC Yearbook, 2005.
- "Love, Marriage and the Painted Georgian Interior", English Heritage Collections Review, (2001).
- "Re-presenting the Church Militant. The Camden Society and the Round Church", in A Church As It Should Be, ed C Webster and J Elliott (Stamford, 2000), pp 257-294.
- "Victorian Internationalism", in The Gothic Revival. Religion, Architecture and Style in Western Europe, 1815-1914, ed J de Maeyer and L Verpoest (Leuven/Louvain, Belgium, 2000), pp. 209-220.
- London Suburbs, gen ed. C Miele, technical ed. Kit Wedd, introduced by A Saint. Also contributor to first chapter: 'From Aristocratic Ideal to Middle-Class Idyll', (English Heritage, 1999), pp. 31-60.
- "The Battle for Westminster Hall", Architectural History (British Society of Architectural Historians) vol. 41 (1998), pp. 220-244.
- 'Robert Adam, Marlborough House and Mrs Fitzherbert: "The First Architect of the World in Brighton"', Sussex Archaeological Collections, vol. 136 (1998), pp. 149-175.
- "Real Antiquity and the Ancient Object", in The Study of the Past in the Victorian Age, ed. V Brand, intro. By Chris Brooks, Oxbow Monographs no. 73 (1998), pp. 103-125.
- Morris on Architecture, ed by C Miele (Sheffield, 1997). A collection of William Morris' lectures on building and architecture, with a critical introduction and annotations.
- "The First Conservation Militants", in Preserving the Past, ed M Hunter (Stroud, Gloucs., 1996), pp. 17-37.
- "Art or Craft? Morris & Co Revisited", The Victorian Society Annual, 1996, pp. 15-21.
- "The Conservationist", in William Morris, ed by Linda Parry (Victoria & Albert Museum, Exhibition Catalogue, 1996), pp. 72-90.
- "Their Interest and Habit. Professionalism and the Restoration of Medieval Churches", in A Saint and C Brooks (Manchester, 1995), pp 151-171.
- "A Small Knot of Cultivated People: The Ideologies of Protection", The Art Journal (American College Art Association: special issue on Conservation and Art History), vol. 54 (Summer 1995), pp. 73-80.
- "The Restoration of the West Front of Rochester Cathedral: Antiquarianism, Historicism and the Restoration of Medieval Buildings", The Archaeological Journal, vol. 151 (1994), pp. 400-419.
- Hoxton (Hackney Society Publication, London, 1993)

List of Publications

Appendix 3

Castle Park Registered Park and Garden Entry

List Entry Summary

This garden or other land is registered under the Historic Buildings and Ancient Monuments Act 1953 within the Register of Historic Parks and Gardens by English Heritage for its special historic interest.

Name: WARWICK CASTLE

List Entry Number: 1000386

Location

The garden or other land may lie within the boundary of more than one authority.

County: Warwickshire
District: Warwick
District Type: District Authority
Parish: Barford

County: Warwickshire
District: Warwick
District Type: District Authority
Parish: Bishop's Tachbrook

County: Warwickshire
District: Warwick
District Type: District Authority
Parish: Warwick

National Park: Not applicable to this List entry.

Grade: I

Date first registered: 01-Feb-1986

Date of most recent amendment: Not applicable to this List entry.

Legacy System Information

The contents of this record have been generated from a legacy data system.

Legacy System: Parks and Gardens

UID: 1348

Asset Groupings

This List entry does not comprise part of an Asset Grouping. Asset Groupings are not part of the official record but are added later for information.

List Entry Description

Summary of Garden

Legacy Record - This information may be included in the List Entry Details.

Reasons for Designation

Legacy Record - This information may be included in the List Entry Details.

History

Legacy Record - This information may be included in the List Entry Details.

Details

Mid C18 park and pleasure grounds landscaped by Lancelot Brown, with late C18 picturesque additions, together with mid C19 gardens designed by Robert Marnock and an early C20 garden by Harold Peto, associated with a medieval fortress.

HISTORIC DEVELOPMENT

The town of Warwick was laid out as a fortified burgh in AD 914 by Ethelfleda, 'Lady of the Mercians', and in 1068 William I built a motte and bailey castle between the town and the north side of the River Avon. Henry de Beaumont (d 1119), also known as de Newburgh, was appointed Constable of the royal castle, and was succeeded by six members of his family until the death of Thomas de Newburgh, Earl of Warwick in 1242. In 1268 the Castle and earldom passed by inheritance to William de Beauchamp, ninth Earl (d 1298). The eleventh Earl, who came of age in 1329, began a programme of rebuilding which was continued by his son, also Thomas, who inherited in 1369. The thirteenth Earl, Richard, who inherited in 1401, served as Captain of Calais under Henry V, while his son Henry, who succeeded as fourteenth Earl in 1439, was created Duke of Warwick in 1445. The Duke died at the age of twenty in 1446 leaving a young daughter who died in 1449; the title and estates then passed to the late Duke's sister, Anne, wife of Richard Neville. Neville, known as 'The Kingmaker', played a prominent role in the Wars of the Roses, and was killed at the Battle of Barnet in 1471. Neville was succeeded by his son-in-law, George Plantagenet, Duke of Clarence, who was executed for treason in 1478; his son, although styled Earl of Warwick, spent most of his life in prison, until executed by Henry VII in 1499. Richard III, husband of Neville's second daughter, spent time at Warwick and made alterations to the buildings.

Under Henry VII and Henry VIII the Castle remained royal property. Edward VI granted the Castle to John Dudley, Earl of Warwick and subsequently Duke of Northumberland, in 1547; he was executed by Mary I in 1553, and was succeeded after the accession of Queen Elizabeth by his son, Ambrose, created Earl of Warwick in 1561. The Queen visited Warwick Castle on her progress to Kenilworth Castle (qv) in 1572. When Ambrose Dudley died without surviving issue in 1590, the Castle reverted to the Crown. James I separated the earldom from the Castle when in 1604 he granted the Castle to Sir Fulke Greville, and in 1618 created Robert Rich Earl of Warwick. Having seats at Holland House, London (qv) and Leighs Priory, Essex the Rich family did not maintain a residence at Warwick.

Sir Fulke Greville, Treasurer of the Navy (1599-1604) and Chancellor of the Exchequer (1614-21), spent some £20,000 restoring the Castle and laying out new gardens; it was visited by James I in 1617. Greville was created Baron Brooke in 1621, but in 1628 was murdered by one of his servants. The estate passed to his cousin, Robert Greville, second Lord Brooke, who supported Parliament in the Civil War and was killed at Lichfield in 1643, the same year that the Castle was besieged by Royalist forces for two weeks. The fourth Lord Brooke, who inherited in 1658, undertook a major programme of restoration and improvement between 1669 and 1678. Few changes were then made to the Castle until Francis, eighth Lord Brooke succeeded in 1727 (created Earl of Warwick in 1759). Lord Brooke made alterations to the Castle from the mid 1740s, and in 1749 called in Lancelot Brown (1716-83), then still gardener at Stowe, Buckinghamshire (qv) to complete the removal of the formal gardens; this process is shown in one of Canaletto's paintings of the Castle of c 1749 (Paul Mellon Collection). Brown made further

changes to the pleasure grounds in 1753, and from 1755 began to landscape Castle Park which was extended in 1760 by the enclosure of land in Barford parish. Warwick Castle is one of a group of sites in Warwickshire at which Brown advised in the mid and late C18; it includes Charlecote Park (qv), Combe Abbey (qv), Compton Verney (qv), Newnham Paddox (qv), Packington Hall (qv), and Ragley Hall (qv).

The first Earl died in 1773 and was succeeded as second Earl by his son, George (d 1816), who in 1786 extended Castle Park by diverting the Banbury Road. In 1802 the Earl was declared bankrupt, and while solvency was gradually restored few changes took place until the mid C19. The fourth Earl, who succeeded in 1853, employed Anthony Salvin (1799-1881) to make improvements to the private apartments, while in 1868-9 Robert Marnock (1800-89) was commissioned to design new formal gardens. The Castle was seriously damaged by fire in 1871, but was restored by Salvin. The fourth Earl died in 1893, when he was succeeded as fifth Earl by Francis Richard, who was married to the heiress Frances Maynard, owner in her own right of Easton Lodge, Essex (qv). Frances, known as Daisy, was an intimate of Edward VII, both as Prince of Wales and King; he was a frequent visitor to the Castle. Following the death of the fifth Earl in 1924 the Castle remained in the Greville family until November 1978 when the buildings, contents, and pleasure grounds were sold by the seventh Earl (d 1984) to Madame Tussaud's; Castle Park was sold to a separate commercial purchaser. Plans for the development of the Park with two golf courses and an hotel were dismissed at public enquiry in 1991. Today (2000), the site remains in divided commercial ownership.

DESCRIPTION

LOCATION, AREA, BOUNDARIES, LANDFORM, SETTING
Warwick Castle is situated c 250m south-east of the centre of Warwick, to the north-west of the River Avon. The c 280ha site comprises some 23ha of gardens and pleasure grounds, and c 257ha of parkland. The site is bounded to the north-west by Castle Lane from which it is separated by a late C18 stone wall (listed grade II) c 3m high, and by domestic premises in Castle Close. To the north-north-east the boundary is formed by a late C18 stone wall (listed grade II*) which separates the grounds from domestic properties on the west side of Mill Street, and by the river frontage of properties on the east side of Mill Street up to and including the late C18 Castle Bridge (listed grade II*). The north-east boundary is marked by Park House, Greville House, and other properties on the west side of Bridge End, while the east boundary is formed by the A425 Banbury Road, from which the park is separated by timber fences. To the south-east the site is bounded by the B4462 road which leads south-west to Barford, and to the south the boundary is formed by a late C20 cutting accommodating the A452 and M40 roads. The south-west boundary adjoins agricultural land, while to the west the site adjoins agricultural land, light industrial premises, and mid C20 domestic properties to the east of the A429 Stratford Road, Leyfields Crescent, and Temple Grove. The River Avon flows in a serpentine course through the site from north to south-west, while the Tach or Ram Brook enters the site from the east and flows to its confluence with the River Avon c 1.2km south-south-east of the Castle; the Tach Brook is dammed to form a lake, the New Waters, which extends east to the Banbury Road. To the west and north-east of the River Avon the site is generally level and forms the flood plain of the river. To the north the ground rises steeply above the river to the Castle, while Temple Hill rises c 530m south-east of the Castle and c 400m east of the river. Temple Hill is separated from further rising ground at the south-east corner of the site by New Waters, while to the south of the river, c 1.5km south of the Castle, the ground rises steeply to a level plateau which extends to the south and south-east boundary of the site. There is a complex system of vistas within the site with particularly significant reciprocal views of the Castle from Spiers Lodge and Temple Hill. There are also important views of the town from Spiers Lodge; this view was painted by Paul Sandby in 1776 (WCRO). From Castle Bridge on Banbury Road

there are significant designed views south-west down the river to the Castle and the ruins of the medieval bridge which are framed by gardens attached to properties in Mill Street and Bridge End; there is a reciprocal view of the river, gardens, and bridges from within the Castle. From the walls and towers of the Castle there are extensive views in all directions, and particularly across the Castle Park to surrounding agricultural land and late C20 commercial development at Heathcote.

ENTRANCES AND APPROACHES
Warwick Castle is approached from the A425 Banbury Road to the north-east, where the entrance is marked by a late C18 lodge (listed grade II). This structure comprises a crenellated, single-storey stone block with a central gothic carriage arch closed by a pair of timber doors; the lodge was built in 1796(7 by Samuel Muddiman and John Williams as part of the second Earl's improvements. The lodge leads to a tarmac drive which sweeps west and south for c 100m through a cutting in the sandstone bedrock. This picturesque approach was constructed by the second Earl in 1797 when existing properties in Back Hill were demolished. The drive emerges from the cutting and passes through C19 cast-iron gates to reveal a wide panorama of the north-east facade of the Castle. Sweeping south-east between areas of lawn for c 100m the drive passes across a dry moat on a mid C17 stone bridge to reach the mid C15 barbican and gatehouse. The south-east section of the drive was constructed by the second Earl in the late C18 when the stables and forecourt constructed north-east of the Castle in 1664 were cleared away. The second Earl's picturesque drive was praised by Prince Puckler-Muskau in 1826 (Butler 1927), but was criticised as resembling a 'drift way to a mine' by J C Loudon in 1831 (Gardener's Mag).

Within the Castle the courtyard is laid out with a gravel carriage turn enclosing an elliptical-shaped lawn. To the south the courtyard adjoins the Mount which is planted with evergreen shrubbery and specimen trees, while to the west and north of the carriage turn there are further areas of lawn planted with mature specimen pines. A gateway in the western curtain wall, flanked by two low late C15 towers, the Clarence and Bear Towers, leads to the pleasure grounds, while a further gateway at the south-west corner of the courtyard leads to a carriage drive which passes through the pleasure grounds to Castle Park. A further gateway in the C14 Watergate Tower at the south-east end of the courtyard leads to the river and pleasure grounds; in the late C16 this gate led to the formal gardens. The courtyard was laid out in its present form by Lancelot Brown for Lord Brooke in 1753; the porch and steps ascending from the courtyard to the Great Hall were also constructed to Brown's design in 1753 (Tyack 1994).

Visitors today (2000) approach the Castle from vehicular entrances on Stratford Road c 590m south-west of the Castle, and Castle Lane c 100m north-west of the Castle. A late C20 car park is situated in shrubbery parallel to the north-west boundary, with a further area of mid C20 car parking north of the stables. The mid C18 stables (listed grade II*) c 100m north-north-west of the Castle have been converted in the late C20 to provide the visitors' entrance and facilities. The two-storey, stone and hipped-roof stable blocks are constructed around three sides of a courtyard with a pediment surmounting a carriage arch in the south-east range leading to the pleasure grounds. The stables were constructed c 1768-71 by Job Collins, possibly to a design by Robert Mylne.

PRINCIPAL BUILDING
Warwick Castle (listed grade I; part scheduled ancient monument) stands on a bluff of high ground to the north-west of the River Avon, the steep bank of which is encased behind a high C16 retaining wall from which the walls of the state and private apartments rise. The Castle is

constructed around an approximately rectangular courtyard, with the mid C11 motte, known as Ethelfleda's Mount, situated to the south-west and the domestic ranges to the south-east. The C14 Watergate Tower connects the domestic ranges to a curtain wall which ascends the east face of the Mount to reach a crenellated wall, gateway, and two turrets on the summit of the Mount. A further curtain wall descends the north face of the Mount to connect with the curtain wall which encloses the west side of the courtyard. A pair of low, octagonal, late C15 towers, the Bear and Clarence Towers flank an entrance in the centre of the west wall; these towers were built by Richard III as part of a keep which remained incomplete in 1485 (guidebook). The north-east or entrance facade of the Castle is dominated by two massive late C14 towers which are connected to a central late C14 gatehouse and barbican by further crenellated curtain walls. The north-west tower, known as Guy's Tower, is twelve-sided on plan and rises some six storeys to a machicolated parapet. The south-east or Caesar's Tower, of slightly earlier construction, has a trilobed plan; the lower section rises some four storeys above a battered basement which is a prominent feature at the southern end of Mill Street. The two-storey upper section rises from a machicolated parapet and is surmounted by a crenellated parapet. A late C17 single-storey range known as the Armoury, but constructed as a laundry and brewhouse, abuts the outer face of the curtain wall between the barbican and Caesar's Tower. The domestic range to the east of the courtyard comprises two-storey private apartments to the north of the two-storey state apartments; a further three-storey range adjoins the state apartments to the south. The domestic ranges were constructed at various dates from the mid C14, with the buildings at the southern end having been rebuilt by Sir Fulke Greville in the early C17. The state apartments retain significant late C17 and mid C18 interiors. The private apartments, which had also been remodelled in the mid C18, were reconstructed by Salvin following a serious fire in 1871.

Immediately below and to the south-east of the Castle the single-storey Castle Mill (listed grade II*) adjoins a weir extending across the river. The Mill was rebuilt in Gothic style by Timothy Lightoler in 1767-8, possibly incorporating elements of an earlier mill which had stood on this site since the medieval period. In 1894 a water-driven electric generator was installed in the Mill. Stone walls connected with the water supply to the Mill extend north-east from the building through the garden of 55 Mill Street.

GARDENS AND PLEASURE GROUNDS
Informal pleasure grounds lie to the north, west, and south-west of the Castle, with formal gardens to the north and north-west.

To the north of the Castle the pleasure grounds comprise lawns, specimen trees, and evergreen shrubbery which slope down from the stables to the north-north-west to the moat. The moat is a dry ditch which extends west from Caesar's Tower below the north-east and west walls of the Castle to the Mount. A carriage drive sweeps south from the south-west gateway from the courtyard, passing to the west of the Mount before turning south-west to follow the north-west bank of the River Avon for c 270m, then turning west to cross the south-west end of a lawn known as Pageant Field. This lawn is enclosed to east and west by mature specimen trees and mixed ornamental shrubbery, and descends from the late C19 formal garden to the river. To the south-west of the Pageant Field and to the south of a small stream, an area of mixed specimen trees and shrubbery known as Foxes Study extends c 250m to the boundary between the pleasure grounds and Castle Park, which is marked by a late C20 fence. A footbridge crosses the stream from Pageant Field and leads to a C19 avenue of deodar cedars which passes south-west through Foxes Study to a gate leading to the park. The late C20 Estate Management building and compound is situated at the southern end of Foxes Study.

A further drive leads south-east below the Mount to reach a late C20 timber bridge which crosses the river c 80 m south-south-west of the Castle to an island which extends c 650m north-east to south-west below the Castle. There are significant views up river from the bridge and island to the Castle Mill and the remains of the medieval bridge (listed grade I; scheduled ancient monument) c 80m east of the Castle. Stone arches and cut-waters from this C15 bridge survive in three sections, including one section now (2000) in the garden of 55 Mill Street. The bridge, which was until 1788 the main route into Warwick from the south, was retained and deliberately enhanced as a picturesque feature (Dr Hodgetts pers comm, 2000) by the second Earl when he constructed a new bridge, Castle Bridge (listed grade II*), c 350m east of the Castle to designs by David and Robert Saunders in 1788-93; the picturesquely ruined old bridge is shown in a late C18 or early C19 view in the Aylesford Collection (BRLA). Some 160m south-south-west of the Castle, a single-storey timber and thatch-roofed boathouse stands on the north-west bank of the island. This was constructed in 1896 for Lady Warwick, and from 1898 housed an electric launch used to reach Spiers Lodge in Castle Park by river (guidebook); the boathouse was restored in the late C20. A stone bridge c 130m south-east of the Castle leads from the south-east bank of the island across the river channel to Castle Park. In the late C19 and early C20 Lady Warwick used the island to house a menagerie. The trees at the north-east end of the island correspond to a plantation formed by Brown to frame the view of the river and old bridge c 1750 (CL 1979).

A serpentine walk leads north-east from the drive c 20m north-east of the barbican through a series of wrought-iron rose arches to reach a formal rose garden (restored 1984-6) which is situated on a level area of ground enclosed to the north, east, and west by banks planted with evergreen shrubbery and specimen trees. The rose garden comprises a series of box-edged geometric beds cut in panels of lawn separated by gravel walks. The garden is quatrefoil-shaped on plan, and is enclosed by shrub roses and regularly spaced cast-iron pillars supporting further roses. The rose garden was designed in 1868 by Robert Marnock and constructed in 1869 (plans, WCRO). To the west of the rose garden a rock garden incorporating a cascade and pool is set against the enclosing bank. This was constructed in 1900 by James Backhouse and Son of York, in part using artificial stone (guidebook; plan, WCRO). Some 10m south-west of the rose garden two brick-lined icehouses (constructed c 1830, guidebook) are set into the enclosing bank.

A walk leading north-west from the Bear and Clarence Towers turns south-west for c 130m to form a terrace walk backed by a high yew hedge which runs along the north-west side of the lawn; this walk leads to a formal flower garden c 160m west of the Castle. Known as the Peacock or Italian Garden, the flower garden is hexagonal on plan with geometric yew and box-edged beds arranged on three panels of lawn divided by three gravel walks; the hedges are ornamented with topiary peacocks and the parterre radiates from a central circular stone-edged pool. To the north of the parterre a flight of stone steps ascends to a gravel terrace, above which a further flight of stone steps ascends to a stone-flagged terrace below the late C18 conservatory. The flower garden was laid out to designs by Robert Marnock in 1869 (plans, WCRO); plans for an Italian garden had been provided by William Broderick Thomas (1811-98) in 1865 (WCRO); Bateman's plan of 1845 (WCRO) shows lawns sweeping down to the river. The conservatory (listed grade II*) comprises a single-storey stone structure lit by five tall gothic-arched windows in the south facade under an early C20 glazed roof (replaced late C20). The interior has a stone-flagged floor with inset stone-kerbed planting beds and an apsidal recess to the north. The conservatory was built in 1786-8 to designs by William Eborall to accommodate the Warwick Vase, a monumental C4 Greek marble urn from Hadrian's Villa, Tivoli, which was acquired by the second Earl from Sir William Hamilton in 1774; the Vase was first placed at the centre of the Castle courtyard and is shown in this position in a view in the Aylesford Collection (BRLA). The conservatory was restored in 1989 and today (2000) contains ornamental planting and a late C20 copy of the Warwick

Vase, the original having been sold by the seventh Earl to the Burrell Collection, Glasgow in 1978. There is a vista from the conservatory and flower garden south across the Pageant Field to the River Avon.

The pleasure grounds achieved their present form under Francis, Lord Brooke in the mid C18 when Lancelot Brown completed the removal of the formal gardens south and south-east of the Castle, and a hamlet, High Ladsome, which occupied the site of the Pageant Field; the pleasure grounds are shown on a plan of 1776-80 (WCRO) and a plan of 1845 by James Bateman (WCRO). The walled formal gardens are shown on a plan of 1711 by James Fish and Charles Bridgman (WCRO), and comprised several parterres and a large greenhouse which was constructed in 1695. The medieval motte was adapted as a viewing mount with a spiral walk ascending to the summit from the Watergate Tower. The summit was planted in the late C17 with a single pine tree which was noted by Thomas Baskerville c 1678 (VCH). The formal gardens south of the Castle probably originated as the 'Queen's Garden' mentioned in a survey of 1576 (VCH; guidebook) and were described by Leland c 1534 as 'a second Eden ... adorn'd with all kinds of delightful and shady walkes, and Arbours, pleasant Groves, and wildernesses, fruitful Trees, delicious Bowers, oderiferous Herbes, and fragrant Flowers' (Toulmin-Smith 1907-10). In 1634 Dugdale commented that the gardens were 'a place ... [of] extraordinary delight, with most pleasant Gardens, walks and Thickets, such as this part of England can hardly parallel' (Dugdale 1730).

PARK
Castle Park extends south and south-east of the Castle, and lies principally to the east and south of the River Avon which flows through the park from north to south-west. The park is today (2000) in mixed agricultural use with level pasture planted with some scattered specimen trees surviving to the south of the Castle, to both east and west of the river. The park is enclosed to the east by a predominantly deciduous plantation which screens the Banbury Road which was diverted to its present course by the second Earl in 1782-7. To the south-east Nursery Wood is a late C18 mixed plantation on high ground, while a further late C18 boundary plantation screens the B4462 Barford Road which was constructed in 1772-92. Barford Wood bounds the park to the south on land added to the park after the Barford enclosure in 1760, and further plantations known as Ashbeds Wood and The Lilacs screen the western boundary; these plantations are shown on a plan of 1791 (WCRO). There are further plantations within the park, including c 450m south-east of the Castle Lord Brooke's Clump, and Leafield Privet c 1.3km south-south-west of the Castle. Temple Hill Plantation c 900m south-east of the Castle is today (2000) a mid C20 commercial coniferous plantation, while scattered mature specimen trees survive on the west-facing slope of Temple Hill overlooking the river.

Some 1.5km south of the Castle, Spiers Lodge (listed grade II*), a mid C18 gothic hunting lodge stands above a steep north-facing slope above the River Avon. Lodge Wood, a late C18 plantation, extends c 250m south and c 500m from north-east to south-west along the crest of the escarpment, incorporating C17 avenues which were retained by Brown in his mid C18 improvements (plans, 1776-80; 1791, WCRO). Spiers Lodge was rebuilt in Gothic style c 1748, perhaps with the advice of Sanderson Miller (1716-80) (CL 1979), on the site of a lodge which had been associated with a medieval warren. The warren existed by 1268, while a warrener was appointed to keep the warren of 'Whitlogge' in 1460 (VCH). In the mid C16 the lodge and associated land was let, and it gained its name from a subsequent, early C17 tenant; by 1745 the lodge was no longer let (ibid). In the early C20 the lodge was renovated as a private retreat for Lady Warwick and provided with formal gardens designed by Harold Peto (plans, c 1905, WCRO). The gardens comprise topiary yew peacocks flanking a stone-flagged walk which leads from an early C20 wrought-iron gate to the entrance in the south facade of the house. To the east of the house a rose garden is divided

into quarters by stone-flagged walks which pass under a timber pergola (reconstructed late C20); the centre of the garden is marked by a stone baluster sundial. A rectangular bowling green lies to the north and below the rose garden. It is enclosed to the north by a yew hedge and terminates to the east in a semicircular flagged, stone-walled recess and seat. A gothic-arched loggia attached to the north facade of the lodge is approached from a stone-flagged terrace by flights of steps to the east and west; there are extensive views across the park to the Castle and town. An early C20 wrought-iron gate leads from the terrace to a path which descends through shrubbery to a landing-stage on the river. To the west of the lodge there is an area of lawn planted with mature specimen trees including C18 cedars. Outside the formal gardens, some 50m east of the lodge, the tiled base and other fragments of an early C20 timber summerhouse (vandalised 1999) survive in the woodland; the summerhouse commands an extensive view across the park to the Castle. A flight of steps descends from the summerhouse to a landing-stage. These structures formed part of Peto's early C20 scheme for the Countess of Warwick.

Some 1.3km south-east of the Castle, New Waters forms a serpentine, approximately rectangular lake which extends c 800m from the Banbury Road (east) boundary to a substantial stone and earth dam above the River Avon to the west; the park circuit carriage drive is carried across the dam. The eastern end of the lake is framed by Temple Hill Wood to the north, and Nursery Wood to the south. A tributary stream which flows into the lake from the south is dammed to form a chain of three ponds known as The Stews. New Waters was created in 1789 when a canal constructed by Brown in 1761 (plan, 1776-80, WCRO) was enlarged and extended to the east following the diversion of the Banbury Road (plan, 1791, WCRO). The late C18 earth dam failed in 1809, and was replaced by the present stone structure. From New Waters the mid C18 carriage drive survives, ascending c 370m south-west through Lodge Wood before turning west for c 270m and passing south of Spiers Lodge. The drive then descends the escarpment, sweeping south-west and north, to cross the river on the late C18 Leafield Bridge (listed grade II). This single-arched stone bridge, ornamented with Coade stone keystones and medallions, and with fluted balustrades (mostly removed, 2000), was constructed in 1772-6 to a design by Robert Mylne; it replaced a timber bridge constructed by Brown in 1758. From the bridge there are significant views up river across the park towards the Castle. The carriage drive continues for c 930m north of Leafield Bridge to re-enter the pleasure grounds at the southern end of Foxes Study, c 640m south-west of the Castle. To the west of the carriage drive, c 270m north of Leafield Bridge, Leafield Barn is a group of C19 and C20 agricultural buildings; a further group of early C19 brick cottages and barns, Barford Sheds, stand c 480m south-south-east of Spiers Lodge; Barford Sheds were converted to domestic use in 1999.

Castle Park, originally known as Temple Park, was first enclosed by Francis, Lord Brooke (later first Earl) in 1743 from agricultural land to the south of the Castle which had been associated with the Castle since the C14. In the early C17 Fulke Greville had planted avenues across this land to Temple Hill, creating a vista from the Mount and Castle (James Fish, 1690); the principal north/south avenue was 'broken' by Brown c 1755 as part of his improvements carried out for the first Earl (plans, 1743; 1776-80, WCRO). Other avenues were retained by Brown, but were subsequently removed or altered in the late C18 by the first or second Earls (CL 1979). The Leafield was incorporated into Temple Park c 1745 (VCH), and land associated with houses in Bridge End demolished in 1755(60 was also added to the park. Further expansion to the south took place at the enclosure of Barford parish in 1760; the incorporation of this land was Brown's last work at Warwick. The final expansion of the park took place in 1782-7 when the Banbury Road was diverted c 400m east of its previous course. The second Earl planted new boundary plantations along the road, replacing those planted along the former road boundary by Brown in the mid C18. The final form of the park is shown on a plan of 1791 (WCRO) and a survey by William James of 1806 (WCRO). In the late C18 parts of the park were used for

agricultural purposes (estate accounts; VCH).

The medieval Earls of Warwick held an extensive deer park of C13 origin (VCH) at Wedgnock, c 3km north-west of Warwick; this park included the manor of Goodrest. In 1597 Sir Fulke Greville was appointed Ranger of Wedgnock Park by the Crown. In 1743 many of the deer were transferred from Wedgnock to the new Temple Park, but as late as 1910 a small enclosure containing deer survived at Wedgnock. The farmland enclosed from the park in the mid C18 was sold by the Estate in 1959 (ibid). Wedgnock Park is not included in the site here registered.

KITCHEN GARDEN
The late C18 kitchen garden was situated c 400m west-south-west of the Castle. The site was developed with domestic properties, Castle Close, in the mid and late C20. The garden is shown on the 1st edition 1" OS map of 1834 and Bateman's plan of 1845.

The kitchen garden was constructed c 1790 to replace the garden known as the Vineyard. The Vineyard was situated adjacent to Castle Lane, approximately on the site of the mid C18 stables, the construction of which truncated the garden in 1767. The remainder of the garden was taken into the pleasure grounds c 1790 (VCH). A vineyard had been associated with the Castle estate since as early as 1268 and provided herbage in the medieval period (ibid). A house associated with the vineyard existed by the late C16 when the vineyard was described as comprising an orchard and garden of 4 1/2 acres (c 1.8ha) within a stone wall (ibid). The garden is shown on Fish and Bridgman's plan of 1711 (WCRO), and a plan of 1788 by Matthias Baker (WCRO).

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A Canaletto, Warwick Castle from the south-east, c 1749 (Paul Mellon Collection)
F Harding, Warwick Castle from the south-east, c 1764 (National Gallery of Ireland)
P Sandby, Warwick Castle from the Lodge Hill, 1776 (351/633A), (Warwickshire County Record Office)
Watercolour views, Warwick Castle from the Park; Inner Court Warwick Castle; Remains of Warwick Bridge as it appears from the Great Hall in the Castle, c 1800 (Aylesford Collection), (Birmingham Reference Library Archive)
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Photographs of Castle Park, Spiers Lodge and pleasure grounds, c 1900 (PH143), (Warwickshire County Record Office)
Aerial photograph, Warwick from the south-east, 1949 (reproduced in VCH)
Photograph, summerhouse by Harold Peto near Spiers Lodge, Castle Park, 1995 (private collection)

Archival items
The Warwick Castle and Greville family archive, which includes estate accounts, plans, private accounts, and correspondence, is held at the Warwickshire County Record Office (CR1886).

Description written: May 2000
Amended: September 2000, May 2001
Register Inspector: JML
Edited: May 2001

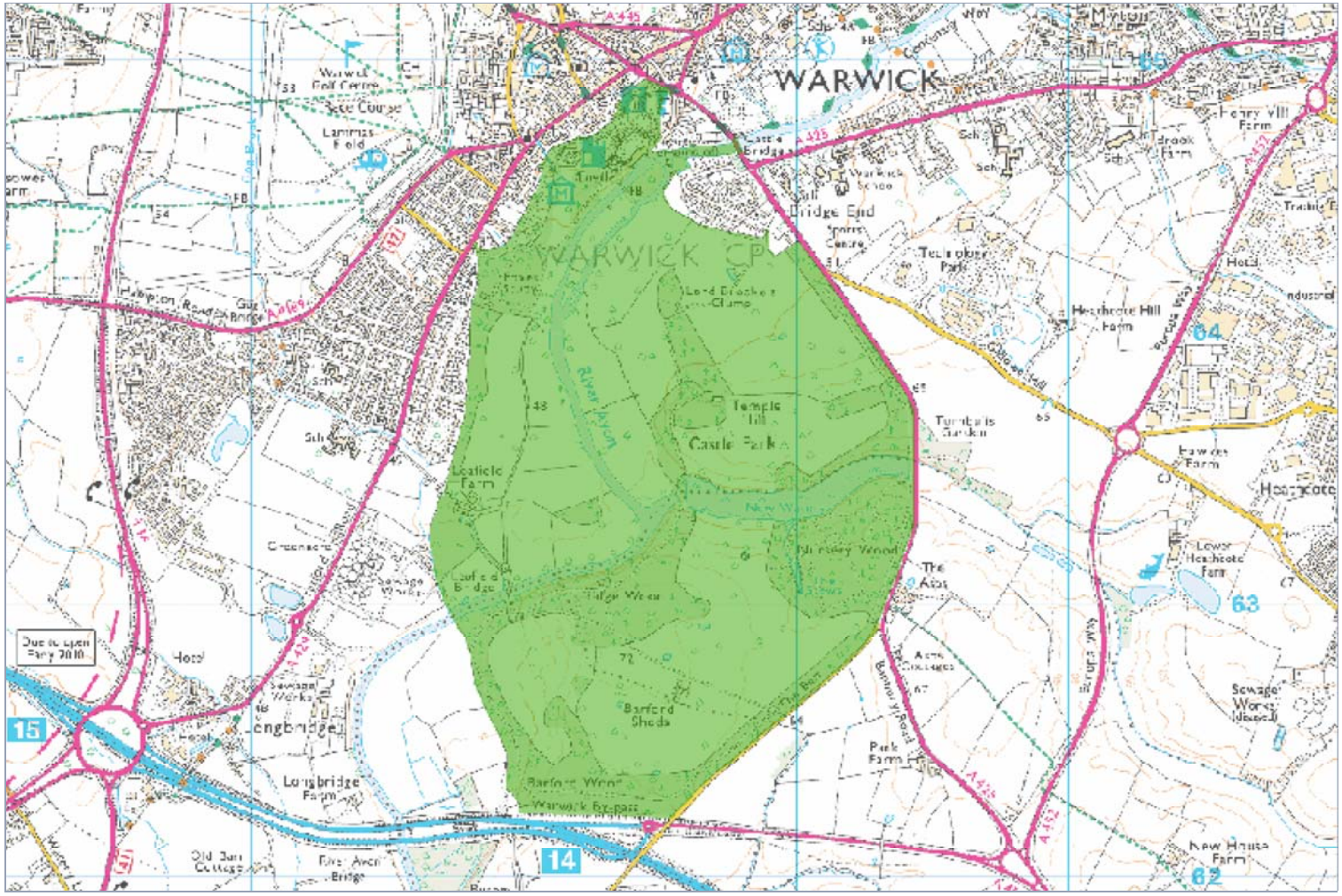
Selected Sources

Legacy Record - This information may be included in the List Entry Details.

Map

National Grid Reference: SP 28540 63341

The below map is for quick reference purposes only and may not be to scale. For a copy of the full scale map, please see the attached PDF - 1000386.pdf



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Appendix 4

Howe Malcolm Archaeology and Planning Ltd (2014)

Warwick Castle Park Documentary Research

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GALLOWS HILL
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WARWICK CASTLE PARK
DOCUMENTARY RESEARCH

JUNE 2014

5 Bolton Street
London
W1J 8BA

Tel: 020 7493 4002
Fax: 020 7312 7548

www.montagu-evans.co.uk

5 Bolton Street
London
W1J 8BA

Tel: 020 7493 4002
Fax: 020 7312 7548

www.montagu-evans.co.uk

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APPENDICES

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1.0 INTRODUCTION

1.1 This report sets out the documentary research and its findings carried out by Howe Malcolm Archaeology and Planning Ltd for Hallam Land Management and William Davis. It is presented in the Montagu Evans template for ease of integration into the main Heritage Impact Assessment.

1.2 The documentary research seeks to answer the following research questions:

1. Was there any planned or intentional relationship between the Castle Park and land outside of it in relation to Hallam Land's site and more generally?
2. Was there any intention for the park to be appreciated from the Banbury Road, and if so what was that intention?
3. What is there about the Banbury Road, as approach to Warwick that affects Hallam Land's site?
4. What is the history of routes into the town? Is this one important now and was it over the years, and if so, how and why?

1.3 The documentary research considers historical documentation, historic plans, views of the park and castle (painted, photographs, drawing etc), contemporary tourism literature, and historical correspondence.

1.4 The documentary research carried out included visits to Warwickshire County Record Office to view original maps, plans and documents. A visit to the Warwick local studies library was carried out.

1.5 The documentary research also includes web-based sources and searches, including a search for contemporary images of the castle and Castle Park. Warwick Castle archive is held at the County Record Office and contains many estate plans and maps as well as large amounts of documentary sources. However, although the plans are ordered, the vast amount of other material is not, therefore, identifying relevant material is very difficult.

1.6 Historical accounts of Castle Park were also consulted.

1.7 **Section 2.0** of this report considers the castle grounds before the works by Capability Brown took place in the mid 18th century. The redesign of the Castle grounds by Brown in discussed in **Section 3.0**. Later redevelopments of Castle Park by the second Earl are presented in **Section 4.0**. **Section 5.0** provides a summary of 19th century and later developments. Historical accounts of Warwick and Warwick Castle are presented in **Section 6.0**. **Section 7.0** contains a selection of images of the castle and grounds.

1.8 Finally, **section 8.0** of this report provides a conclusion of how Castle Park was intended and functioned Relevant plans and images are included within the main report and other information is appended. **Section 9.0** lists the sources consulted.

2.0 TEMPLE PARK 17TH TO EARLY 18TH CENTURY

2.1 The *Victoria County History* (VCH) for Warwickshire provides a detailed account of the history of Warwick Castle and its estate. It is not the intention to provide a detailed history of the Castle prior to the 18th century and a summary is provided below supplemented with documentary references including William Dugdale's *The Antiquities of Warwickshire* (1656) and earlier estate plans held by Warwickshire County Record Office (WCRO). David Jacque's article "Warwick Castle Grounds and Park, 1743-60" provides a very helpful summary of Temple Park and the later changes made by Brown to create Castle Park.

2.2 In July 1604 Sir Fulke Greville, only son of Sir Fulke Greville the elder of Beauchamps Court, obtained a grant of the castle. He was already ranger of Wedgnock Park, since 1597 and had been custodian, under the Lord Treasurer, of the castle itself since 1600. Sir Fulke Greville was created Baron Brooke of Beauchamps Court in 1621. His cousin and adopted heir was Robert Greville, to whom the castle and estate passed when he died unmarried in 1628. In 1746 Francis Greville, 8th Baron Brooke, was created Earl Brooke of Warwick Castle, and in 1759 Earl of Warwick (VCH).

2.3 Prior to the re-landscaping of the Castle's park by Capability Brown in the mid 18th century it was known as Temple Park. By this date the park already had a long history, first as part of a Templar grange, supplying the preceptory at Balsall (see 2.6, below) and then as a part of the castle estate which gradually increased in size from the 14th century onwards.

Temple Park

2.4 The early history of the estate is covered in some detail by the Victoria County History. It documents the land grants and purchases from which Temple Park emerged. The VCH entry relating to Temple Park provides the following information

> *"Lands in the fields towards Barford and 'le Lee', with a meadow called 'le Lemedowe', were part of the castle estate in 1315. By 1531 the meadows in this locality were named Barford Meadow, 'Brodehale Meadow', and 'Ley Meadow'; they were included in a lease from the Crown to Thomas Fisher in 1554 when Barford Meadow was alternatively called Longbridge Meadow. The Leafield, which was pasture, was leased in 1553 and again in 1557. By 1576 the Leafield and part of another meadow within it called Leafield Meadow were in the tenure of Richard Fisher and lay between West Street and the Avon, extending northward to St. Lawrence's Lane and southward to the bend in the river; a lane called Hay Lane led to them. The residue of the second lease was assigned to Richard Fisher in 1579. Fisher and his wife died leaving the Leafield and Leafield Meadow to their daughters in moieties for the remainder of the term. Sir Fulke Greville purchased one moiety in*

1607, having bought out an under-tenant the previous year. The other moiety he purchased in 1608."

2.5 The VCH entry goes on to say

"The Leafield at once became a source of profit to the estate. Fourteen mares with nine colts were turned into it, and another part was let for £24 a year. It was noted that 'the great meadow of Leafield' could have 30 beasts agisted in it. Of the original meadows Broadhale Meadow and Lea Meadow descended with the manor of Warwick, and were not reunited with the castle estate until 1742. A small wood called Leafield Grove in the parish of Tachbrook also descended with the manor until 1675 when it was conveyed to Lord Brooke by William Bolton. Probably the whole of the Leafield was included in the Temple Park in about 1745 and men working on the park were employed levelling banks and mounds there in 1749. Extensive treeplanting was carried out in the Leafield in 1785."

Temple Manor

2.6 Temple Manor is described in the VCH as

"Roger, Earl of Warwick (1119-53), granted a small manor beyond the bridge on the south side of the town to the Knights Templars. It became one of a group of manors contributory to the preceptory of Balsall until the confiscation of the Templars' lands in 1308. After being administered for a brief period by the sheriff, it was committed in the same year to Guy Beauchamp, Earl of Warwick, together with Balsall itself, Sherbourne, and Fletchampstead. In 1309, however, Balsall and the other Warwickshire manors of the Templars were entrusted to another royal keeper, Alexander de Cumpton, who rendered account of them until 1314, when he recorded their handing over to the Knights Hospitallers. But in fact, on the earl's death in 1315, the Temple manor and Sherbourne were still part of his estates, and were committed with them, during the minority of the heir, to John Pecche, who administered them until 1324. In that year, shortly before the heir came of age, the Temple manor was effectively transferred to the Hospitallers. It was certainly part of their property in 1338, again administered from Balsall, and continued so until the Dissolution. In 1549 it was granted to John Dudley, and reunited with the castle estate.

There were 29 tenants of the manor in 1185, and they were described as freeholders in 1315 when they numbered 24. In 1338 there was a small demesne in the care of a bailiff with a house and garden, a carucate of arable, 10 acres of meadow, and pasture worth £1. In 1516 the whole manor was let by the Hospitallers to Sir Edward Belknap of Weston under Weatherley, whose assignee Thomas Broke held it at the Dissolution in 1540. At this time there were 54 acres of arable, of which 50 were in two closes next Ford Mill, 8 acres of meadow in Hill Temple Close extending to the

Avon, and pasture of 40 acres called Hill Temple beside the road leading to Warwick, 32 acres between the farm place and the river, and 16 acres in a similar close called Nether Temple. Several small plots in Bridge End were sublet. By 1690 ornamental avenues had been planted across the Temple Fields to make a vista from the castle."

2.7 It is clear from this extract that until the end of the 17th century the park was principally farmland with a mix of arable and pasture. Originally this function had been to support the activities of the military orders, but since the Dissolution as a part of the castle estate. Within the park were also plots farmed by occupants of Bridge End suggesting a much closer relationship between the castle estate and the town than that in evidence later. Towards the end of this period there had been some formalisation of parts of the grounds with the laying out of ornamental avenues and the consideration of the castle in the wider landscape with thought given to views and the use of the park. However, the area towards the north end, closest to the castle was still closely connected to the village of Bridge End and the activities that took place there, such as the mill below the castle walls on the Avon.

Ford Mill

2.8 A second mill was operated by the estate on the Banbury Road, called Ford Mill, and is also discussed in the VCH entry

Ford Mill, situated on the Tach Brook near the point where the old Banbury road crossed it to enter St. Mary's parish, was included in the Temple manor in 1185 under the name of the mill of 'Alfstanesford'. It descended with the manor and was valued at the fixed sum of 26s. 8d. After 1590 the mill was sublet by the Crown tenant, but by 1608 the two bays of building which housed the mill were said by a jury to be considerably decayed. The mill, however, continued in use, and in 1746 was let to William Collins, fellmonger. During its last years it was used for dressing leather. It was renovated in 1762 but was taken down in 1765 and its site submerged by the New Waters in 1788. The mill stream was still visible along the northern shore in 1965, and the bank of an overflow channel, which returned the water to the Tach Brook, was indicated by a row of alder trees growing out into the lake.

Spiers Lodge

2.9 In 1600 John Spier of Barford bought part of a close called the Lodge Field, and by further purchases had built up by 1610 an estate of 114 acres. A 99-year lease of the whole property, lying on the further bank of the Avon in Bishop's Tachbrook, was granted in 1614 to Thomas Edwards. This lease and the reversion of it still belonging to John Spier were purchased by Sir Fulke Greville in 1618 for £1500. In 1672 the house, by the name of Spiers Lodge, was leased with the same group of closes but the practice of letting it had ceased by 1745, when the lodge was used as a residence for the keeper of the new Temple Park. It was completely rebuilt in the Gothic style in 1748. In 1749 the lodge team, one of the two horse-teams belonging to the estate, was housed there, and the stables and cart-hovel were rebuilt in 1753. A new

brewhouse was added in 1756. The name Spiers Lodge was retained until the end of the 19th century, but it is now more usually called the Hunting Lodge (extract from VCH).

2.10 Spiers Lodge documents in detail the process of change taking place to the estate as a whole. Initially it was a working building for the warrener but its role became more formalised during the 18th century as a part of the designed landscape. It was re-invented as a Hunting Lodge, but it is clear that its main role was as a landscape feature as either the start, or termination of important views for those experiencing the park. It position on a bluff above the river, framed by wooded slopes, made it the ideal focus for those looking from the castle towards the south across the park. It was also a very fine location for reciprocal views back, towards the castle, as noted by a number of visitors.

2.11 Castle Park was created between 1743 and 1789 (see **Section 3.0**), and embraced Temple Park, the Leafield, a warren with a lodge (later known as Spier's Lodge) which had been part of the estate since the 13th century, and meadow land which had been attached to the castle by the 14th century.

Warwick Castle Plans and Maps

2.12 Being an important and historic monument, Warwick, and the castle has featured on a large number of early maps and plans. The most important of these have been reproduced here where they illustrate the development of the estate. Wenceslaus Hollar (1607-77) produced one of the first maps of Warwick in the 17th century and it is reproduced below (**Fig 2.1**). The old bridge is illustrated as is St Helena's church in Bridge End. The map was made before the great fire of Warwick in 1694 which resulted in much rebuilding of the town. South of the Castle, land is clearly laid out as fields and orchards and appears to be crossed by a road aligned NW-SE linking the Avon to the town. A road appears to run along the western side of the Avon adjacent to the Castle grounds. To the south of the Avon only a small part of the later park is shown, but this is depicted as being unenclosed with many trees in evidence, although not formally laid out in any manner.

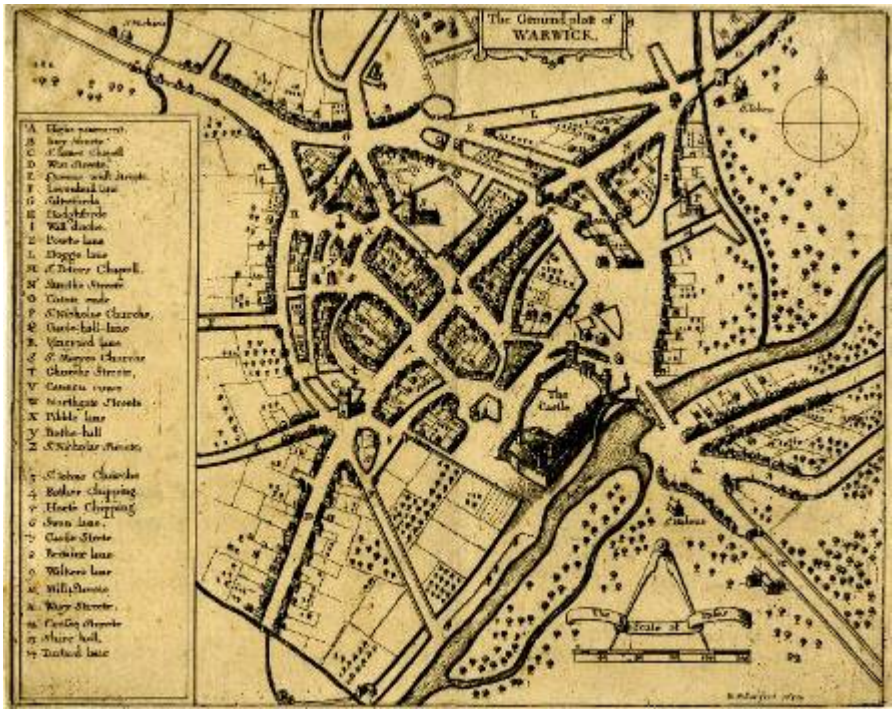

Fig 2.1: Hollar's Map of Warwick, c. C17 – the castle, old bridge and Banbury Road are depicted in the bottom right hand part of the map

2.13 Fish's Survey of the Earl of Warwick's Estate in 1690 shows the land in the control of the Earl at the end of the 17th century and extracts are reproduced below (**Fig 2.2-2.3**). The Survey identifies the Banbury Road, and Bridge End is clearly depicted. To the west of Banbury Road, Temple Ground is illustrated as are avenues of trees to the south of the castle.

2.14 The Survey identifies land to the immediate south of the castle as meadows, with areas of pastureland between the meadows and Temple Ground. Land to the east of the Banbury Road is laid out as fields surrounding a farm building – part of Miton Field.

Fig 2.2: Extract from "A Survey of the Leafields, Temple Grounds, Spiers Lodge, and the Asps, Heathcote, Earles Meadows, and Miton Closes, with other Lands lying in or near the Barr of Warwick being the Lands of the Right hon. Fulke, Ld Brooke Baron Beauchamp's Court, taken Anno 1690" by J Fish (WCRO, 1886 M6) – the castle is to the top of image, the Banbury to Warwick road is annotated in the centre

Fig 2.3: Extract from "A Survey of the Leafields, Temple Grounds, Spiers Lodge, and the Asps, Heathcote, Earles Meadows, and Miton Closes, with other Lands lying in or near the Barr of Warwick being the Lands of the Right hon. Fulke, Ld Brooke Baron Beauchamp's Court, taken Anno 1690" (WCRO, 1886 M6)

Discussion

2.15 The early formal landscaping of what was to become Temple Park is illustrated on Fish's Survey. Temple Park is bounded by the old Banbury Road to the east. Avenues of trees provide access from the old Banbury Road to the southeast and across the Temple Fields west to connect to the north-south avenue leading towards the castle, although this is halted by the Temple Ditch and the river Avon to the north (**Fig 2.2**).

2.16 There is no direct access from the avenue to the castle because of the river. Visitors would have had to divert east to cross the river via the old bridge (**Fig 2.3**). The north end of the old bridge was located close to the mill and the remains can be seen from the end of Mill Street (from a private garden opened to the public) (see **Fig 2.4**). **Figure 2.3** also indicates several buildings to the west of the route of the old Banbury Road, close to Cappells Close and Webbers Close. These buildings and the road indicated on Hollar's map are removed during the later landscaping works.

2.17 A number of closes and fields are shown on the Fish Survey which, in most instances, are not respected by the formal tree-lined avenues. It is possible that these are the remains of former boundaries swept away as the formalised layout was established, since the area close to the Avon is shown with more pronounced boundaries, probably indicating it was outside the formal layout at this time.

2.18 Already the principal views seem to be directed away from the Banbury Road and towards the south/south-west, where the Avon sweeps around towards the west in a sinuous S-curve.

Fig 2.4: The remains of the old bridge to the left (covered with ivy) and the mill to the right at the bottom of the castle (taken from Mill Street Garden)

2.19 One of the principal researchers into the castle estate, and especially Brown's works in the 18th century is David Jacques, who published his research in *Garden History* in 2001. Jacques describes the Temple Park as:

> "*At the north end of the park was the Castle Meadow, and island in the Avon, connected to the Temple Closes by a stone bridge. A wooden bridge connected the island to the Castle Gardens. Towards the south end of the park was the Ram Brook, which was crossed by the Banbury Road at a place, called Fordmill. At this crossing was a causeway and mill. The road for Barford diverged here. The farming areas were surrounded by open fields to the south-west (Barford) and to the east on the other side of the Banbury Road (Myton). There had at some previous date been even more open field to the south.*
>
> *A further system of avenues emanated from the point where the elm avenue from the castle mount reached the summit of Temple Hill. One connected to Spiers Lodge, once a warrener's lodge, which became the lodge for Temple Park. It was situated on a natural terrace high above the river with magnificent views across meadows, through which the river runs in an 'S'-shape, to the Castle and the tower of St Mary's Church beyond. It is one of*

the finest views in lowland England, especially when the sun lights up the stone of the castle." p. 52

2.20 Jacques helpfully provides a reconstruction of the layout of Temple Park prior to the works of Brown and this is reproduced below (**Fig 2.5**).

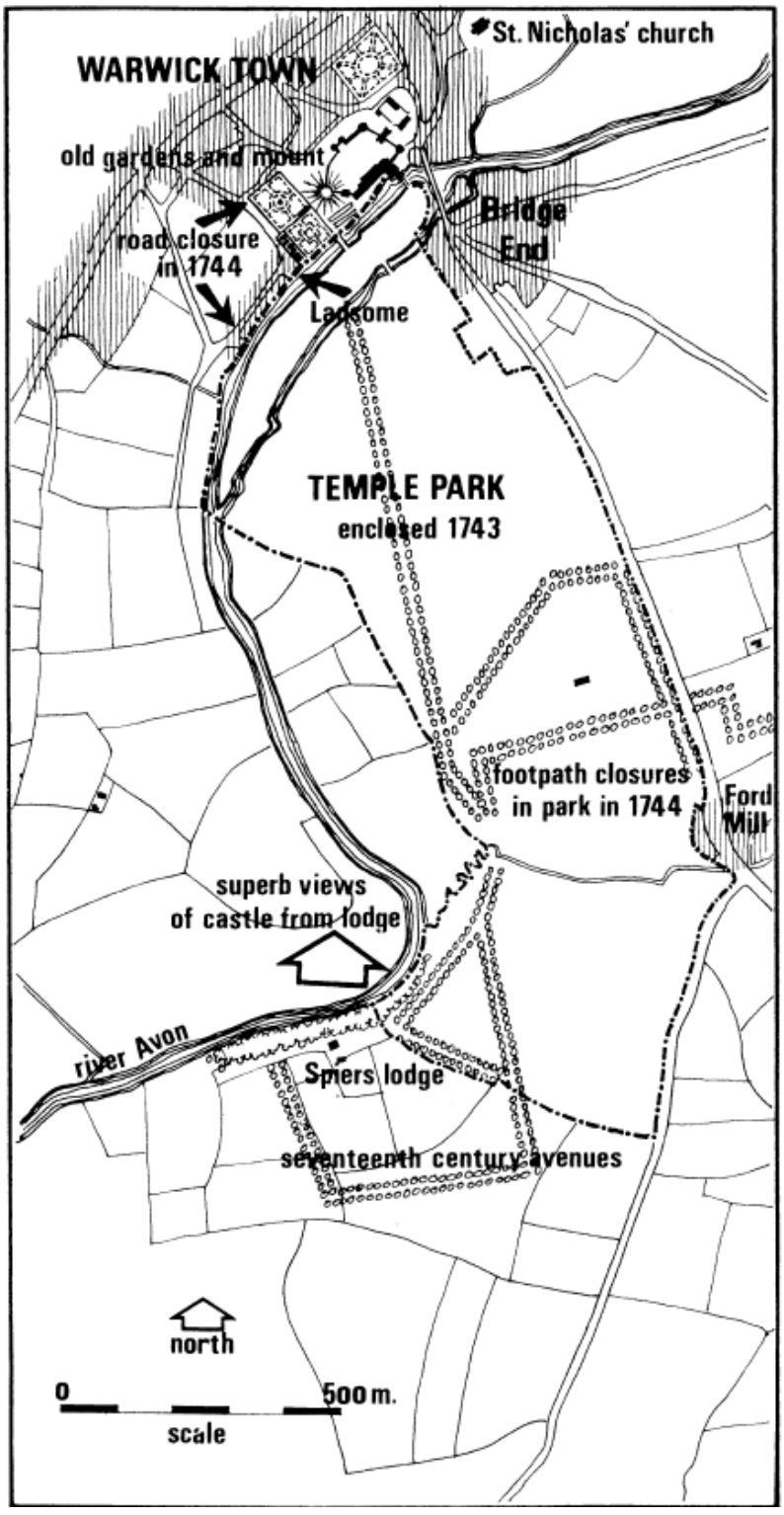

Fig 2.5: Temple Park in 1743 reconstruction by Jacques (2001)

2.21 The reconstruction corresponds with the layout illustrated on Fish's survey of 1690 and also shows later works such as the closure of footpaths from the old Banbury Road into the park. Little survives of the earlier arrangement of the Park which has been significantly expanded since the early 18th century.

3.0 CASTLE PARK – CAPABILITY BROWN DESIGN

Warwick Castle Estate Plans and Maps

3.1 Extracts from the survey and plot of the right hand temples prepared by William Sutton in 1743 shows the land from which Castle Park emerges, bounded by the Banbury Road (WCRO 1886 M279) (**Figs 3.1-3.2**). The old bridge is still the main access point to the town from the Banbury Road. An avenue of trees is aligned N-S through the Park as seen on the earlier Survey by Fish (see **Figs 2.2-2.3**) and the reconstruction by Jacques (**Fig 2.5**).

3.2 By this time Temple Park has been subdivided with trees marking field boundaries, probably as a result of deer being moved here from Wedgenook Park requiring palings and fences to be erected (VCH). Jacques write of this:

> "*In 1743, Brooke paid a number of people for quitting the Temple Grounds. He disparked the remaining parts of the ancient Wedgenook Park to the north of Warwick and moved the deer to Temple Park. There were extensive works to keep the deer in and shelter them. The pales and a water-fence on the Avon, levelling of ditches, and sowing with trefoil and rye grass are well documented in the Castle Accounts of 1743 and 1744*." p. 52

3.3 From this it is clear that 1743 marks the real beginning of the park and that one of the early motivations for landscape alterations was the introduction of deer and their need to control them.

3.4 Sutton's Survey provides names for most of the subdivisions within the park, providing a wealth of information on their probable origins and character: Workhouse Close and The Pingle were almost certainly farmed by the occupants of Bridge End, The various Temple Closes were clearly former fields from the Templar grange, whereas those named for individuals, such as Jenkin's Meadow, give a clue to their former leases. Several others are named for their character such as Cow pastures and Thistley Close.

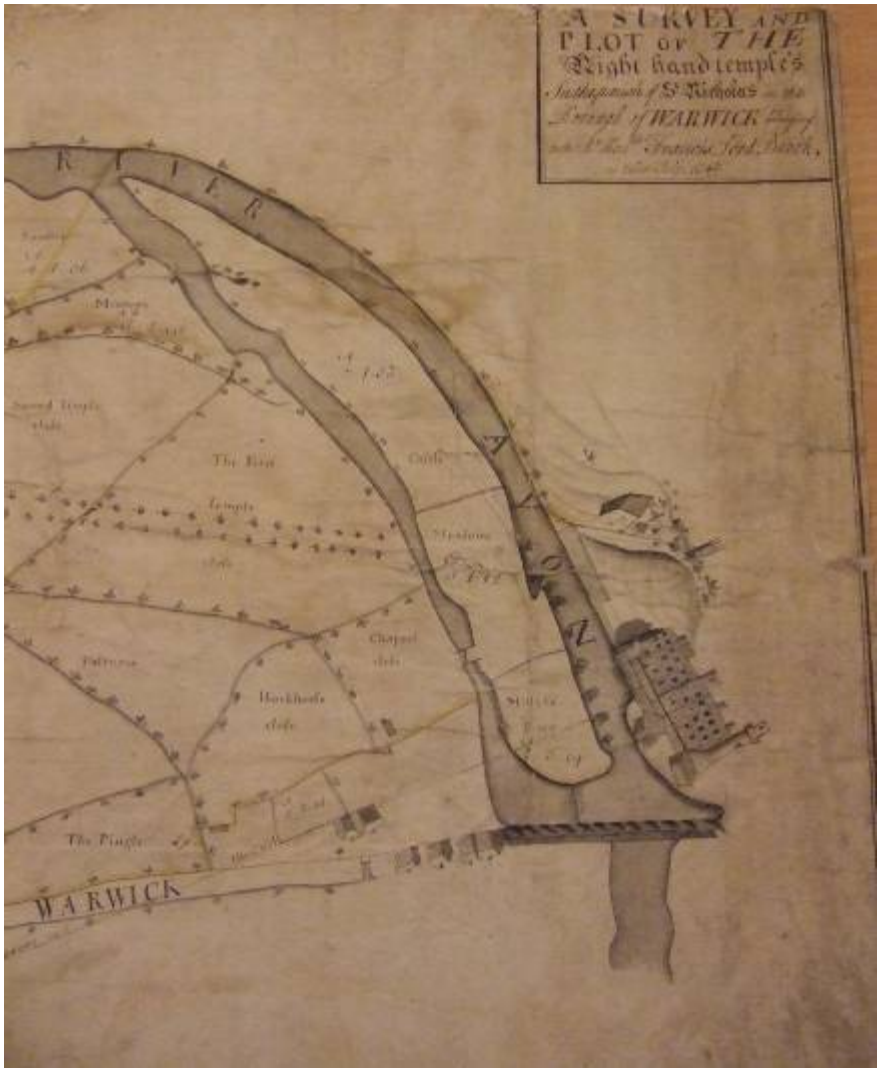

Fig 3.1: A survey and plot of the right hand temples 1743 by W Sutton (WCRO 1886 M279) – the castle is to the right (north) and the Banbury road is indicated at the bottom of the survey

Fig 3.2: A survey and plot of the right hand temples 1743 by W Sutton (WCRO 1886 M279) – NB north is to the right, the N-S aligned avenue of trees is illustrated as are the enclosures within the Temple Park. At the bottom of the image the Survey notes "The Perpendicular of direct From the Castle" and links to the centre of the south front of the Castle.

3.5 In 1750-2 William Sutton carried out a survey of all the enclosed estates and open field land belonging to Earl Brooke. The Survey indicates that in the Parish of St Nicholas, Warwick William Wright was tenant to a farm called Heathcote, inclosure and 60 computed acres in the Bridge End and Heathcote Fields of open fields lands. The total land of the estate in St Nicholas Parish was 454 acres, and 170 acres in St Mary's. A Survey by Sutton in 1751 of land adjacent to Temple Park shows fields enclosed to the east of the Banbury Road and probably depicts the land indicated in the 1750-2 survey (**Fig 3.3**). Unfortunately the Survey does not show much detail of the Park and the Banbury road.

Fig 3.3: Land adjacent to Temple Park by William Sutton, 1751 (WCRO 1886 M7)

Discussion

3.6 The VCH entry provides the following summary of works carried out to Temple Park in the years before commissioning Capability Brown's to re-landscape the Park:

> *"Francis, Lord Brooke (later first Earl of Warwick of the Greville line) came of age in 1740 and soon afterwards there began a period of major improvement to the castle and its surroundings which was to last for fifty years. In 1744 the grounds adjoining the east of the castle were extended following an inquisition* ad quod damnum*, by which Lord Brooke was permitted to close a footway leading from Saunders Row down past the garden wall of the castle to a watering-place on the river called High Ladsome, and thence along the river for 100 yards to a second watering-place called Low Ladsome. A new path was made to go straight from Saunders Row to Low Ladsome, where Lord Brooke had already constructed a public well or cistern, while High Ladsome and the old path were taken into the castle grounds.*

3.7 In 1749 when Lancelot Brown started work at Warwick Castle, Sanderson Miller, a landscape designer and contemporary of Brown, was working on the Shire Hall in the town. There was a social connection through Lord Brooke and it seems likely that Miller recommended Brown too many of his future clients. Key design features associated with Miller's landscape design include: belts of trees along ridge lines in the outer estate; water features such as pools and widening of rivers, sometimes cascades and periodic flooding of water meadows; ruinous or antique buildings, often with purloined tracery or windows. Miller seems to have used Guy's Tower as a design template for a number of these ruins (Meir, 2002). There are many similarities between the designs of Miller and Brown and both planned walks and rides in their schemes as Brown designed for Warwick Castle Park (Ibid).

3.8 Brown may have worked at Croome in a private capacity before Warwick Castle, but it was one of his early commissions and it is possible that he was recommended for the job by Miller. It is possible that Miller was the architect for Spiers Lodge, in the castle grounds as it is an early example of Gothic Revival.

3.9 Jacques shows that one of Brown's works was the creation of a carriage drive which crossed the Avon near Spiers Lodge and then proceeded close to the west bank of the river to a looped drive around the mount, west of the castle. This had occasioned the closure of two existing tracks and paths in 1744 and the removal of a number of houses (see above). The old gardens immediately west of the Castle were swept away and new plantings made, in part, to screen the last part of the carriage loop from the town. Formerly there had been a long tree-lined avenue from the east bank of the Avon to the south end of the park, but Brown removed most of the trees to leave a few, less regular, clumps, providing a new open vista from the castle towards the south over the park. The New River, a large water feature connecting with the Avon and forming the southern limit of the Castle Park, was also created by enlargement of the former Ram Brook. The east side of the park was screened by a line of trees along the west side of the Banbury road (the circumferential belt).

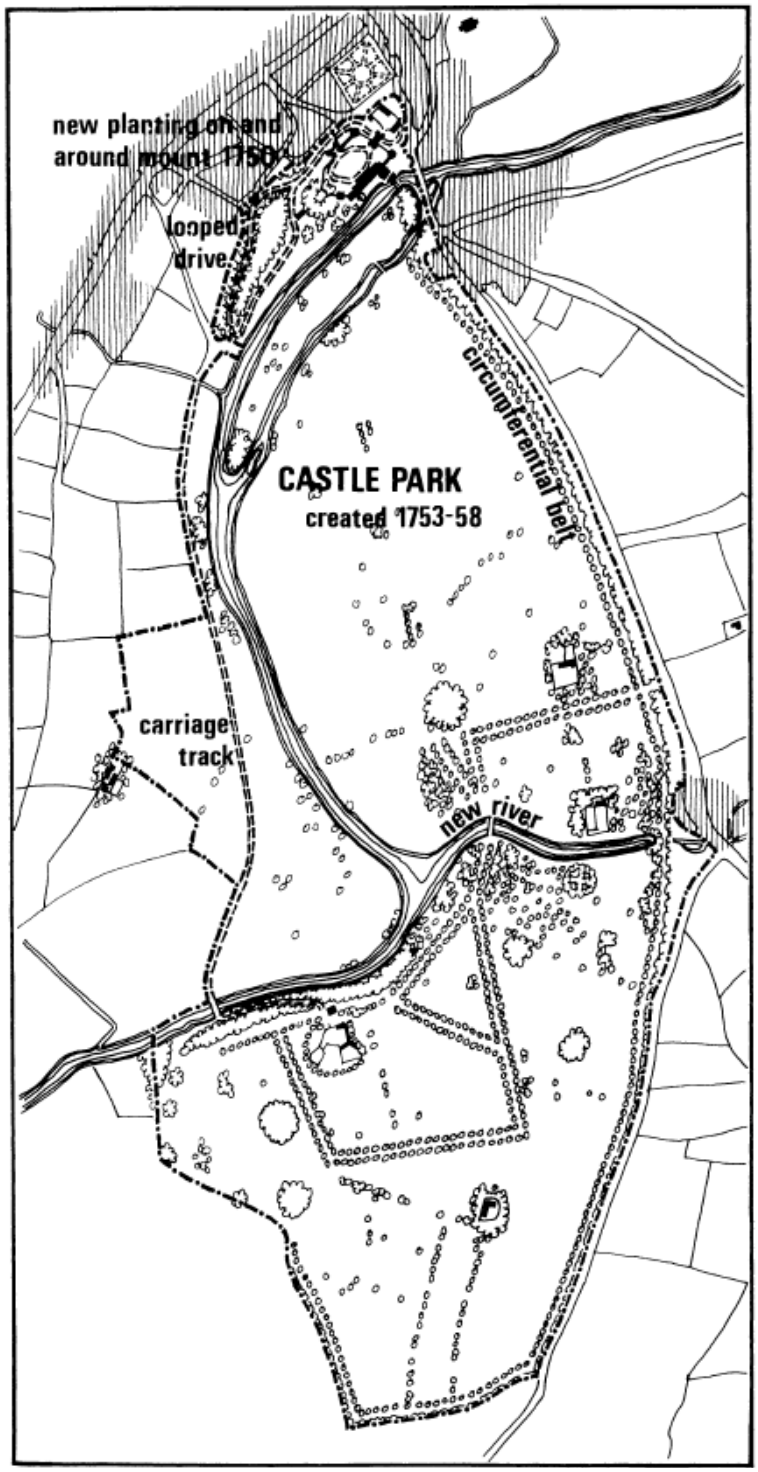

Fig 3.4: Temple Park in 1760 reconstruction by Jacques (2001)

3.10 **Figure 3.4** shows Jacques' reconstruction of Castle Park in 1760. Again this helpfully summarises the changes to the boundaries and access and illustrates how the Castle grounds had expanded in all directions. Apart from the expansion of the Park and the enclosure of adjacent land, a major change was the introduction of the circumferential belt of trees to the boundary with the old Banbury Road. The circumferential belt and other tree planting are clearly illustrated on a plan of 1769 (see **Fig 3.5**). This is likely to have reduced views into the Park from the new Banbury Road and limited to some

extent views from the old bridge as the planting extends to the edge of the bridge approach from the south.

3.11 Jacques writes:

> *"The intention of this first phase must have been to reorientate the castle away from the bustle and clutter of the town towards a new one with the river and park. In the process the formal gardens were removed, townspeople were excluded and trees planted, so that the only remaining hint of the town was the towers of St Mary's and St Nicholas's. The result would have been that the castle, gardens, river and park were now, in visual terms, part of one and the same scene."* (p. 55)

> "*The park was to be enjoyed not just in the static view from the castle, but from a chaise drive around the park, exposing all of its parts to view. The park entrance was near the medieval bridge, and houses were being pulled down in Bridge End in 1755 to facilitate it. Upon entering the park, the view was laid bare across to Castle Hill, clumps would be seen, accentuating its height. Once past the hill, the valley of the Ram Brook came into view, and this Brown excavated and flooded to create a canal*." p. 57

3.12 Brown's work, in combination with the enclosure of additional land, was successful in reorienting the castle away from the town so that it became one with the park and river to the south. As Jacques notes, the park was to be enjoyed both as a static view and as a chaise drive around it. The entrance was near the old bridge in Bridge End. The drive, and hence the views, were to be experienced mainly to the south and west towards Spiers lodge as one progressed towards the New River/Ram Beck. Once past the Temple Hill the Ram Beck came into view. The creation of this was a major engineering feat as Brown wanted to make it appear as a credible tributary of the Avon but at the same time the mill at Barford (obscured by new plantings) needed to remain in operation. The drive crossed a new (or at least moved) bridge over the Ram Beck and then rose towards Spiers Lodge along some of the old avenues that Brown retained from earlier works in the park. The lodge sat high above the river and afforded superb views back towards the castle (considered by Horace Walpole as the finest view in lowland England). A new bridge crossed the Avon, below the lodge, into the Leafields which were largely open to retain the view between the lodge and the castle. The drive then continued back towards Lower Ladsome, west of the castle and into its immediate gardens through some gates. There was much planting behind Spiers Lodge to obscure other buildings and frame it against a backdrop of trees. Brown also oversaw the planting of the circumferential belt along the Banbury road, "good depth" being required because of the proximity of the chaise drive inside the park.

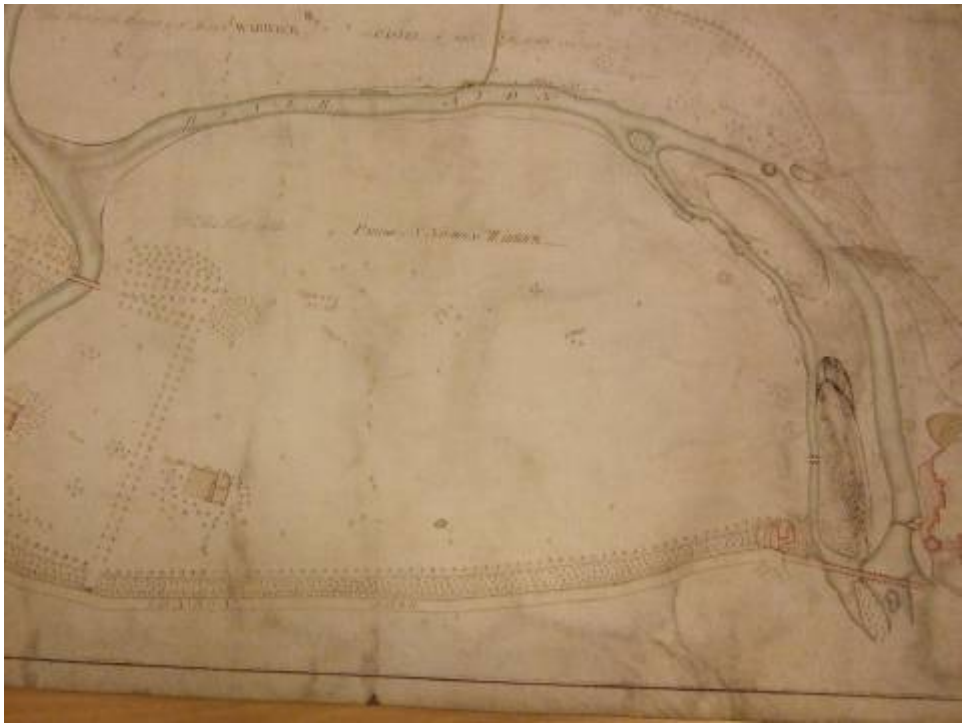

Fig 3.5: A Plan of Castle Park, 1769 (WCRO 1886 M509)

3.13 A painting by Canaletto shows the Castle grounds during Brown's work around 1751-2 (**Fig 3.6**). A later painting by Francis Harding of 1766 depicts the grounds once Brown's work and plantings are complete (**Fig 3.7**). The latter shows the belt of trees providing privacy between the Park and the old Banbury Road.

Fig 3.6: Canaletto's painting of Warwick Castle c. 1751-2 – in this painting the buildings at Mill Street can be seen beyond the old bridge

Fig 3.7: Harding's Painting of Warwick Castle c. 1766– the circumferential belt is seen to the right with views through to the town over the old bridge

3.14 In 1742 Stephen Switzer wrote about the use of the 'anfilade' (sic.), a clump or belt of planting to help define views and to form the boundary for a drive or ride. He recommended that they should be at least six or seven yards wide, and were to be carried over eminences as it was from these that views were most to be appreciated. The earliest examples may be those at Windsor Great Park devised for Queen Anne, but the circumferential belt at Warwick was one of the earliest uses by Brown, a technique he was to develop further during the course of his career.

3.15 The VCH provides a helpful description of the works carried out

> "*The creation of Castle Park, formerly known as Temple Park, began in 1743. A water-fence was made below Spiers Lodge to prevent the deer escaping down the river, since the Leafield and Leafield Meadow on the opposite side were included in the park and the deer were allowed to cross. When the Chapel Barn and a house called Pauls House were pulled down in 1744 and land was laid into the new park, the first of several dispossessed tenants was paid £50 compensation. Trefoil and ryegrass were sown on land formerly arable. A keeper was appointed for the Temple Park in 1744. One hundred and twenty young poplar trees were bought for the park in 1747, and a nursery of young trees was established in Hollow Comb near Spiers Lodge in 1749. Trees were planted in ornamental clumps on the island and elsewhere in the park; one of the latter was named Family Clump*.
>
> *More houses were demolished at the bridge foot and in Bridge End between 1755 and 1760 and the land added to the park. Many elms, oaks, and ornamental trees were planted; in 1759 John Whittingham supplied 200 Scotch firs, 60 Spanish chestnut, 8 larch, 11 spruce firs, a Norway maple, a sugar maple, a 'Sir Christopher Wager's maple', an evergreen thorn, a*

> *Glastonbury thorn, and others. In 1758 a wooden bridge ten feet wide was built to Lancelot Brown's order across the river near Spiers Lodge, and in 1761 a dam was made across the Ram Brook, otherwise the Tach Brook, to form a lake extending upstream as far as the Ford Mill. The Leafield bridge was begun in 1772, almost certainly to a design by Robert Mylne, who came in 1765 to survey 'the situation of Lord Warwick's bridge'; William Eboral in 1786 and 1787 in the angle between it and the Whitnash road and another set up at the junction with the road to Moreton Morrell at Oakley Wood.) A private coach road inside the park was made at this time, running parallel to the Banbury road, and the culverts of the Tach Brook the mason was Job Collins. Including embankments for the approach roads, it was not completed until 1776 and cost at least £1,600. The bridge is a light and graceful structure, the roadway rising in a curve above a single segmental arch. The parapet consists of fluted vertical balusters and piers ornamented with Coade stone medallions".*

3.16 Alec Clifton-Taylor in *Six More English Towns* (1981, BBC) writes of Warwick

> *"The Grevilles did not become Earls of Warwick until 1759. A few years before that – in 1749, to be precise – Lord Brooke (as he then was) had the percipience, or the good luck, to employ the landscape gardener Lancelot ('Capability') Brown. It was probably the very first commission of his independent practice. He planted several thousand oaks, and swept away the old, stiff, formal gardens. He also masked the town, so completely that within this large estate one is totally unaware of its existence."*

3.17 Comments about the park following Brown's "improvements" suggest that the park was designed to frame the castle and to provide an enclosed space to enjoy the landscaped grounds. There does not appear to be any attempt to link the Castle Park design to the old Banbury Road and the surrounding fields. The deliberate masking of the road with the circumferential belt is evidence that the road was to be obscured in views from the park.

3.18 Horace Walpole commented after a visit in 1751:

> "*It has been well laid out by one Brown. One sees what the prevalence of taste does. Little Brooke, who would have chuckled to have been born in an age of clipped hedges, has submitted to let his garden and park be natural*." (reproduced from Clifton-Taylor)

3.19 Gilpin observed:

> "*The garden is laid out by Brown in a close walk, which winds towards the rifer; and somewhat awkwardly, reverts into itself; taking no notice, except in a single point, of the noble pile it invests*." (from Jacques, p. 55)

3.20 By around 1760 this first phase in the formalisation of the Castle Park landscape was coming to completion. Brown had transformed the park from a mixture of tree-lined avenues and irregular fields into one of open grassland dotted with clumps of trees and with clusters and belts of denser plantings to frame important views, or disguise unwanted features.

3.21 Close to the castle the deliberate process of separation from the town through road closure and demolition, was underway. To the south-east the Banbury road was screened by the circumferential belt, separating the park from the rest of the countryside here. To the south-west, Brown had created a new carriage drive west of the Avon from which to experience an approaching view of the castle and the new formal gardens he created near the old motte. Probably his greatest achievement was the creation of the new lake connecting to the Avon as the centrepiece of views, both deliberate and glimpsed from both the castle and during progresses through the park by a new carriageway/ride. Note that the focus was entirely within the park and was intended to be experienced only by those permitted into its grounds, or looking into it from the castle. Only to the west, beyond Leafields, were there still open views, and they were closed by later works.

4.0 CASTLE PARK – SECOND EARL'S REDEVELOPMENT

Warwick Castle Estate Maps and Plans

4.1 Brown's masterly re-imagining of the park was not to survive unaltered for long as the 2nd Earl of Warwick almost immediately began his own grandiose schemes in the park. A "Reduced" plan of estates in the Manors of Tachbrook and other land lying in St Nicholas's and St Mary's Warwick belonging to the Earl of Warwick was produced in 1760 (WCRO indicates date is 1700 but the date on the Survey is actually 1760) (**Figs 4.1-4.2**). This illustrates a mix of enclosed and open land around Castle Park.

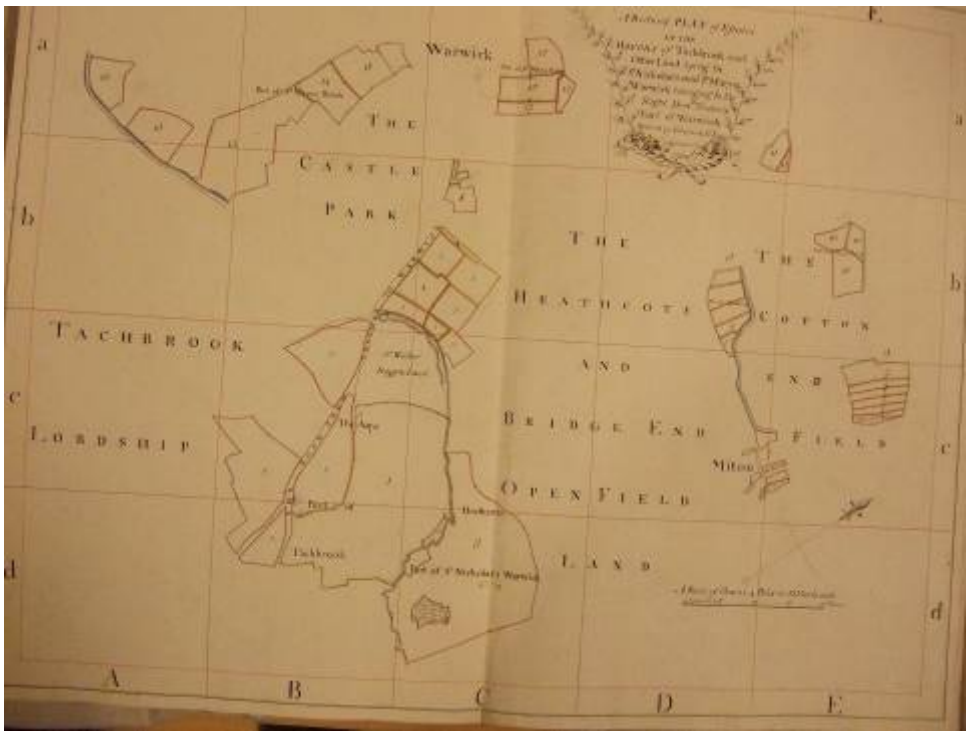

Fig 4.1: A "Reduced" plan of estates in the Manors of Tachbrook and other land lying in St Nicholas's and St Mary's Warwick belonging to the Earl of Warwick (WCRO 1886 M311)

4.2 Land along the eastern side of Banbury Road is shown as partly enclosed with land to the further east as open field land. This shows a similar situation of enclosure to that of Fish's Survey of 1690.

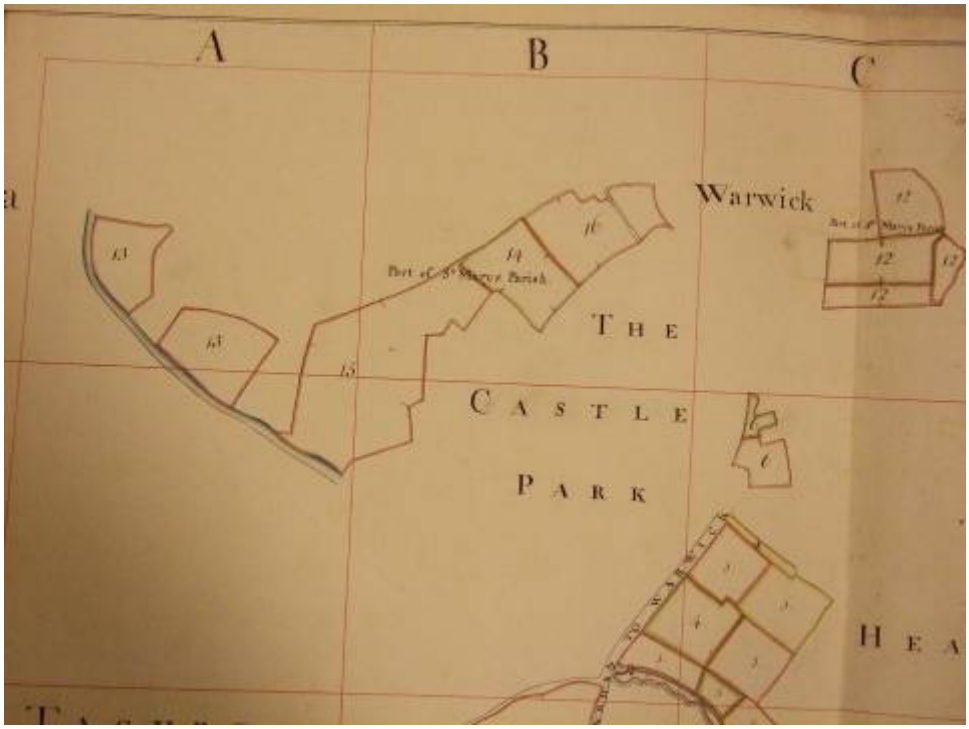

Fig 4.2: Extract from a reduced" plan of estates in the Manors of Tachbrook and other land lying in St Nicholas's and St Mary's Warwick belonging to the Earl of Warwick (WCRO 1886 M311)

4.3 From the 1760s a series of works close to the castle pushed the town back away from the walls by closing roads and demolishing buildings. At the same time Thomas Mylne was engaged to provide advice and was eventually commissioned to replace Brown's wooden bridge below Spiers Lodge with a new stone structure, further to the west (Jacques, p. 60).

4.4 A Plan of Castle Park, 1769, shows how the landscape had changed (**Fig 4.3**). Brown's circumferential belt of trees had been planted along the eastern boundary with the old Banbury (or London) Road. Within the main area of the Park, the N-S avenue of trees had been removed. An access from the Banbury Road is illustrated and connects to a new avenue of trees aligned E-W which lead to the bridge over the lake. The clumps of trees planted by Brown can be seen to the north and south of the lake.

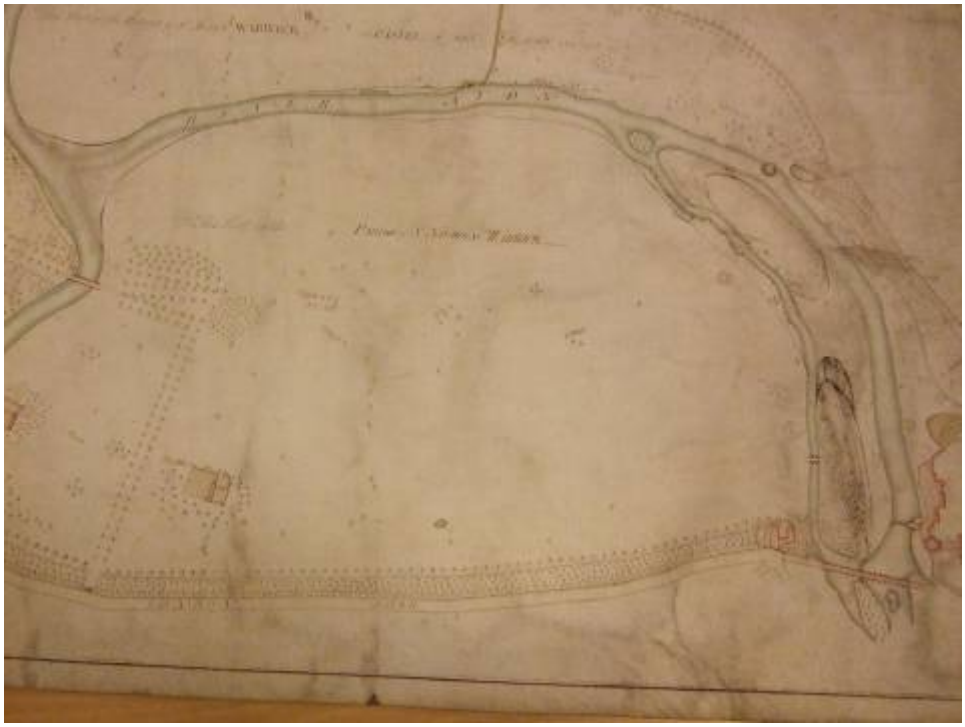

Fig 4.3: A Plan of Castle Park, 1769 (WCRO 1886 M509) – note the castle is to the right (north), the old bridge is in the bottom RH corner, and the old Banbury Road and circumferential belt is at the bottom of the plan.

4.5 In 1773 land around Warwick including St Nicholas Parish was enclosed by Parliamentary Acts (Act 12 George III c. 66 1772 Award 9.6.1773). An area to the north of Warwick in St Nicolas Parish had been enclosed since the medieval period. No enclosure plans exist for Warwick, however, a reconstruction of the enclosure has been made by SG Wallsgrove and deposited in the Warwickshire Record Office (**Figs 4.4-4.5**). St Nicholas Parish extends east to Leamington, south to Barford, west to St Mary's and north to Leek Wootton.

Fig 4.4: A reconstruction of the St Nicholas Parish Inclosure by SG Wallsgrove, 2001 (WCRO)

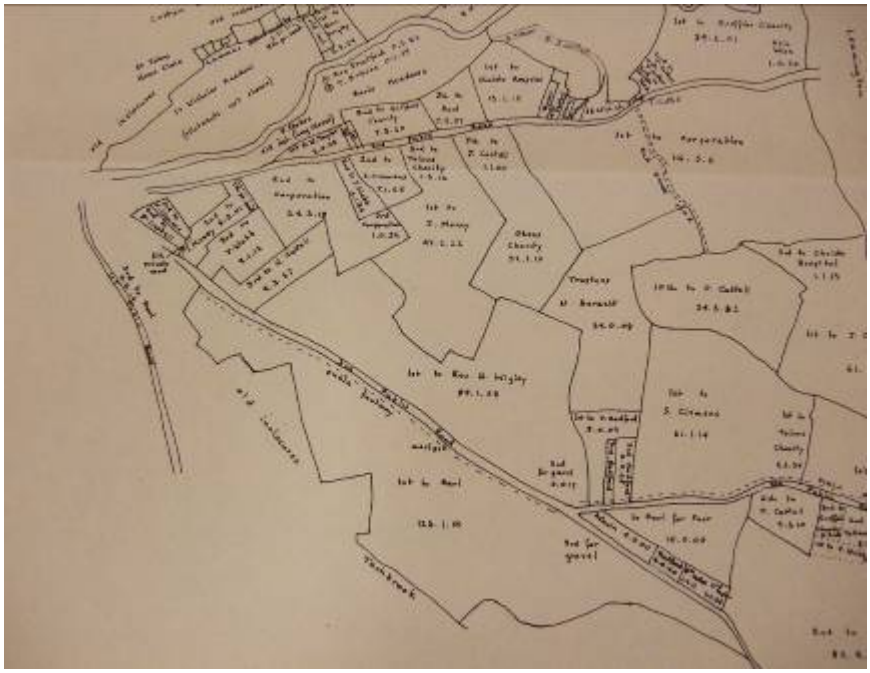

Fig 4.5: A reconstruction of the St Nicholas Parish Inclosure by SG Wallsgrove, 2001 (WCRO)

4.6 Between 1777 and 1781 the Earl of Warwick acquired 61.5 acres east and south of the park and during the 1780s undertook works to move the Banbury Road further to the east culminating in 1788 with an Act of Parliament permitting the replacement of the medieval bridge. Brown's water feature was greatly enlarged by further damming to create the New Waters and there were extensive plantings around Spiers Lodge and to define the western boundary of the park.

4.7 An extract from a plan of 1786 of the Earl's estate suggests that the works to move Banbury Road to the east were well under way (WCRO 1886 M32) (**Fig 4.6**). The circumferential belt of trees and the old Banbury Road are still in situ as is the old bridge. The new Banbury Road is illustrated moving the main road to the east of Bridge End, effectively bypassing the village and more importantly the Castle grounds. The new road continues north to a junction with Mill Street meaning that access to the Castle from Mill Street can be terminated. Previously Mill Street connected with the old bridge and provided an access into the Castle grounds which can be seen on the 1786 plan. Moving the Banbury Road so far to the east resulted in both Bridge End and Mill Street providing a buffer between the busy approach road to Warwick and Castle Park. Once the new bridge was opened and the old bridge collapsed, there was no longer access to the Castle grounds from Bridge End.

Fig 4.6: Extract from Earl of Warwick Estate 1786 showing enclosed land, line of old road with its tree belt to the west of Bridge End, the line of the new road bypassing Mill Street, Bridge End and the Castle to the east and the new bridge over the Avon (WCRO 1886 M332)

4.8 A further plan shows the layout for the new bridge and road (WCRO 1886 M278) (**Fig 4.7**). The street from the Banbury Road to Bridge End is identified as Gallows Street. The upper road will become the new Banbury Road, the road at the bottom of the drawing is the old Banbury Road, soon to be incorporated into Castle Park. The drawing illustrates how the road had been moved away from the castle and Bridge End.

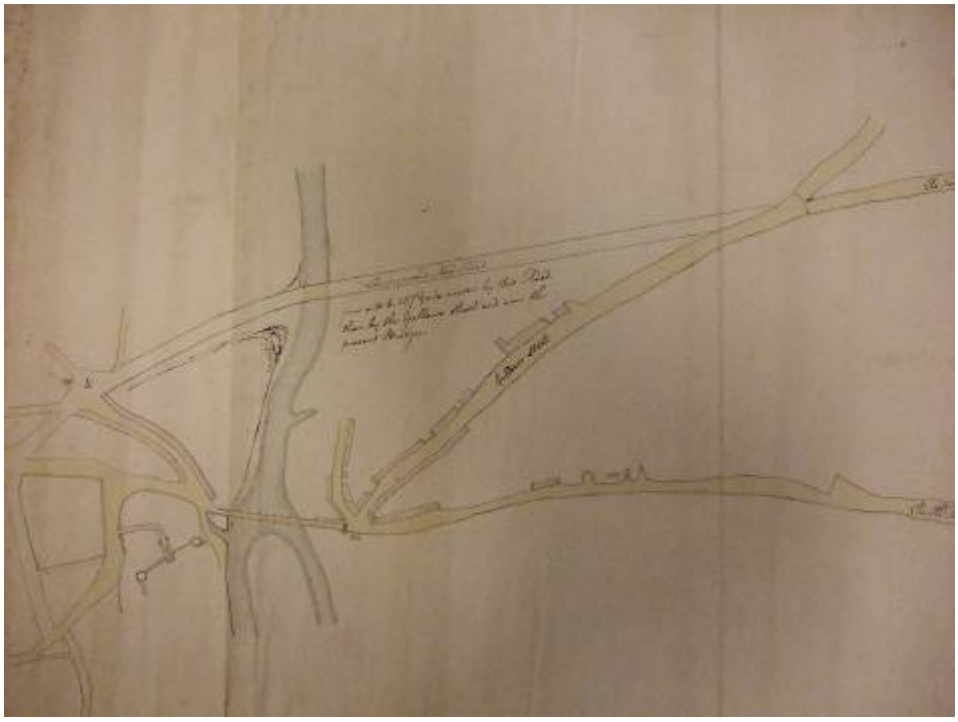

Fig 4.7: Plan showing proposed layout of new bridge and road, with old bridge crossing the Avon still in place (WCRO 1886 M278)

4.9 Sale's plan of Castle Park, 1791, shows the changes taking place, with the new and old Banbury roads illustrated, although the new road is only in outline as the plan is of the Park (WCRO 1886 M22) (**Figs 4.8-4.9**). The old Banbury Road appears to have been absorbed into the landscaped Park, with just a minor access route shown into Bridge End.

Fig 4.8: E Sale's plan of Castle Park, 1791 (WCRO 1886 M22)

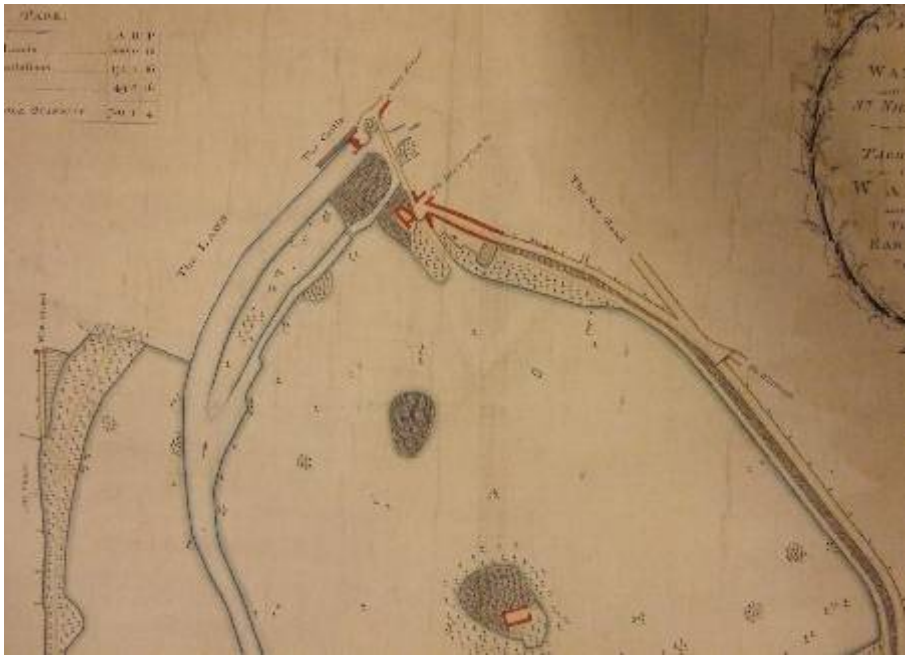

Fig 4.9: Detail of Sale's plan showing new and old road alignments (WCRO 1886 M22)

4.10 James' map of the Castle Park, 1806, illustrates the new landscaped park with additional tree belts planted along the new Banbury Road and around Bridge End to further enclose park, also along other boundaries (WCRO 1886 M34) (**Fig 4.10**). The

map also depicts the network of paths and carriageways introduced into the park to enable visitors to the park to experience the landscape and with the tree belts separating the main carriageway from the new Banbury road. The old stone bridge has fallen out of use and the access into Bridge End from the Park appears to have been blocked. Fields surrounding the Park are shown as fully enclosed.

Fig 4.10: A Map of the Park, 1806 by William James – tree belt along Banbury Road and Bridge End to enclose the park, also along other boundaries are illustrated (WCR) 1886 M34)

Discussion

4.11 The following information relating to the expansion of the Estate is taken from the VCH.

4.12 During the later 18th century, the Earl closed several roads around the Castle. These included: part of Avon Lane, otherwise Watercart Lane, which led from the top of West Street to the washing place for cattle and a cistern for water at Lower Ladsome, on condition that he provided for the town an alternative washing place and cistern with a pump (1777); the stopping up of part of Barford Lane bordering the south-east part of the park, and the stopping up and taking in of the following street: Saunders Row from its junction with Meetinghouse Lane southwards to where the corner of the castle garden wall had been, the lane running from thence along the north of the castle garden to Brittain Lane (otherwise Rosemary Lane), and Brittain Lane from the eastward end of Meetinghouse Lane for 200 yds curving in front of the castle.

4.13 The Earl was to lay out a new road from the eastward end of Meetinghouse Lane cutting through gardens in Castle Street, where a house was to be demolished to make way for it. Houses belonging to the estate which had been taken into the grounds were demolished and in 1786 a greenhouse was begun on part of the cleared land. This was a stone building with Gothic windows, built especially to house the Warwick Vase, and was designed and executed by William Eboral.

4.14 In 1788 the Earl obtained an Act of Parliament which enabled him to build a new bridge over the Avon at the Banbury Road crossing. The Earl's layout for the new Banbury road as far as the toll house was evidently aligned with this site in view. The first stone of the abutment was laid in 1789 by William Eboral.

4.15 The new bridge was opened in 1793 and was to be maintained by the Earl for the first seven years, after which it became the responsibility of the trustees of King Henry VIII's Estate. It had cost at least £3,258, exclusive of the approach roads. These were laid out, in accordance with the Act, from the new toll-house in the angle of the Whitnash road in a straight line over the bridge, across St. Nicholas Meadow to the south end of Gerrard Street, and then through a garden belonging to the Earl into the upper part of a road called the Back Hills, and into the east end of Jury Street opposite St Peter's Chapel.

4.16 Work on the latter part of the road, from Gerrard Street northwards, was already in progress in 1788, when earth was removed to lower the crest of the hill, now Castle Hill. Once this stretch was opened, the Earl was empowered to stop up and take in Castle Street and the former Castle Hill from the north-east corner of the 'Cross Keys' southward to the old bridge, as well as the remaining part of the Back Hills south of its junction with Vineyard Lane.

4.17 Houses in Mill Street, the Back Hills, and Castle Street, among them the porter's lodge, were demolished in 1787 and 1788 and the walls round the new grounds were built by William Eboral in 1789. The new road, which was banked up above the level of any possible flood, was opened in 1792, but was not accepted by the turnpike trustees until 1793. The west end of St. Nicholas Meadow, cut off by the new road, was granted to the Earl, and the large pond, which existed there until after 1851, probably resulted from excavating gravel for the road. The last of the new roads to be made was the Barford road to its junction with the new turnpike at the Asps in 1790-92 when the old road to Barford through the south-east part of the park was levelled. The old medieval bridge itself became the Earl's property on completion of the new one, but not long afterwards it collapsed in a flood.

4.18 The archway from the courtyard between these towers, with its bridge over the castle ditch, probably dates from this time, when the removal of the “Cross Keys” first made feasible a road within the grounds outside the ditch instead of along the bottom of it. The new porter's lodge, incorporated in a stone gatehouse, was built in 1796-7. The approach from the lodge to the castle is cut through the rock, in which cellars of former houses on the Back Hills can still be seen.

4.19 The estate as a whole was approaching a financial crisis in 1802. Loans for the new works, which had totalled £33,930 in 1796, had been reduced to £14,490, but this was of little significance compared with a debt of £81,500 still owing to Lord Bagot for his estate of about 2,500 acres in Tachbrook purchased by the Earl of Warwick in 1800. In the crash which followed, the Earl found himself in the position of a bankrupt (VCH).

4.20 By this time the general arrangement of the park was complete with the most important section: between Spiers Lodge and the castle, now flanked by generous buffer zones to either side enabling the Earl's visitors to experience the planned views without distraction from this artificial rural idyll. Belts of trees had been planted along both the new Banbury Road and the western approaches to Warwick, beyond Leafields, to further screen both those in the park from outside distractions and to prevent views into the park from the uninvited. As a result one of the most celebrated views of the castle became that from the new bridge on the Banbury Road, mostly since it is the only view on the castle afforded to those outside its grounds. The works had also created a buffer to the north between the castle and the town.

5.0 CASTLE PARK LATER DEVELOPMENTS

Warwick Castle Estate Maps and Plans

5.1 No extensions to the castle grounds appear to have been undertaken during the first half of the 19th century.

5.2 A map of the Manor of Warwick, 1830, shows the new bridge, Bridge End and the new Banbury Road but little other detail (WCRO 1886 M30) (**Fig 5.1**).

Fig 5.1: Map of Manor of Warwick, 1830 (WCRO 1886 M30)

5.3 A plan of Warwick and Castle Park, 1836, illustrates the expansion of the Castle grounds in more detail and depicts the new Banbury Road and bridge (WCRO 1886 M603) (**Figs 5.2 and 5.3**). Tree planting along the eastern boundary of Castle Park is substantial particularly to the southeast. Planting around the boundary with Bridge End is also evident. North of the Castle, a large area of new planting has been introduced into the new land enclosed by the Earl. A private driveway to the Castle from the junction with Mill Street, Banbury Road and Back Hills winds its way through the newly landscaped grounds. Dense tree planting is also illustrated to the western boundary with the town, again increasing the privacy of the Castle grounds.

Fig 5.2: Extract from A Plan of the Borough of Warwick including Castle Park and the Accommodation Lands, 1836 (WCRO 1886 M603)

5.4 The plans of the 19th century show that an extensive network of paths, carriageways and rides had developed within the park. These are most apparent within the wooded areas, but a number of formalised routes also existed in the open. In the 18th century the routes were designed particularly to take the visitor to and pass a series of staged views where they might best experience the rapture enjoined by the landscape, as imagined by the designer. The natural beauty of trees, water and undulating grassland was enhanced by deliberately placed buildings or ruins to evoke a sense of grandeur or history. In the 19th century the larger landscape vista gradually lost its overriding importance in what was clearly an artificially created setting, such as Warwick. Instead there was a greater appreciation of nature at a more personal scale, thus the formal gardens close to the castle become more important as a place

where plants may be seen, and the numerous wooded walks for the appreciation of the trees, with only a few views, such as the Spiers Lodge-Castle axis retaining its pre-eminence.

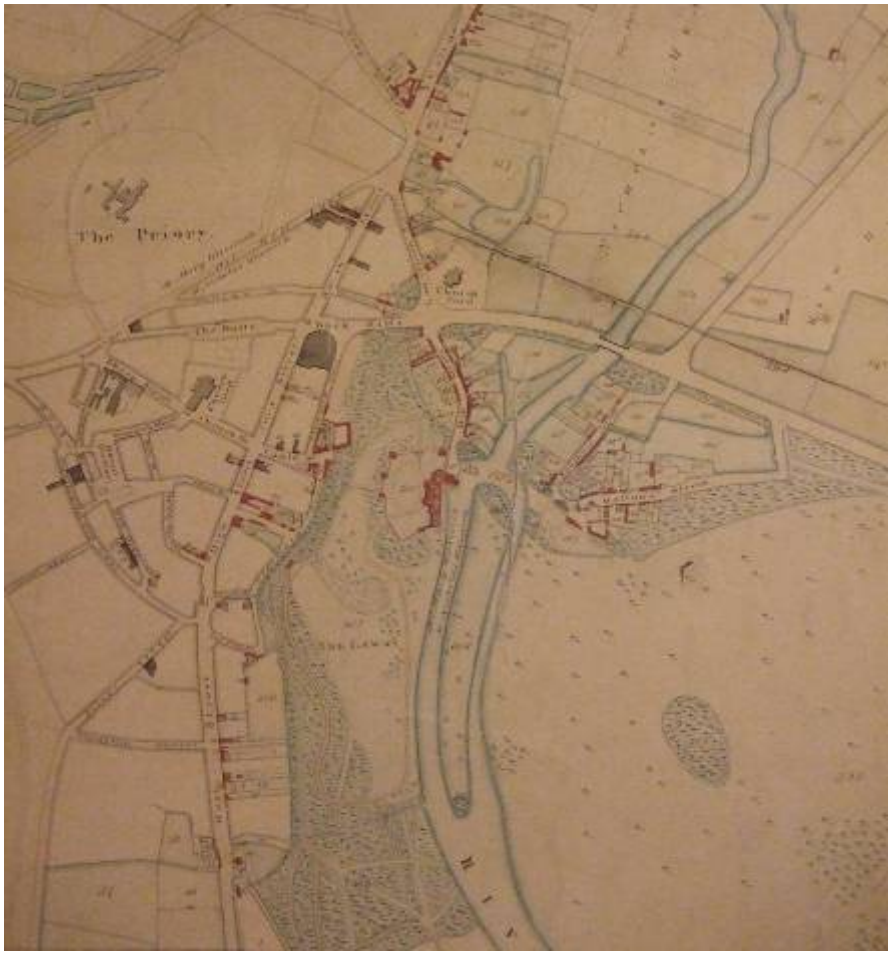

Fig 5.3: Extract from A Plan of the Borough of Warwick including Castle Park and the Accommodation Lands, 1836 (WCRO 1886 M603)

5.5 This process can be seen in plans such as that of 1845 by Bateman which illustrates the gardens and plantations within Castle Park lying within St Mary's parish, i.e. west of the Avon (**Fig 5.4**). Again the plan shows increased planting along the western boundary of the park with the town (WCRO 1886 M343).

Fig 5.4: Plan of gardens and plantations belonging to Warwick Castle and situate in the Parish of St Mary's, James Bateman, 1845 (WCRO M343)

5.6 The conservatory and terrace within the Castle Park are illustrated on a drawing of 1865 by Broderick Thomas (WCRO 1886 M813) (**Fig 5.5**). The conservatory was built in 1786 by Eborall to house the Warwick Vase. It was converted in the 19th century as an ornamental glasshouse for growing exotic plants.

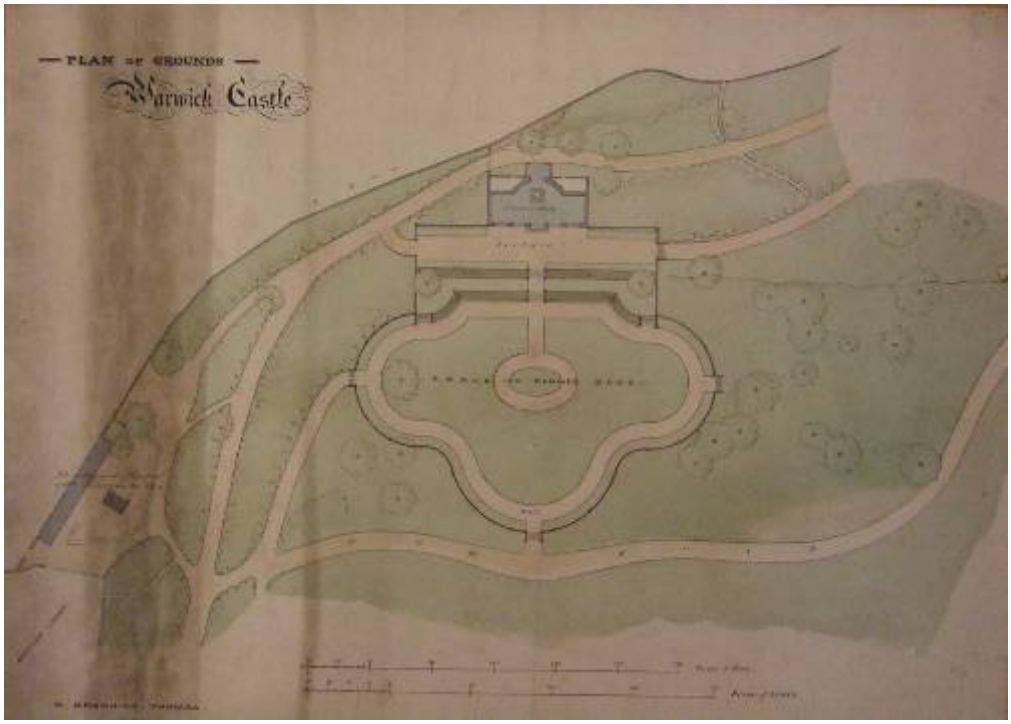

Fig 5.5: Plan of proposed garden 1865, W Broderick Thomas (WCRO 1886 M813)

5.7 A plan showing land owned by the Earl of Warwick between the Banbury and Whitnash Roads was prepared in 1869 (WCRO 1886 M105) and is reproduced at **Fig 5.6** but is probably further to the south and therefore not covering the Gallows Hill area.

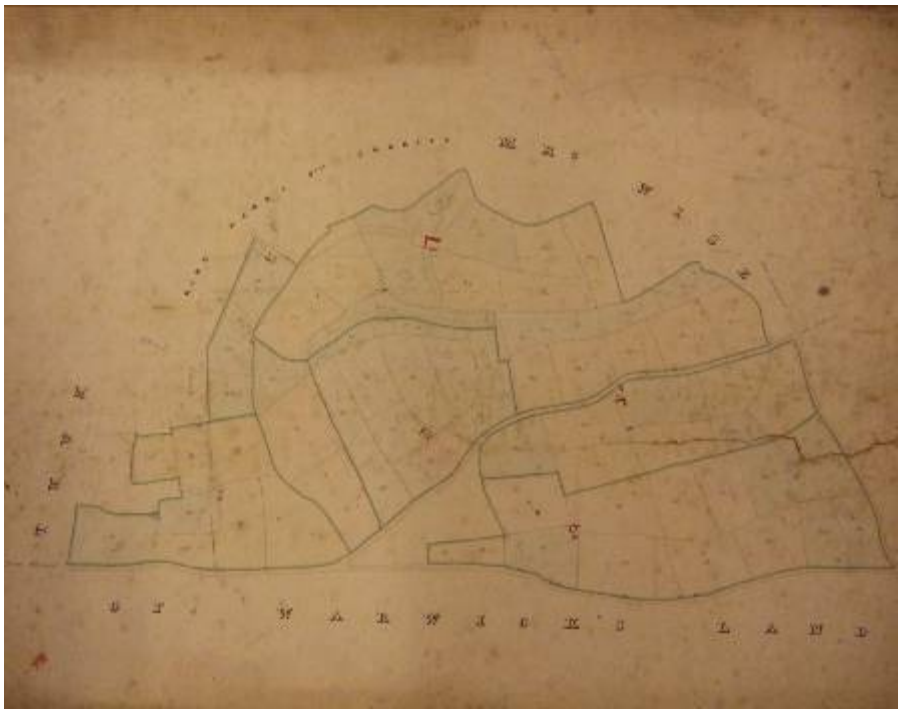

Fig 5.6: A plan of land abutting Banbury and Whitnash Roads, 1869 (WCRO 1886 M105)

5.8 Castle Park and adjoining land are indicated on a plan of 1870 (WCRO 1886 M26) (extracts at **Figs 5.7-5.8**). This illustrates the same enclosed field pattern to the east of the new Banbury Road as earlier plans of 1806 and 1836.

Fig 5.7: Extract of a map of the accommodation lands and leaseholds in the Borough of Warwick and Barford, 1870 (WCRO 1886 M26)

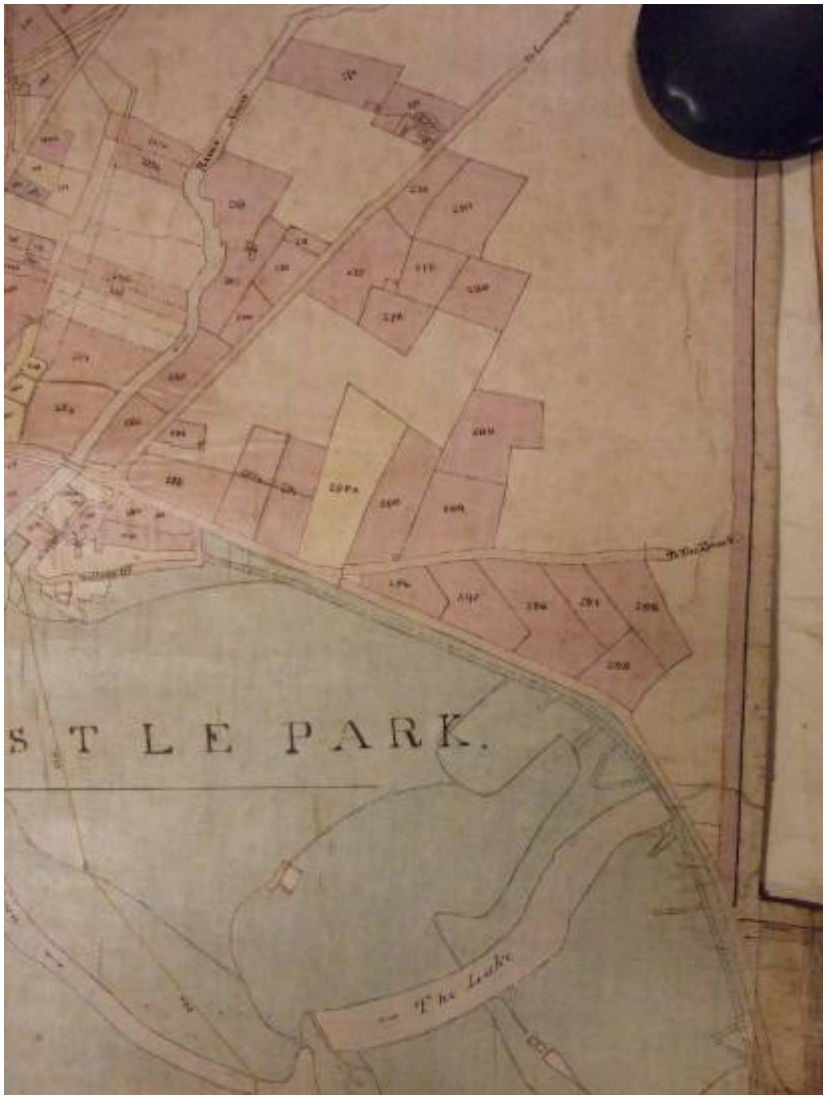

Fig 5.8: Extract of a map of the accommodation lands and leaseholds in the Borough of Warwick and Barford, 1870 (WCRO 1886 M26), showing the enclosed fields at Gallows Hill

5.9 Finally in this section, we consider the late 20th century OS maps which indicate how the enclosed landscape of Castle Park and the landscape surrounding the castle have changed in the second half of the 20th century. As the search area is very large the OS maps are not reproduced.

5.10 The 1955 OS map (scale 1:10,560) indicates that Castle Park and the surrounding field patterns were appeared to be of a similar layout to the 1870 plan in Figures 5.7 and 5.8. However, buildings or structures are shown for the first time along the boundary with Banbury Road between Bridge End (Greville House) and south of the junction with Gallows Hill. This necessitated the clearance of part of the tree planting and fencing of this area as illustrated on the OS map. The following landscape features within Castle Park are indicated:

- Lord Brooke's Clump,

- Temple Hill,
- Temple Hill Spinney,
- Temple Hill Plantation,
- Temple Hill Wood,
- Nursery Wood and associated tracks,
- Lodge Wood,
- Leafield Privet,
- Circumferential belt to the Banbury Road,
- Boundary planting to the western boundary'
- Foxbed Study, and
- Ashbed Wood.

5.11 To the east of the Banbury Road, the original enclosed field patterns are retained, particularly between Banbury Road Hill and Gallows Hill, along with the field patterns between the Banbury and Leamington Roads.

5.12 The 1968 OS map (scale 1:10560) shows a similar layout to that of 1955.

5.13 The 1972-4 OS map (scale 1:10,000) indicates that the Warwick bypass had been constructed cutting through the southern end of Castle Park. To the west, a housing estate has been constructed on enclosed land that would have been just outside of Castle Park (Leafield and Lodge Crescents). There is also additional development to the east of West Street towards the Castle Park's western boundary. A number of field boundaries or subdivisions are also indicated within the park. The map also suggests that the buildings or structures along the Banbury road (south of Greville House) have been replaced with new tree planting. A track is also indicated through this area linking with Banbury Road, close to the junction with Gallows Hill. Development within Bridge End has extended to the Banbury Road.

5.14 The 1982-1995 OS map (scale 1:10,000) shows the new areas of development around Warwick with the Technology Park to the NE of Gallows Hill and Europa Way and the Industrial Estate all present. The original field patterns have been replaced, to the east of Banbury Road and Gallows Hill, with large prairie-type fields. Within the park the field boundaries indicated on the OS map are clearly visible on current aerial views of the area. These have removed some of the 18th century tree plantings and have introduced an industrial agricultural landscape which is alien to the landscape designs of Capability Brown and the 2nd Earl.

5.15 By the time of the 1992-5 OS Map (scale 1:10,000) the Warwick Bypass has become part of the M40 where it adjacent to the southern end of Castle Park.

5.16 The aerial view of the Castle Park at **Figure 5.9** indicates that much of the park is being farmed on an industrial scale as are the fields to the east of Banbury Road and Gallows Hill. The farmed landscape of the park can also be seen on the postcard of Warwick Castle at **Figure 5.10**. The registered garden entry also acknowledges that the park (in 2000) is in "*mixed agricultural use with level pasture planted with some scattered specimen trees surviving to the south of the Castle*". The entry states "*The*

park is enclosed to the east by a predominantly deciduous plantation which screens the Banbury Road" and also notes that Temple Hill Plantation is a mid 20th century coniferous plantation. In addition, the western boundary now has a road access and parking area for tourists visiting the castle.

Fig 5.9: Aerial view of Castle Park taken from Google maps

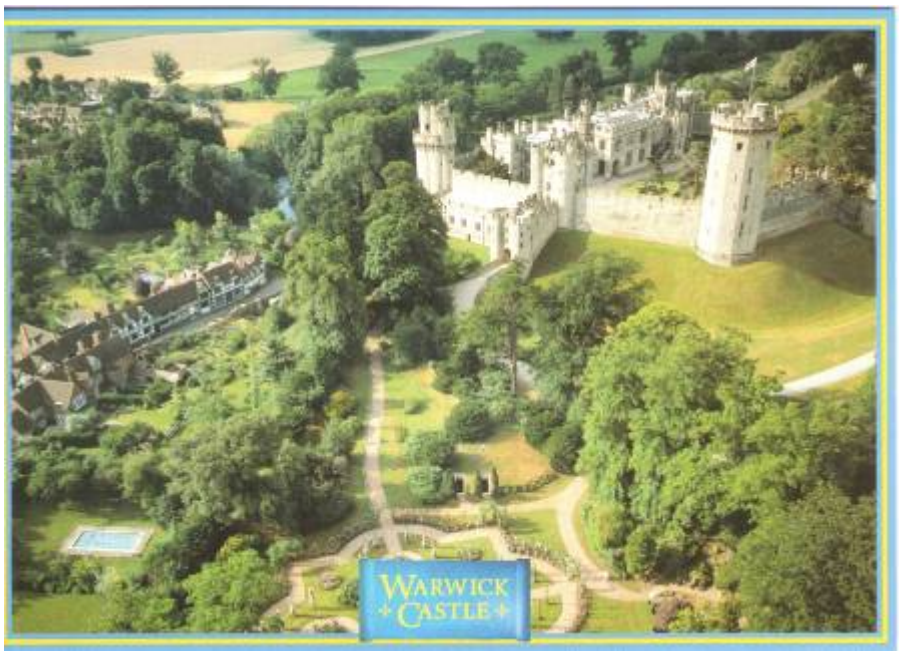

Fig: 5.10: Postcard of Warwick Castle showing the park behind which is now partly in agricultural use

Discussion

5.17 The documentary evidence for this later period of the castle grounds development indicates increased planting to the boundaries with Banbury Road, Bridge End and Warwick. This along with the stopping up and diversion of roads towards the end of the 18th century resulted in the castle grounds and Castle Park being fully enclosed. No routes passed through or close to the grounds ensuring privacy for those visiting Castle Park which was experienced using the network of paths and carriageways, taking in the views of the castle from the park.

5.18 As already noted the park has developed through time, both as a result of deliberate man-made alterations and through the gradual maturing of the plantings. Since 1743 there has been a conscious effort to separate the castle and the park from the world beyond its boundaries. This has been accomplished by extending its extent, removing what were considered to be intrusions (roads, buildings, their occupants etc), and by successive planting of trees to create visually impenetrable barriers around the designed landscape. This policy was prosecuted with the greatest vigour in the period up to about 1800 but is has continued since such that from outside the park the castle can only really be seen from the bridge on the Banbury Road and from some parts of Bridge End.

5.19 Within the park the grounds divide into a number of discrete areas tending to reflect the activities that are important to maintaining it. Close to the castle are the formal gardens and its immediate approaches, designed to impress visitors on their arrival and provide them with short walks among more formalised settings with the main interest provided by a wide variety of plants and trees and easy access to the river Avon below the castle walls.

5.20 Beyond the Avon in the main part of the park, the designed landscape is more suitable for rides or carriage drives and the interest is more closely associated with the siting of features: clumps of trees, glimpses of the New Waters and the vista towards the castle. The New Waters forms the natural edge to this landscape, beyond it there are further walks and rides amongst the trees of Nursery Wood and the other plantings, but it is more of a transitional area to a working environment for supporting the park with trees nurseries and other evidence of woodland management. Spiers Lodge is the exception to this being a part of the purposely designed landscape and forming the backdrop to the views out from the castle. Its grand bridge and the magnificent carriageway leading back towards the castle make it a key point for any visitor to the park.

5.21 The area on the west bank of the Avon is mostly important as an approach to the castle alongside the Avon. It was first incorporated into the park landscape by Brown, but it was not until successive plantings shielded this area from the town and the farmland to the west, matured by the early 19th century, that the park, as it is understood today, coalesced into a single whole.

5.22 The late 18th century enclosures of fields around Warwick, and to the east of Banbury Road, appear to retain their original enclosure pattern into the late 20th century when they were replaced with large-scale, industrial fields including those within Castle Park. This is mentioned in the English Heritage registered park entry for Castle Park "*The park is today (2000) in mixed agricultural use with level pasture planted with some scattered specimen trees surviving to the south of the Castle*". The entry also notes that the late 18th century boundary plantation "screens the Banbury Road". Temple Hill Plantation to the SE of the castle is noted as a mid 20th century commercial coniferous plantation.

5.23 Of interest to the Gallows Hill site is that in the late 20th century part of the circumferential belt of trees was removed to facilitate the erection of structures or buildings between Bridge End and just south of the junction the Banbury Road with Gallows Hill. This area has since been cleared and new trees planted. It is likely therefore that the tree belt in this area is less dense than the surviving 18th century circumferential belt further to the south.

5.24 The setting within Castle Park and around it has changed significantly in the last 30 years. The change from landscaped parkland to agricultural use of the park, the construction of the Warwick bypass and M40 at the southern end of the park, construction of access roads and parking areas for tourists visiting the castle as well as the loss of the 18th century field boundaries in the surrounding landscape will have affected the setting of the 18th century parkland.

6.0 CONTEMPORARY TOURISM LITERATURE

6.1 This section of the research report provides extracts from literature in which the castle and town were discussed. Both the town of Warwick and its castle have been visited by tourists since at least the 16th century. The relatively early conversion of the castle to a stately home and its proximity seem to have resulted in little change to either in the immediate post-medieval period. Warwick, itself, became something of a backwater but remained affluent enough to retain its status, no doubt in part due to the continued occupation of the castle. It is the castle in particular which draws the attention of all those who documented their visits, but after Brown's landscaping of the park there are some descriptions of the grounds and writers provide their opinions on the park.

6.2 More recent guides are then considered including the most recent guide book for Warwick Castle.

John Leland's Itinerary – 1530s-1540s

6.3 Extracts of Leland's description of Warwick from the Itinerary – Travels in Tudor England as reproduced by John Chandler (1993) are provided below.

> *"My ride from Banbury to Warwick took me past twelve miles of open-field country, producing good corn and grass, but with no woodland, and then two miles where there were some enclosures and woods. About half a mile before I reach Warwick I crossed a stone bridge of one arch, under which a pleasant stream runs towards the Avon.*
>
> *Warwick had an extremely strong town wall and ditch, and the distance around inside the walls in a good mile. The most spectacular remains of the ditch lie between the castle and the west gate, and along this section the great earthen bank on which the wall stood still survives, Near the gates portions of the walls are still visible. The east and west gates survive, but the north gate has been demolished. On the south side the strong bridge next to the castle served in place of a south gate.*
>
> *Warwick Castle is magnificent and strong. It lies at the WSW edge of the town, close to the right bank of the Avon, and is built on a lofty crag of rock. There are three good towers on its eastern face and fine tower on the north. On this side of the castle, Richard III demolished part of the wall also as to insert a massive tower or stronghold from which to fire off cannon. He began and half-built this tower, but it remains unfinished as he left it. The keep is situated in the WNW part of the castle, and is no in ruins. On this same side is a tower, with an iron postern gate leading through it. All the main apartments, as well as the hall and chapel, lie on the south side of the castle, and here the king has incurred great expenditure in consolidating he*

castle foundations in the rock, for large pieces had fallen away from the rock beneath the foundations. A collegiate church has existed within the castle since the conquest." Pp 461-2

"At Warwick I discovered that the larger part of Warwickshire, which lies on the right hand side of the Avon as one goes downstream, is in Arden (the old name for this portion of the county). Much of the land in Arden, which produced good grass but is not fertile cornland, has been enclosed. By contrast the other, more southerly, part of Warwickshire, on the left bank of the River Avon, is largely composed of very fertile open fields, with something of a shortage of woodland." Pp466-7

Bishop Corbett's *Iter Borreale*, (1620-24)

6.4 Bishop Corbett visited Warwick Castle and describes the visit in is *Iter Borreale*, a verse based travel narrative based on a trip taken north by Corbett and three companions including his father-in-law, Leonard Hutten.

" Please you walke out and see the castle? come
The owner saith it is a schoUer's home;
A place of strength and health: in the same fort you would conceive a Castle and a Court. The orchards, gardens, rivers, and the aire Doe with the trenches, rampires, walls, compare; It seemes nor art nor force can intercept it, As if a louer huilt, a souldier kept it.
Up to the tower, though it he steepe and high, "Wee doe not climhe but walke; and though Seeme to he weary, yet our feet are still In the same posture cozen'd up the hill: And thus the workeman's art deceaves our sence, Making these rounds of pleasure a defence. As we descend, the lord of all this frame. The honourable Chancellour, towards us came: Above thi hill there brew a gentle breath, Yet now we see a gentler gale beneath.
The phrise and wellcome of this knight did make The seat more elegant: every word he spake Was wine and musick, which he did expose To us if all our art could censure those." (edn. 1648.)

Dugdale's account of Warwick in the mid 17th century

6.5 William Dugdale describes Warwick in *The Antiquities of Warwickshire* (1656) as

"The first place of note that presents it self to my view , on the banks of this fair stream in Warwick, standing on the North side thereof : which , as it is and hath been the chiefest town of these parts , and whereof the whole County , upon the first division of this Realm into Shires took its name , so may it justly glory in its situation beyond any other , standing upon a rocky ascent from every side , and in a dry and fertile soil , having the benefit of rich and pleasant Meadows on the South part , with lofty Groves , and spacious thickets of the Wood-land on the North : wherefore, were there nothing else to argue its great antiquity, these commodities, which so surround it, might

> *sufficiently satisfy us, that the Brittons made an early plantation here to participate of them. But passing by these probabilities , let us see what certainty we have from light of History , both as to the time when, and of the person by whom it was first built : as also of such enlargement, or advantage, as accrued thereto by any other Benefactours that it had before the Norman Conquest."* P. 297

Horace Walpole – mid 18th century

6.6 Horace Walpole visited Warwick soon after Brown began re-landscaping the park. "*I saw Warwick,*" he wrote to George Montagu on 22 July 1751, "*a pretty old town in the form of a cross, small and thinly inhabited. The castle is enchanting: the view pleased me more than I can express. It has been well laid out by one Brown. One sees what the prevalence of taste does. Little Brooke, who would have chuckled to have been born in an age of clipped hedges, has submitted to let his garden and park be natural*." (reproduced from Clifton-Taylor).

Field's An Historical and Descriptive Account of the Town & Castle of Warwick and of the Neighbouring Spa of Leamington, Field, 1815

6.7 Field's account of Warwick provides a detailed description of the town and Castle at the beginning of the 19th century. The narrative is in the form of a perambulation around the town and castle, including a description of Castle Park. Sections of the work are reproduced below.

6.8 Field's entrance into Warwick from the Banbury Road is described as:

> "*Beyond the Castle gates, to the right is MILL STREET, formerly the great eastern entrance into the town, over an ancient Bridge of fourteen arches; now fallen to decay, and purposely left in its ruinous state to aid the effect of the fine view, which the venerable Castle, with its rising rocks and towering battlements, and its whole surrounding scenery, here presents. This near view is seen to the best advantage, from the meadows, within the Castle Park, on the eastern bank of the river*.", p.57

> "*At a small distance, easterly, is the New Bridge, lately erected over the Avon, consisting of one large circular arch, measuring in its span 105 feet. Just beyond this bridge, three roads meet – of which the first, in front, divides at the toll-gate, within view, into the Tachbroke and Banbury roads – the second, to the right, conducts to the scanty remains of several streets, known under the general name of BRIDGE END. Here anciently stood the Church of St. Helens of which some small traces, in what was then used as a barn, were till very lately to be found. The third road, on the left, conducts to Myton*," p.58

6.9 Field considers the view of the Castle from the new bridge "*one of the finest views of Warwick presents itself, and displays, indeed, a scene of uncommon beauty and grandeur*" although the new bridge "*may seem, by its modern elegance, to disturb the harmony of the scene*". The view of the Castle from the bridge is described as

> *"the Castle, with all its beautiful scenery-the winding waters, the towering trees, and especially the prodigious rock on which it stands, and to which it seems united, rather by the hand of nature than that of human art. It is this view,* which, oftener perhaps than any other, is chosen by the numerous artists whether amateurs or professors, who are so frequently attracted hither, in search of grand or pleasing subjects for the exercise of the pencil"* p. 69

6.10 Field notes that "*rich woods which every where encircle the town, and those especially which surround the Castle*". The approach to the castle is

> *"ON the eastern side, near an open space of ground, adorned with thriving plantations, is the PRINCIPAL ENTRANCE into the Castle.-Here an embattled gate-way, with a lodge, has lately been erected : looking, indeed, with scarcely sufficient dignity, for the situation it occupies, but intended only as a temporary erection. Passing through this entrance, the grand approach is conducted, by a broad and winding road, deeply cut through the solid rock ; which in itself presents a striking appearance, and is clothed on each side, with moss and ivy, and crowned with trees and shrubs of every diversified form, and every various hue. So judiciously curved, and thickly planted, in this approach-forming a fine sweep, extending in length, more than 300 feet-that every other object if excluded from the sight ; till, at a sudden turn, the Castle itself, in all its magnificence, bursts, at once, on the astonished and delighted view, with great, and even sublime effect.-The part of the ground, now entered, was anciently the Vineyard ; where it is recorded, abundance of fruit was gathered, even so far back as the time of HENRY IV but whether this fruit was really the grape, has been the subject of much dispute, It is now inclosed ; divided from the town, and shut out from the view of all its meaner building, by a screen of trees-whose rising summits, even St. Mary's Tower, and St. Nicholas's Spire, lately to be seen here, are no longer able to overtop. In the higher grounds, however, they still appear-forming, from several points, fine objects." 165-6*

6.11 Field dedicates a chapter to his walk around the Castle grounds

> *"PASSING from the Green-House-the walk, laid out by BROWN, continues-winding through the tasteful and beautiful plantation, formed of large and luxuriant trees and shrubs, uninjured by the edge of an axe, almost untouched by the hand of art-consisting of every various species, the oak, the beech, the elm, the fir, the larch, and particularly the cedar of Lebanon ; which is said to abound more, and to thrive more, in this than in any other*

plantation in the kingdom. One of this last species, planted by the present Earl, was measured last year; and, at three feet from the ground, was found to be eleven feet eight inches in the girth.

*ON approaching the banks of the river-the walk again opens on the extensive lawn-and from this point is presented, in fine assemblage, a variety of pleasing and striking objects. On the one hand, appears, at a proper distance, the Gothic Green-House ; and before it, gently swelling, the large expanse of velvet turf-bounded, on each side, by trees and shrubs, grouped or scattered about ; and backed with dark and lofty shades ; above which rises, with good effect, the tower of St. Mary's. On the other hand, is seen the Avon, gliding softly along; diversified, at a small distance, by the cascade, the mill, and the ruined arches of the bridge. Here, too, a deficiency, in the want of passing views of the main edifice, of which some have complained, * in the manner of laying out of the grounds, is amply compensated. For here, from a new point, the venerable Castle again appears, in all its solemn grandeur-proudly ascending far above the level of the waters, and finely relived by the mingling shades of clustering ivy and spreading trees.*

PASSING onward-the Pavilion soon appears-where, by a sudden change, the stranger finds himself embosomed within the umbrageous arms of a group of trees-shut out from all view of the surrounding scenery-as if for the pause of a few moments-usually so needful after the attention has been so long and vigorously excited. A slight and interrupted glance, however, may be obtained over a small branch of the river, crossed by a rustic bridge, and the opposite meadows, enlivened by browsing cattle or sheep-presenting only a small assemblage of rural objects,-in strong contrast with the solemn grandeur which is every where else displayed…" pp -230-231

6.12 He also take a ride through Castle Park:

"TOWARDS the bottom of the Lawn, the great walk of the Garden is crossed at right angles by another, leading, through large and thriving plantations, to this delightful Ride ; which, skirting the entire boundary of the park is continued in a wide circumference of about five miles-intersected by many collateral branches, all affording other Rides of pleasing variety and different distances,-on one side, the principal Ride is shaded, by a broad belt of young and flourishing trees, among which are seen various species of evergreens and deciduous shrubs, intermingles with the oak, the beech, the ash, and other trees of the forest-exhibiting almost every gradation of tine, from the lightest and gayest to the darkest green. On the other side, opening to the Park, delightful views are commanded, in passing, over its undulating surface ; in some parts, thickly sprinkled with trees; in others, deeply shaded with groves ; and finely watered, in a long course, by the windings of the Avon and by its own beautiful lake, which spreads into a liquid plain, 'pure as the expanse of heaven,' towards the centre. Here, too, with all the grandeur of park-scenery, are united the rural beauties of a ferme ornee; and pleasing views are caught, at intervals, of rich pastures, fertile corn fields, and

browsing flocks and herds. The deep and solemn shade of the noble and extensive woods, through which the Ride is occasionally conducted, agreeably changes, at times, and relieves the scene. But the great charm of the whole excursion is, in the many picturesque views, which the venerable Castle itself affords-sometimes bursting suddenly on the eye, through an opening in the thick shades-and, at other times, displayed, in all its magnificence, before the uninterrupted sight, in the midst of the fine and richly varies landscape, of which it forms the crowning glory.

AMONGST other objects that will interest and delight in this excursion, must be particularly noticed the spacious and beautiful Lake, already mentioned, stretching, in a noble sweep, of a mile in length, and varying in its breadth from three hundred to six hundred feet. This is, indeed-not of the kind which VIRGIL describes as stigma virentia musco-but of that which the same great master of nature strikingly denominates vivique lacus. The waters of this fine expanse, supplied by a small stream, rising at Chesterton, six mile distant, are pure and pellucid : not a weed deforms its smooth surface ; not the least turbid mixture sullies the glassy clearness of its whole depth, which, in some parts is not less than 25 feet. It is well stored with fish; and enlivened with abundance of aquatic fowl, particularly the wild duck, of which some curious varieties are here to be seen. Its banks, on each side, boldly rise, graced with turfted verdue, and crowned with hanging woods. At a small distance, on the east side, in the midst of a group of elms, is to be seen a herony, besides which so few are to be found throughout the kingdom.

*IN another part of the park, a light and elegant Bridge appears to view-bestriding the waters of the Avon, and connecting the two parts of the domain. It is built of stone, and consists of one noble arch, 24 feet in the heighth, and 101 feet in the span. Near this Bridge, is an uncommonly fine echo ; but the effect depends much upon the state of the winds.-Above, upon a bold eminence, in the midst of towering and spreading woods, is a handsome Stone Lodge, the residence of the keeper, in which is a summer apartment, for the occasional use of the Noble Family. From this Lodge, is to be seen the fine distant view of the Castle, * with all its surrounding scenery, which was so much admired by Mr. IRELAND, and is particularly described in his Picturesque Views of the Warwickshire Avon, p.149.-In closing our short account of this noble Park, as it now appears, with all its recent enlargements and improvements, it would be great injustice not to mention, that it is, in nearly the whole, the creation of the present Earl-' planned by his taste, and planted by his hand'-to whom, therefore, with no less propriety, that to his Noble Father, might be addressed the pleasing complimentary lines of a Poet, of no little celebrity within the County of Warwick."* Pp 234-6

***Warwick Castle and its Earls – from Saxon times to the present day, vol II*, by Frances Countess of Warwick, 1903,**

6.13 The Countess provides a helpful account of the work of George Greville, the 2nd Earl taken from his own work –

> *"His claim upon our interest, however, is quite independent of his public services. He was the great virtuoso of his house, and he did more for the embellishment of the Castle than any other of its occupants since the time of Sir Fulke Greville. He made this his life's work, in fact, as may be read in 'A Narrative of the peculiar case of the Late Ear of Warwick from his Lordship's own Manuscript, 1816.*
>
> *'Employed as I was,' he writes, 'in reading, chiefly on farming concerns, in hunting and planting, I saw great temptations to improve Warwick Castle, and for the greatest part of my life I steadily pursued this object'; and he adds that the estate, by a fortunate accident, provided the means for its own improvement, for 'it happened a most valuable coal-mine had just been discovered by Mr. Vancouver on my Warwick Estate.'*
>
> *Everything, when George Greville came into his inheritance, was out of repair, He tells what he did not only to put it in order, but to enhance its natural beauties by the help of art:-*
>
> > *'The floors, the windows, the ceilings, the chimney pieces, the wainscots, the furniture are all put in by me, and they are the most beautiful in the kingdom.*
> > *I collected a matchless collection of pictures by Vandyke, Rubens, etc,*
> > *The marbles are not equalled, perhaps in the kingdom.*
> > *I made a noble approach to the Castle, thro' a solid rock ; built a porter's lodge ; made a kitchen garden and a very extensive pleasure garden, a back room, full of books, some valuable and scarce, all well chosen, I made an armoury ; and built walls round the courts and pleasure garden.*
> > *I built a noble greenhouse, and filled it with beautiful plants.*
> > *I placed in it a Vase, considered as the finest remains of Grecian art extant for size and beauty.*
> > *I made a noble lake, from three hundred to six hundred feet broad and a mile long.*
> > *I built a stone bridge of one hundred and five feet in span, every stone from two thousand to three thousand eight hundred pounds in weight.*
> > *I gave the bridge to the Town.'"* Pp765-768

6.14 The Countess reproduces an extract of correspondence from George Grevlill to Sir William Hamilton

> *Lord Warwick to Sir William Hamilton [undated]*
> *"I am glad you have been at W Castle even tho' I was not so happy as to be your conductor. I am flattered by your opinion of it and that it did not appear*

> *to you that I had done anything to spoil it, The Effect w^h^ I want to produce must in a great measure depend on time for young Plantations do not seem to belong to that old Castle which should have Forrests of ancient Timber to accompany it…."* P. 773

6.15 A short account of Warwick Castle produced by the Estate Office in 1953 writes of George Greville and the approach to the Castle

> *George Greville, Earl Brooke and Earl of Warwick "replaced the old bridge close to the Castle by a new bridge farther up the river. Thus the road from Banbury was diverted from its original course and no longer passed close to the Gatehouse of the Castle; and so a way was cut through the solid rock to form the winding drive which approached the Castle from the Porter's Lodge. This Earl built the Conservatory in the Italian Garden, to house the famous Graeco-Roman Vase, which was presented to him by his uncle, Sir William Hamilton."* P. 16
>
> *"The present entrance to Warwick Castle is by the Porter's Lodge, which was built around a hundred and fifty years ago. The Drive is broad and winding and is cut through the solid rock.*
>
> *A turn in the drive brings into view Guy's Tower, now not shown to the public. This Tower, so called after the famous hero, Guy…"* p. 18
>
> *"From the Terrace in front of the Conservatory is a view of the river, beyond which the Park, of over seven hundred acres, stretches up to the woods. In these woods is the Hunting Lodge built by Ambrose Dudley, Earl of Warwick, for Queen Elizabeth, when she visited in 1572."* P. 26

Nicolas Pevsner and Alexandra Wedgwood – The Buildings of England: Warwickshire (1966, reprinted 1986)

6.16 Of views of the castle Pevsner and Wedgwood compare Warwick and Windsor Castles "*In some views Warwick, on its cliff above the Avon and with the woods at the foot of the cliff, wins easily*." (p. 456) Of the town and castle they write after quoting the extract from Leland:

> "*Thus Leland, and thus still one's principal impression of this perfect country town. Its visual homogeneity is largely due to the great fire of 1694 and the rebuilding after it. It is also due to another material misfortune. There has not been over much industrial settlement at Warwick ; hence the population grew only from 5,600 in 1801 to 11,000 in 1851, 12,000 in 1901m and not quite 16,000 in 1961. But the factory area does not interfere with the town. Nor does the castle, its principal monument, and that also is visually an advantage. It is a case of ideal co-existence between two outstanding visual treasures*." (p. 443)

6.17 The section on Warwick Castle has only a brief mention of the grounds and buildings outside of the main castle building.

> "*GARDENS. Laid out by* Capability Brown*. He began work in 1753.*
> *OLD BRIDGE. Of c. 1374-83. Overgrown. One N arch, then three centre arches and two S arches. Cutwaters.*
> *MILL. Late Georgian Gothic; embattled. By* Lightcoler*.*
> *LODGE. At the entrance from the town. Very blocky ; late C18.*
> *MYLNEBRIDGE. Probably begun in 1765. By* Robert Mylne*.*
> *HUNTING LODGE. In the park, across the river. Gothic of 1764-6. Oblong and cruciform. Most wings with arched lights. Four-centred doorway. Embattled pediment. Inside one ribbed ceiling."* (p. 456)

AA Touring England guide, 1990

6.18 The Warwickshire section of the guide provides a circular tour starting and finishing at Warwick. It provides a summary of Warwick and places to visit. Of the castle it advises

> "*It stands on a Saxon site above this compact River Avon town, and its exceptional Norman and later structure hides an interior completely rebuilt during the 17th century. The castle is still occupied, but visitors have access to the state rooms, torture chamber, silver vault, and ghost tower, and Avon-side grounds that were landscaped by Capability Brown*." (p. 392)

Lonely Plant Guide England (online pdf version)

6.19 The entry for Warwick Castle is provided below.

> "*Founded in 1068 by William the Conqueror, the stunningly preserved Warwick Castle is the biggest show in town. The ancestral home of Earls of Warwick, the castle remains impressively intact, and The Tussauds Group has filled the interior with noisy attractions that bring the castle's rich history to life in a flamboyant but undeniable family-friendly way.*
>
> *The castle throbs with kid-centred activities and waxworks populate the private apartments. As well as sumptuous interiors, landscaped gardens and towering ramparts, there are jousting tournaments, daily trebuchet firings, themed evening, a dungeon and loads to keep families agog*." (p. 515)

Warwick Castle Guide Book, 2014

6.20 The castle's guide book summarises its history and for the period c. 1700-2014 writes:

> "*When the Rich family dies out in 1759, Francis successfully petitioned for the title Earl of Warwick, reuniting the Earldom and the Castle once more. In the 1750s he commissioned Lancelot 'Capability' Brown to landscape the gardens.*
>
> *His son George Greville (1773-1816) shoed an equal zeal for improving the look and style of the Castle. He put the finishing touches to the State Rooms and bought many of the paintings and pieces of furniture now on display. Unfortunately, his enthusiasm ran somewhat ahead of his bank account. By 1804 he was forced to sell off outlying estates in order to keep himself solvent.8*
>
> *The refurbishment of the living quarters began in the 17th century and continued in resplendent style throughout the 18th century. Along with several other alterations, a magnificent new dining room was added to the State Rooms in 1763. Many elegant changes also took place in the grounds. The mound was given an attractive make-over with two new towers and a parapet walk. The gardens were also formally laid out to plans by 'Capability Brown', who also redesigned the courtyard. A gateway was added between the Bear and Clarence Towers, and the Castle grounds expanded to the north and east. In 1796, the entrance lodge and main driveway were constructed. By 1800, as seen from the outside, the Castle was as it is today, although a fire in 1871 meant that many of the private apartments had to be extensively refurbished.*
>
> *Finances had become less of a problem by the time Francis Richard Greville (1893-1924) and his wife Frances (Daisy) were holding their high society parties of the 1890s*." (p. 12)
>
> "*Lord Brooke David Greville sold Warwick Castle in November 1978 after which it became a visitor attraction. Extensive work has been carried out between then and 2009, which meant that more of the Castle was open to the public than before."* (p. 13)

6.21 The castle grounds are described on page 39 of the guide

> "*For the first 400 years of its existence, Warwick Castle had an overriding purpose, to keep those on the inside safe from those on the outside. It was a centre of military power in a land where warfare was a way of conducting political, religious and even personal affairs. Everything was geared towards making eh Castle an impregnable fortress, and that meant no place for an ornamental garden.*

But as the temper of the times softened, so people's attitudes towards their domestic environment changed. Warwick Castle came to be seen as less of a fortress and more of a home. The first mention of a garden comes in a survey of 1576. It talks of the 'Queen's gardens next Avon without the Castle wall', which suggest they lay somewhere between the Mound and the river. The likelihood is that they were specially prepared for the visit, in August 1572, of Elizabeth I, and would have consisted of a series of coloured gravel pathways, leading between very formal patterns, or knots, of herbs and shrubs.

From 1604 to 1628, Sir Fulke Greville's renovation of the Castle saw the planting of new gardens that, according to contemporary account, were without parallel in this part of England. During the Civil War, these were dug up for gun emplacements by the garrison defending the Castle. Only as the Castle transformed from a fortress to a stately home, did Warwick Castle's grounds and gardens blossom. The transformation was created by one of Britain's greatest landscape gardeners, Lancelot 'Capability' Brown.

It is believed that Warwick Castle was Brown's first independent castle commission and his achievements here during the 1750s won him praise and national recognition. Brown's genius lay in the way he turned the grounds into an imaginative extension of the grandeur and the scale of the Castle.

It may look natural, but the curved sweep of the lawns down from the Castle to the river is man-made. Specially chosen trees and shrubs were planted to create a frame for the Castle and the landscape. The courtyard was also raised by several feet to give it a more classically balanced look.

Although there have been many changes since Brown's time. The overall layout, with its vistas, mounds and copses is his, a living work of art." (p. 39)

6.22 The guide notes that the Mound is the perfect vantage point for taking in the "*beautiful unfolding views of these peaceful grounds*" (p. 39). It is unclear from information in the guide how much of the original or late 18th century grounds are in the same ownership as the castle. The larger part of the grounds – Castle Park – was sold off several years ago. The guide refers to the Victorian Rose Garden, the Conservatory and the Peacock Garden (directly in front of the conservatory). The Pageant Field runs down to the river and is "*flanked on either side by trees, of which some, like the Cedars of Lebanon, are over 200 years old*" (p. 41). The Island is also mentioned.

Discussion

6.23 The above commentaries on Warwick Castle and Castle Park indicate that it is the view of the castle adjacent to the Avon from the new bridge that is seen as the most important view of the castle. This is confirmed from our research into views of the castle and Castle Park. Apart from Field's detailed account of the park soon after its completion, there is little mention of Castle Park particularly in the later travel literature, presumably because it is not publicly accessible. In Field's account he writes of how the landscaped park frames views of the castle enhancing this prominent feature, not views of the new Banbury Road which the new planting was designed to hide:

> "*But the great charm of the whole excursion is, in the many picturesque views, which the venerable Castle itself affords-sometimes bursting suddenly on the eye, through an opening in the thick shades-and, at other times, displayed, in all its magnificence, before the uninterrupted sight, in the midst of the fine and richly varies landscape, of which it forms the crowning glory."*

6.24 More recent literature concentrates on the role of Warwick Castle as a tourist attraction, a venue for themed entertainment. The separation of the larger part of the park from the castle and the restrictive access is reflected in the tourism literature.

7.0 CASTLE PARK VIEWS

7.1 We have reviewed photographs and images of Warwick Castle and Castle Park held by the Warwickshire County Record Office. An online search has also been carried out to identify views of the Castle and Park.

7.2 A selection of images is provided below and **Appendix 1.0** contains many more images and postcards, most of which are from the new bridge.

Discussion

7.3 Generally, the most popular views are of the Castle, either the south front with the river or from the new bridge. There are very few images of Castle Park and these are mainly where the Park creeps into aerial views of the Castle and town. Views from the new bridge are more popular probably because this is the only really public view of the castle.

7.4 In A*round Warwick*, by Graham Sutherland, the author notes that the view of Warwick Castle from the river, "*has long been one of the most photographed scenes in England, and it is a view which does not change very much*".

7.5 From the selection of views both here and in **Appendix 1.0** it is apparent that after the Banbury Road was moved in the 1780s, the vast majority of drawings, prints and paintings depict the east end of the castle from the new bridge over the Avon, one of the few views of the castle still afforded to members of the public without access to the park. There are a few views from more distant points such as St Nicholas's Fields but these are few in number. The other main point to note is that nearly all the illustrations depict the castle, or are directed towards the castle, views out from the castle or of other parts of the park do not seem to have attracted any attention.

7.6 The pre-1780 views are a slightly more mixed group with more depicting the Spiers Lodge view back towards the castle, or closer views on the same axis with greater or lesser extents of the park in the foreground. Only Sandby's painting of 1776 shows the park as a wider landscape and much is obscured by trees in the right (east) foreground (**Fig 7.8**). The New Waters does not seem to have attracted any interest from illustrators despite the regard accorded it in the accounts of visitors. The Banbury Road (both the old and the new) seem to have attracted no interest and, with the exception of the view from the new bridge towards the castle, has clearly make no contribution to the development of the significance of the park.

7.7 Images of the castle in the 19th century to the present are predominantly taken from the new bridge supplemented with a few general aerial shots of either the castle or the castle and the town.

Fig 7.1: Warwick Castle – the South Front by Canaletto c. 1751-2

Fig 7.2: Warwick Castle the east front by Canaletto c. 1748-52

Fig 7.3: Warwick Castle by Greville (1764-1809)

Fig 7.4: Warwick Castle by Penn, probably from St Nicholas Fields

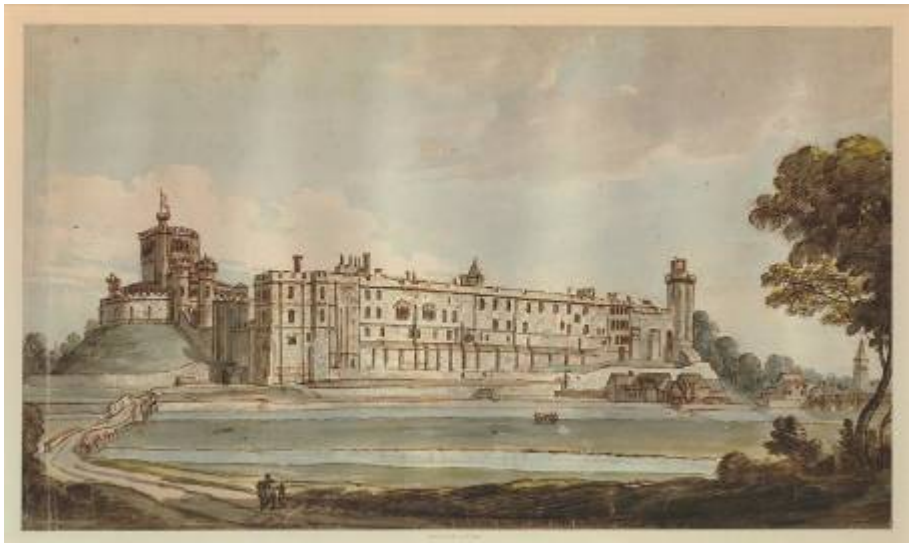

Fig 7.5: Warwick Castle by Sandby (1730-1809)

Fig 7.6: Warwick Castle by Sandby, 1745-1809

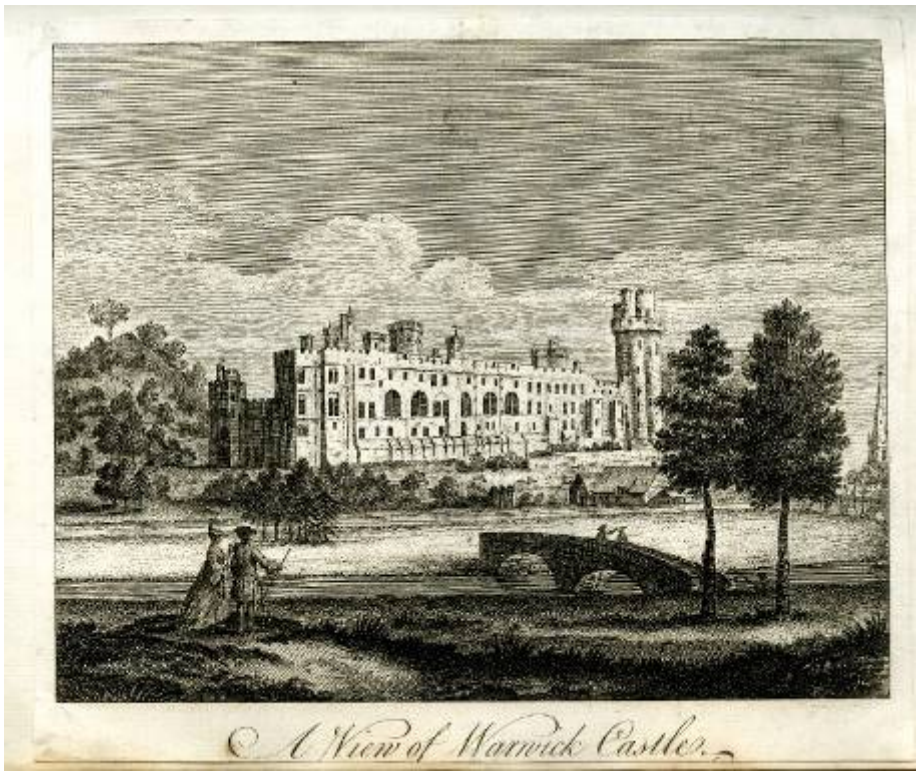

Fig 7.7: Warwick Castle by Sandby

Fig 7.8: Warwick Castle from Lodge Hill by Sandby, c. 1776 – a rare view from and across Castle Park

Fig 7.9: Photograph of Warwick Castle from the New Bridge in 2014

8.0 CONCLUSIONS

8.1 The Castle Park is a Grade I registered park and garden as designated by English Heritage in 1986. In the past it has been gradually extended to form a single coherent, but largely isolated landscape closely associated with the castle, but not with the town, or the surrounding countryside. More recently the castle and its estate has undergone a process of fragmentation with the majority of the grounds completely separated from the more formal gardens close to the castle. This has been exacerbated by turning the castle and these truncated surrounds into a theme park completely at odds with the intentions of the landscape designers who lavished so much time and effort on the park in the 18th century.

8.2 Beyond the park the formerly landscaped parkland has reverted to farmland with a number of enclosed fields under arable and pastural use. On the west bank of the Avon the Leafields area retains some woodland towards the north but housing estates extend along the Stratford Road with a sewage farm close to the Avon where much of the former woodland has been cleared. Spiers Lodge and its immediate surrounds survive but its setting has already been significantly harmed by the sewage farm to the west.

8.3 East of the Avon the New Waters is now much diminished in size and choked with weed, to judge by the colour of the water. The land between it and the castle is now divided into a mixture of pasture and arable fields with some of the clumps of woodland surviving but not many of the individual trees apparent in Sandby's 1776 painting of this part of the park. The sub-division into fields has swept away Brown's and the 2nd Earl's purposeful design of a natural landscape to be enjoyed from the castle or by visitors to the park. The requirements of modern agriculture have introduced hard straight edges where none existed before destroying the unenclosed beauty that was such an important contributor to its significance. The area beyond the New Waters has been less affected as the extensive Nursery Wood survives, albeit with modern farming to the south and the corridor of the M40 now forming the backdrop to the park.

8.4 The eastern perimeter retains its wide belt of trees to separate the park from what lies beyond. In this respect it has remained largely unaltered since the trees matured this part of the park in the early 19th century. The land to the east of the Banbury Road has been developed opposite Bridge End and to the east of Gallows Hill but these areas have no relationship with the park and were never intended to have one. The focus has always been internal with even longer views directed principally to or from Spiers Lodge, not into the surrounding countryside, or what has now replaced countryside. As a result, any developments east of Banbury road have little relevance to the park itself as long as they remain in scale with the landscape. Of much greater concern is the fragmentation that has taken place within the park and the effect of a 'medieval' theme park on an 18th century landscape.

8.5 Finally, we consider the questions posed at the beginning of this report.

Was there any planned or intentional relationship between the Castle Park and land outside of it in relation to Hallam Land's site and more generally?

There is no evidence of any planned or intentional relationship between the park and land outside of it. Conversely, the park was planned and developed as a private park, separated from the town and countryside through land acquisition and substantial landscaping. Routes through the park were removed and accesses blocked to ensure the park was not open to all.

Was there any intention for the park to be appreciated from the Banbury Road, and if so what was that intention?

There is no evidence for any intention for the park to be appreciated from the Banbury road. The substantial tree planting, followed by additional land take and enclosure and more tree planting ensured views from the new Banbury road were very limited. Carriageway ways and rides were separated from the eastern boundary by the circumferential tree belt.

What is there about the Banbury Road, as approach to Warwick that affects Hallam Land's site?

The road from Banbury (and London) has always been an important approach road to Warwick and therefore the castle. Following the creation of Castle Park in the 18th century access from the old and then the new Banbury Road was very limited. The construction of the new road and bridge over the Avon, and the construction of the new lodge and access to the castle moved traffic and people further away from the castle and its grounds. The Hallam site is located adjacent to the new Banbury road and it is on the main approach to Warwick. However, the site does not contribute to the approach especially now that the late 18th century enclosures have been swept away.

What is the history of routes into the town? Is this one important now and was it over the years, and if so, how and why?

The route from Banbury to Warwick is an important one. The new Banbury road was eventually taken over by the turnpike indicating it was an important road. However, the route has changed, as it now bypasses the medieval settlement of Bridge End and Mill Street, as well as castle grounds, taking visitors directly into Warwick.

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CR 1886 M509 – A Plan of Castle Park, 1769
CR 1886 M18 –Salmon – new allotments and enclosures, 1760
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CR 1886 M22 – Survey of Castle Park, Sale 1791
CR 1886 M22/E – plan of Castle Park, surveyed by E Sale, 1791 as above
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CR 1886 M25 – Plan of houses and gardens on the south side of Mill Street, Warwick, 1871
CR 1886 M26 – A map of the accommodation lands and leaseholds in the Borough of Warwick and Barford, 1870
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Appendix 5

Montagu Evans (2014) *Estate Landscape Historiography*

HALLAM LAND MANAGEMENT

GALLLOWS HILL
WARWICK

ESTATE LANDSCAPE HISTORIOGRAPHY

APRIL 2014

5 Bolton Street
London
W1J 8BA

Tel: 020 7493 4002
Fax: 020 7312 7548

www.montagu-evans.co.uk

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APPENDICES

1.0 INTRODUCTION

1.1 This report has been produced by Montagu Evans and presents the historiography of estate landscape with particular attention to designed landscapes of the eighteenth century. It has been produced to inform the Heritage Impact Assessment for the Land at Gallows Hill promoted by Hallam Land Management.

1.2 Documentary research has been carried out by Howe Malcolm Archaeology and Planning Ltd that has established the historic development of Castle Park, Warwick, a grade II listed Registered Park and Garden.

1.3 This report provides a historiography relating to designed landscapes and their function as part of the country house estates of the eighteenth century. The intention to provide a concise overview that can be used to inform the understanding both of eighteenth century landscapes more generally, as wall as Castle Park, Warwick.

2.0 EIGHTEENTH-CENTURY ESTATE LANDSCAPES

Definition

2.1 In advance of outlining the background to estate landscape, it is important to define what is meant by the term 'estate'.

2.2 The most articulate definition, by Williamson (2009), argues:

> '*in a British context an estate may be defined as an extensive and continuous or near-continuous area of land, owned as absolute private property by an individual, although not necessarily...his or hers to alienate at will'* (2009, 1).

2.3 In these terms, an estate of the post-medieval period could vary in size from those owned by the great land magnates, which measured over 20,000 acres, to the smaller estates of under 1,000 acres (Bateman 1883; Johansen-Salters 2010).

2.4 As Williamson (2009) has noted, by the mid-eighteenth century estates followed a basic form.

2.5 At the 'core' (Clemenson 1982, 33-38) was the country house with accompanying service buildings such as the stables, offices and kitchen gardens.

2.6 Alongside, and often surrounding the house, was a designed landscape and ornamental gardens often including a home farm provisioning the house with local foodstuffs.

2.7 Beyond the park pale was farmland which by the 18th century was normally rented by tenants and providing the landlord with regular financial income.

2.8 This structure of the 'core' and 'periphery' was fluid, and often changed between sites as the constellations of local topographies, economies, ecology, and power relations influenced the form of each landscape (Finch 2007; Short 1992).

2.9 In general, then, when referring to a 'landed estate' or an 'estate landscape', one is referring to a seat belonging to the landed elite who were one of the great land magnates, great landowners, members of the gentry and greater yeomen (Bateman 1883; Johansen-Salters 2010).

3.0 SOCIAL AND POLITICAL CONTEXT

3.1 In order to understand estate landscapes, and designed landscapes more specifically, one needs to understand the social and political context of the early modern period.

3.2 Following the 'Glorious Revolution' of 1688, British society had been redefined as the merchant classes rose through the social hierarchy and definitions of social rank became increasingly blurred (Colley 1992; Cosgrove 1998; Mingay 1963; Williamson 1995, 16).

3.3 Insecurities within court were emphasised by new ways of defining status. Rather than determining rank through wealth itself, a conspicuous display of affluence, taste, and knowledge began to differentiate one's status in society (Mukerji 1993).

3.4 For the established elite, the period was representative of further consolidation of their estates that had been accumulated over the course of the last century.

3.5 However, land provided opportunity for other groups in society. The upwardly mobile *nouveaux riches* looked to enter the ranks of the landed aristocracy by purchasing land.

3.6 Conspicuous consumption in parts of the landscape, such as designed landscape, provided a fashionable opportunity to advertise rank, status and knowledge, and helping the owner to support their rise in 'polite' society.

3.7 Through a combination of the contemporary political and social climates, estates also gained currency as monuments of power for the landed elite who looked to strengthen their position in local, regional, national and international arenas.

3.8 One method was to purchase land, more specifically a borough, or parliamentary constituency, that provided a seat in the House of Commons. In the late-seventeenth and eighteenth centuries this was commonplace with members of the same family succeeding to seats as they were passed through different generations (Shaw 1901, 88-105). Acquisitions allowed landowners to mix in the political circles that could influence their mercantile interests.

4.0 IMPROVEMENT AND THE LANDED ESTATE

Eighteenth-Century Improvement

4.1 A further discourse that affected almost every landed estate during the eighteenth century was the process of 'improvement'.

4.2 Improvement was a highly significant multi-faceted process acting as a philosophy and ethic underpinning contemporary cultural thought (Tarlow 2007, 11; Webster 2007, 47).

4.3 It had a wide-ranging effect on an array of industries of the period including commerce, manufacture, transport, and agriculture, in villages, towns and cities (Girouard 1990, 86).

4.4 Daniels & Seymour (1990) have argued that within estates, improvement 'meant progressively restructuring the landscape for social and economic as well as aesthetic ends' (1990, 487). It signified the union of commercial profit and cultural display (Eyres 2002, 193) with little difference being seen between the laying out of parks and gardens and development of new farmland beyond (Wade Martins 2004, 8).

Improvement and Contemporary Philosophy

4.5 One of the reasons why improvement became so pervasive in the eighteenth century is that it was bound up in contemporary philosophy that appealed to sections of the landed elite.

4.6 By the late eighteenth century, improvement was partly driven by the humanist outlook promoted by Scottish Enlightenment thinkers who supported the belief that Man should lead to change for the better of society.

4.7 This philosophy revolved around individual agency where enrichment of the self would result in broader developments across the rest of system. In the Wealth of Nations (1776), for example, Adam Smith argued that changes to any part of the system could have far reaching effects; it was suggested that the improvement of land could condition its inhabitants, including their productivity and social well-being, and lead to the enhancement of society and the nation itself.

4.8 Utopian thinking of this kind also embraced ideas suggesting how an ideal society could be engineered by ordering manners, etiquette, knowledge and understanding in order to produce social harmony and individual fulfilment (Tarlow 2007, 26).

4.9 Implicitly, however, it was only those who had the financial independence and influence who could initiate such changes, leading more often than not to members of the landed classes taking the initiative.

4.10 Such a lifestyle was also promoted by the Grand Tours of Europe, which led to the consumption of classical art and literature. Poems such as Virgil's *Georgics* conveyed aristocratic and patriarchal virtues that formed a combination of 'beauty and use, pleasure and profit, land and commerce' (Daniels & Seymour 1990, 489; McBride 2001, 7-9; Wade Martins 2003, 8).

4.11 Landowners were encouraged to work to the Roman ideals of agriculture with life set around a villa while pursuing estate management and improvement rather than simply striving for financial income (Johnson 1996, 89). It was a moral duty to exploit the landscape to the best of a landlord's ability. In other words, landowners were expected to maximise the potential of land because it was for the good of the nation and was a duty 'placed on Man by God' (Tarlow 2007, 41).

Land and Improvement

4.12 Land was understood to be a commodity to be acquired, invested, consolidated and improved not only for the advancement of the individual but also for the social and economic improvement of society. This was a concept readily consumed by many landowners of the period and contributed to their movement towards large-scale investment in landed estates.

4.13 The movement towards increasing efficiency of the agrarian landscape was linked to the process of enclosure.

4.14 Sarah Tarlow (2007) has defined enclosure within an eighteenth-century context as:

> '*the act of marking off for private use land which had previously been farmed or grazed collectively as part of an open-field system, or been exploited as 'commons' or was in some other non-intensive use'* (2007, 42).

4.15 In general, enclosure was viewed by landowners as a progressive act, required for increasing the efficiency of land. This was a view held by contemporaries such as John Worlidge (1669) who believed that enclosed land brought great advantages to the farmer.

4.16 As far as contemporary landowners were concerned, enclosed land could double rental income when compared to wastes, commons and openfields. It was this endeavour, for improvement, which was pressed by the landlords.

4.17 During the eighteenth century, there were four defining forms of enclosure.

- *By Agreement* - different individuals met and agreed to enclose a large area and dispersed their lands according to their former rights to the land.

- *Unity of Possession* - where a landowner accumulated all of the land within a township and reorganised according to their own needs.

- By Piecemeal - a slower form involved individual farmers re-fencing and re-structuring their small strips. This method is often fossilised in modern field boundaries as the reverse 's' shaped open field strips, caused by the tight turning circles of medieval plough teams, were used for the new boundaries (Tarlow 2007, 42; Barnes & Williamson 2006,12); and

- *Parliamentary Enclosure* - required the large-scale re-planning of a township or parish of the eighteenth and nineteenth centuries. This form was promoted by a landowner who petitioned for an act of parliament to enclose an area irrespective of traditional land use. In some cases the Act resulted in boundaries stretching for miles bisecting hills, plantations, fields and waterways.

4.18 Landowners generally looked to consolidate holdings in order to recoup the large outlays spent on the surveying, ditching, fencing and general organising of the new land.

4.19 In other areas, enclosure was less positive and some sections of society found that the process was detrimental to their livelihood. The loss of common rights following enclosure meant that small-scale cottage farmers not only lost land but also customary rights to essential amenities such as timber, furze, clay, marl and grazing land, which all contributed to traditional rural living.

4.20 Acts of destruction reflected what was viewed in some areas of Britain as the detrimental changes to traditional patterns of rural life, a sentiment that was later illustrated in the early nineteenth century by John Clare's poem *Enclosure*. For Clare, the reorganisation of the landscape symbolised the divisive nature of enclosure and the way the land had changed:

> *'There once were lanes in nature's freedom dropt*
> *There once were paths that every valley wound-*
> *Enclosure came, and every path was stopt;*
> *Each tyrant fixed his sign where paths were found.'*

5.0 EIGHTEENTH CENTURY DESIGNED LANDSCAPES

Aesthetics and Society

5.1 Often located at the heart of the landed estate were designed landscapes.

5.2 By the mid-eighteenth century these were areas where the landed elite enjoyed the landscape surrounding their properties through pastimes such as game shooting or foxhunting (Finch 2005), or by entertaining guests via the intricate circuits of an ornamental garden (Girourard 1980, 210).

5.3 Consumption in these gardens not only proclaimed wealth and power through the use of 'cultural capital' (Bourdieu 1986) but also advertised taste, knowledge and political beliefs by using designs to convey messages about their owners (Williamson 1995, 16).

5.4 From the sixteenth and seventeenth centuries, paddocks surrounding manor houses had been a staple of the rich who used them as an opportunity to ride or to house deer (Williamson 2009, 8). By the eighteenth century their function had progressed. Designed landscapes (with parks and gardens) had become long, sweeping areas of parkland closely aligned to boundless views isolating the country house from the outer estate beyond the park pale.

5.5 Political opinions were expressed through order and form, while areas of woodland symbolised patriotism, stability in the landscape and the long-term establishment of the landowning elite (Daniels 1988, 43-82).

5.6 In a period of social mobility where the upper ranks of society were jostling for position, the landscape park became a vehicle through which individuals and families could differentiate themselves.

5.7 Some of the meanings of designed landscapes stemmed from particular readings of classical literature, which again, were bound up in the broader classical philosophies associated with improvement.

5.8 In particular, architecture and landscape formed the main emphasis of thought, garnered during visits to Europe by members of the landed elite on the Grand Tour.

5.9 By the late-seventeenth century, the Whigs argued that Baroque architecture, the style made famous by architects such as Sir Christopher Wren, was the symbol of the Catholic Church and foreign absolutist monarchies. They contrasted this with Palladianism, a style derived from the sixteenth-century Venetian architect Andrea Palladio, and which symbolised the Republican New Rome as an ideal for Britain at a time when the Glorious Revolution of 1688 had left the country between absolutism and democracy (Barnatt & Williamson 2005, 94).

5.10 Lush Arcadian landscapes followed as designers such as William Kent introduced flowing lines punctuated by Roman temples and serpentine rivers (Bermingham 1987; Cosgrove 1998, 199-205; Mowl 2000, xii; Newman 2001, 102; Tatlioglu 2009). These open expanses of carefully designed landscape were both productive (Williamson 2009, 6) and meaningful, not only as symbols of wealth and social competition, but also as advertisement of the owner's political leanings and their appreciation of philosophy and aesthetics.

Relationship between the Designed and Agrarian Landscapes

5.11 The creation of ornamental parklands should not be read in isolation from the development of agriculture and the improvement of landed estates more generally.

5.12 As the philosophy and contemporary political ideas have shown, estate landscapes were bound up in the consumption patterns of the landed elite and their aim of consolidation within the upper ranks of society.

5.13 However, the reorganisation of the landscape, from the designed features surrounding the country house to the economies of the agrarian land, were part of the same process, thus linking the country house to the surrounding landscape.

5.14 These changes deeply affected the lives of the inhabitants (Johnson 1996). For most, conceptions of landscape were constituted through their experience of the apparatus of everyday life – fields, farms and buildings - but as the new parks were created, fields enclosed, farmsteads built and modern housing constructed, the 'geographies of experience' were dramatically altered.

5.15 Improvement in the landed estate renegotiated the relationship between the estate inhabitants and the material landscape, resulting in the new patterns of rural life (Pred 1985).

Lancelot 'Capability' Brown

5.16 Lancelot 'Capability' Brown is the best-known landscape designer in English history, with 267 known associations with parks dating from the eighteenth century. The documentary research illustrates that Castle Park, Warwick, was one of Brown's commissions.

5.17 A recent research report carried out by English Heritage (2013) (**Appendix 1**) sought to review the research carried out to date on Brown, with the aim of stimulating a wider discussion about research needs and opportunities.

5.18 The report provides a detailed analysis of Brown's reputation (both contemporary and modern), attributions (corpus), style, modern land use, and site research.

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Appendix 1

The Landscape Group (2013) *Lancelot 'Capability Brown' A*

***Research Impact Review Prepared for English Heritage*,**

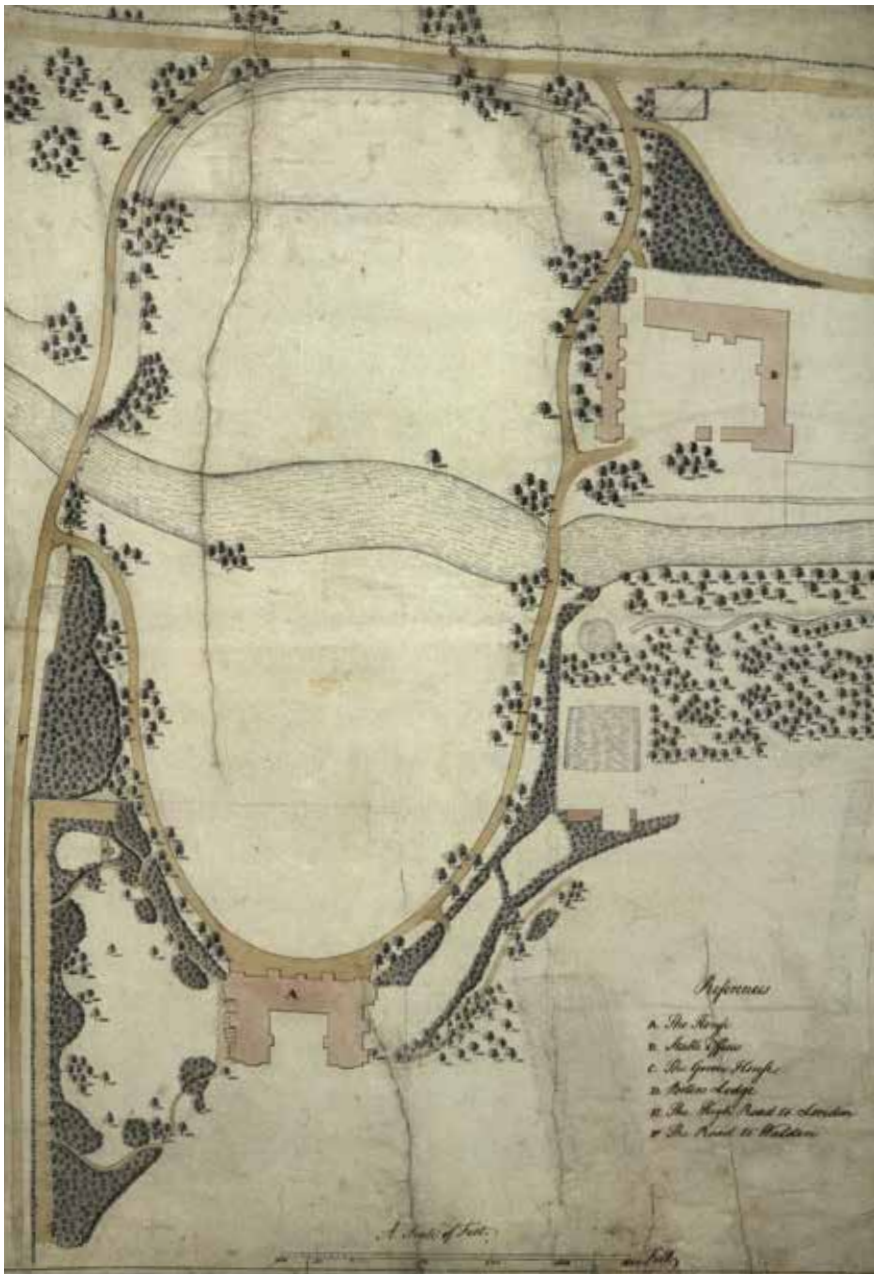
Research Report Series, No. 50

I

RESEARCH REPORT SERIES no. 50-2013

LANCELOT 'CAPABILITY' BROWN: A RESEARCH IMPACT REVIEW PREPARED FOR ENGLISH HERITAGE BY THE LANDSCAPE GROUP, UNIVERSITY OF EAST ANGLIA

Jon Gregory, Sarah Spooner, Tom Williamson



University of East Anglia

ENGLISH HERITAGE

Research Report Series 50-2013

LANCELOT 'CAPABILITY' BROWN: A RESEARCH IMPACT REVIEW PREPARED FOR ENGLISH HERITAGE BY THE LANDSCAPE GROUP, UNIVERSITY OF EAST ANGLIA

Jon Gregory, Sarah Spooner, Tom Williamson

ISSN 0246-98002 (Online)

SUMMARY

> "Lancelot Brown changed the face of eighteenth century England, designing country estates and mansions, moving hills and making flowing lakes and serpentine rivers, a magical world of green. The English landscape style spread across Europe and the world...It proved so pleasing that Brown's influence moved into the lowland landscape at large and into landscape painting."
>
> Jane Brown, *The Omnipotent Magician – Lancelot 'Capability' Brown 1716-1783*, Chatto&Windus, 2011

2016 marks the 300th anniversary of Lancelot 'Capability Brown'. English Heritage is one of the partners developing a national Capability Brown 300 celebration and festival along with the Association of Gardens Trusts, the Country and Landowners Business Association (CLA), NADFAS, the Garden History Society, the Garden Museum, the Historic Houses Association, ICOMOS-UK, the National Gardens Scheme, Natural England, Parks & Gardens UK, Visit Britain, the National Trust, the Royal Horticultural Society, the Landscape Institute, and most importantly the owners of these special landscape designs and their estate teams and head gardeners; and many others. The aims of the celebration and festival are:

- To celebrate Lancelot 'Capability' Brown as an artist and landscape designer
- To encourage an increased number of people to visit, learn about and enjoy Brown's landscapes
- To encourage a greater appreciation of our designed landscape heritage

Academics and researchers will play an important role in developing our understanding of Brown, his work, and his legacy. English Heritage commissioned the University of East Anglia in 2013 to review the research carried out to date with the aim of stimulating a wider discussion about research needs and opportunities, and also to inform English Heritage's next National Heritage Protection Plan and future applied research activity.

As part of the research review, UEA held an academic workshop 'Lancelot 'Capability' Brown – A Research Agenda for the Future' 10-11 May. The discussion generated lots of ideas and these have been incorporated into the review. The Maison Française D'Oxford ran a series of Garden and Landscape History Seminars this year to complement the André Le Nôtre 400th anniversary and the 18 May 2013 programme focused on Brown. Various research teams are now exploring the possibility of funding such as Arts and Humanities Research Council grants.

Research, and especially a reliable list of landscapes attributed to Brown, are key to the Capability Brown 300 festival and celebration in 2016 and its long term legacy.

Jenifer White BSc (Hons) MSc CMLI
Senior Landscape Advisor
September 2013

More information on the Capability Brown 300 Celebration and Festival is at www.capabilitybrown.org

The Parks and Gardens UK www.parksandgardens.org.uk will be developed to hold the attributions for all the sites designed by Brown.

The English Heritage National Heritage Protection Plan is at www.english-heritage.org.uk/professional/protection/national-heritage-protection-plan/

CONTRIBUTORS

The review was carried out by University of East Anglia's Landscape Group.

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ARCHIVE LOCATION

http://research.english-heritage.org.uk/

DATE OF THE REVIEW

The research impact review was undertaken in 2013.

CONTACT DETAILS

Jenifer White
Gardens & Landscape Team
Curatorial Department
English Heritage
1 Waterhouse Square
138–142 Holborn
London EC1N 2SDT
Email: jenifer.white@english-heritage.org.uk
Telephone: 07919 690917

CONTENTS

INTRODUCTION

Lancelot Brown, the best-known landscape designer in English history, has over the years been maligned and mythologized in almost equal measure. The subject of several biographies, and of innumerable journal articles, a consideration of his work appears in almost every major publication on eighteenth-century landscape design. This very ubiquity, however, arguably serves to obscure the extent to which important aspects of his career and legacy remain under-researched.

The review that follows is intended to examine the principal research carried out into Brown and his works over the last few decades, and to identify some of the principal gaps in our knowledge as we approach the tercentenary of his birth. This is based on a survey of the published secondary literature on Brown, and addresses the problem of the so-called 'grey' literature. The review and its findings were discussed at a multi-disciplinary workshop held at the University of East Anglia in May 2013, in part to peer review the work presented here, and in part to stimulate discussion for future research on Brown.

On the face of it Brown's landscapes are straightforward and familiar. The 'landscape park' was informal and 'natural' in character, eschewing straight lines and formal geometry. It comprised open expanses of turf, irregularly scattered with individual trees and clumps and was surrounded in whole and part by a perimeter belt. It was ornamented with a serpentine body of water and was usually provided with, at best, a rather sparse scatter of ornamental buildings. Walled enclosures were demolished, avenues felled. Many hundreds of landscape parks had appeared in England by the time of Brown's death in 1783, mainly created by imitators of his style: they constituted, in Pevsner's words, 'England's greatest contribution to the visual arts'.[1] Many – like a minority of Brown's own designs – were entirely new creations, made at the expense of agricultural land; others represented modifications of existing deer parks. As scholars have long been aware, however, this kind of designed landscape did not come into existence, fully-formed, at the start of Brown's career in the late 1740s and 50s. The debt Brown owed to William Kent, in whose footsteps he followed at Stowe, has long been recognized and, although lacking the profusion of architectural features which usually characterized the designs of the latter, Brown's parks nevertheless represented, in part, a continued development of this essentially Arcadian tradition, which sought to recreate elements of idealized classical landscapes (especially as represented in the paintings of Claude and Poussin) in an English context, and in an English idiom.[2] Yet while Brown's debt to Kent is generally acknowledged many – perhaps most – researchers have seen the character (and scale) of his work as truly innovatory. Only in recent decades has Brown's preeminence been challenged, as we shall see, in a variety of ways.

THE REPUTATION OF BROWN

Some understanding of how Brown and his works have been received over the years is critical for an appreciation of their true nature: as John Dixon Hunt has reminded us, the 'afterlife of gardens' is as illuminating and as important as the character of their initial reception.[3] During his lifetime Brown was generally praised and eulogised by clients and commentators. There were critics, it is true – most notably William Chambers but for the most part educated taste lauded his achievements, with Horace Walpole in particular a strong supporter. Around a decade after his death, however, in the 1790s, he and his work came under more sustained fire from the Picturesque theorists Uvedale Price and Richard Payne Knight.[4] It is often assumed that such hostility was universal in the decades around 1800, but in fact the situation is more complex. The prominent 'picturesque' commentator William Gilpin for example was more ambivalent, describing the 'many improvements of Mr Brown' on one page of *Remarks on Forest Scenery*, before making scathing comments on his lakes a few pages later: 'I have rarely seen either ruins, or rivers well manufactured: Mr Brown, I think, has failed more in river-making than in any of his attempts'.[5] Gilpin praised Brown's 'masterly' landscape at Trentham (Staffordshire), calling it a 'scene of great simplicity and beauty'[6], yet described the Brownian landscape at Warwick Castle as 'a paltry work'.[7] Other tourists considered parkland landscapes in Brown's style to be picturesque, at least in the Claudian sense of the term. In the 1790s Adam Walker noted in his journal that he passed a park 'all clothed with wood in a style worthy [of] the celebrated Brown... My black mirror presented me with many beautiful landscapes in this park, that a Claude might not have disdained to copy'.[8]

Humphry Repton, Brown's self-proclaimed successor and self-appointed guardian of his reputation, strongly defended him against the attacks of Price and Knight: 'It is evident to me, that the only source of disgust excited in this gentleman's mind, on viewing the scenes improved by Mr Brown, proceeds from their not being fit objects for the representation of the pencil.'[9] He argued that the clumps derided by Price and Knight were outgrown nursery plantations intended to shelter deciduous trees, which had not been removed by landowners as Brown had intended.[10] Later in his career, Repton modified his opinions of Brown to some extent, but was always careful to pin the blame for the insipid and artificial at the door of 'the day labourers who became his successors'.[11] These nameless 'illiterate followers'[12] were accused of diluting and corrupting Brown's style into the form of landscaping which was criticised by Price and Knight.

It is here, with Repton, Knight and Price, that the story told by historians about Brown tends to stop. Little research has yet been carried out into how Brown's reputation developed later in the nineteenth century. His parks were still being visited, and of course altered, with the creation of formal gardens and additional parkland planting. A very preliminary examination of nineteenth-century sources suggests that this may be a fruitful area for research, and that we should not necessarily assume that Brown was entirely unfashionable and unappreciated. The nineteenth-century writer and designer John Claudius Loudon, another noted critic of Brown, recounted a visit he made to Claremont (Surrey) in 1834 (landscaped by Brown in 1769) where the head gardener 'pointed out … several parts of the original plan of Brown, which he had restored: a mode of improvement highly to be commended'.[13] What Loudon and the gardener mean

by 'restoration' in this context is unclear, but it is interesting that 65 years after Brown's commission, this particular landscape was thought to be in need of it.

Certainly, as the popularity of Gothic architecture increased, together with an interest in an imagined, nostalgic pre-industrial, English past, the Brownian park could take on new meanings. In the nineteenth century the house and grounds at Charlecote (Warwickshire) became associated with the legend that a young Shakespeare had been punished for poaching in the park, and in 1871 an anonymous member of the Society of Antiquaries wrote that 'if we cease to believe that Shakespeare chased the deer over the Charlecote sward... We rob this mansion of its living interest, this hall of the literary halo which centuries have sanctioned; we disenchant those parks and ponds, limes and elms, osiers and oaks of the charm which draws the world to walk among them.'[14] The park was indeed in origin a sixteenth-century deer park but it had been drastically redesigned by Brown between 1757 and 1771: the landscape park was perhaps already becoming synonymous with antiquity and Englishness. This said, the evidence suggests that overall Brown's reputation remained at low ebb throughout the nineteenth century, as geometric features returned to favour and the taste for a wilder nature took hold. Walter Scott memorably described how Brown's landscapes bore 'no more resemblance to that nature which we desire to see imitated, than the rouge of an antiquated coquette, bearing all the marks of a sedulous toilette, bear to the artless blush of a cottage girl'.[15]

Despite some interest in the 1920s, most notably from Christopher Hussey, Brown received relatively little academic attention until Dorothy Stroud finally published her groundbreaking monograph in 1950, the project having been stalled by the outbreak of the Second World War. Hussey provided an introduction which acknowledged the great contribution which Brown had made to the English landscape, while at the same time retaining some of the ambivalence that he had earlier showed in his book *The Picturesque*, in which Brown had been criticised for a 'cut and dried system that he applied in principle to every scene that he was called upon to improve'.[16] Stroud's biography was, and remains, a key text, and she reproduced for the first time, in accessible form, a number of vital extracts from letters, diaries and accounts which have been quoted and re-quoted in almost every subsequent book published on eighteenth-century landscape design. The footnotes and bibliographies of later works, both on Brown himself, and on landscape design more widely, demonstrate the debt that subsequent authors owe to her. It is perhaps surprising, however, that a book originally published over 60 years ago still holds such currency, even though our wider understanding of the eighteenth century, and of landscape design more generally, has moved on considerably. Certainly, the monographs on Brown by Hyams (1971), Turner (1985) and Hinde (1986) contributed relatively little that was new, and relied heavily on Stroud's earlier work. The most recent biography of Brown, *The Omnipotent Magician* by Jane Brown, although aimed primarily at a general readership, is arguably a more useful and original work, summarising as it does a good deal of recent scholarship in readable form.[17] It has nevertheless come in for some criticism for the use of imaginative touches the author employs to flesh out the character of Brown. While in some ways a legitimate complaint, it should be emphasised that in writing a *biography* – and especially one for popular consumption – such imaginative flights are perhaps understandable in the case of Brown who, unlike Humphry Repton or John Claudius Loudon, left few written records and no published works. There are

The Capability Brown Column at Wrest Park. Image reference number N080242
© English Heritage Photo Library

a few letters, a single surviving account book, records associated with his bank accounts at Drummonds, maps, plans and contracts – but nothing which explains the theoretical, aesthetic or philosophical underpinnings of his designs in detail.[18]

The rise to prominence of the Brownian landscape park has long been a central theme in garden history. Horace Walpole's *History of the Modern Taste in Gardening*, published in 1782, established the basis for much of the narrative which now underpins popular understandings of eighteenth-century garden design: one in which, under a succession of designers, geometric forms were progressively simplified and made more 'natural' – a progression which Walpole read in essentially Whiggish terms, as an inevitable progression towards the landscape park.[19] Walpole, moreover, sought to demonstrate that the 'natural' style of William Kent, who was 'succeeded by a very able master' in Brown, was in effect the national style of England. Most of the major works on garden history produced between the 1960s and the 1980s adopted elements of this narrative. Miles Hadfield placed the eighteenth-century landscape within the context of a long-term history of gardening in Britain, calling the natural style 'a revolution' in taste.[20] Similarly, David Jacques' comprehensive and scholarly study of Georgian landscapes, focussing on the period from 1733 to 1825, drew attention to the variety of landscaping in the eighteenth century, but nevertheless had as one of its central themes the development of the 'natural' style which 'reached its zenith in the 1760s with Lancelot Brown the dominant practitioner'.[21]

Recent research, while continuing to acknowledge the importance of Brown in the development of landscape design, has tended to reduce the extent of his pre-eminence. In particular, and as explained below, some have sought to emphasise the importance of Brown's 'imitators' as designers in their own right.[22] Others have stressed the debt owed to Kent and other predecessors, thereby questioning the originality of Brown's contribution. Tim Mowl has thus suggested that his formula for laying out a landscape park was limited in its inspiration and in its novelty, and that the various elements were already well established in landscape design before Brown's career took off.[23] He has also eulogised William Kent as 'the greatest designer of the eighteenth century' through a biography which highlighted the creativity and variety of Brown's most important predecessor.[24] Richardson has gone further, dismissing the landscapes created by both Brown and Repton as inherently 'meaningless', whilst acknowledging their commercial success,[25] and at the same time identifying the early eighteenth-century landscape garden of Kent and his contemporaries as 'the greatest art form ever to have been devised in the British Isles'.[26] A growing interest amongst scholars in the first half of the eighteenth century, which became particularly apparent in the last decade of the twentieth century and the opening one of the twenty-first, has thus to some extent triggered a backlash against Brown.

Alongside research into Brown, his contemporaries and predecessors at a national level has come a spate of local and regional studies, mostly taking the county as a unit for research.[27] Of particular note are the series of volumes produced by Tim Mowl and his colleagues on the garden history of individual counties, and the activities of numerous county gardens trusts, formed in order to research and preserve the heritage of parks and gardens.[28] The first such body – for Hampshire – was founded in 1984: there are

now thirty-six in existence, mostly sharing close links with each other and with the Garden History Society, founded with similar aims in 1966. This county-based approach has many benefits, but can also create problems when it comes to assessing the work of major designers like Brown on a national scale. During the eighteenth century the complex social and political networks which bound his wealthy patrons together were not always contained neatly within administrative boundaries. Descriptions of Brown's works contained in county-based volumes thus sometimes lack the framework of social and cultural links which feature prominently in much of the wider literature on Brown – the people that he worked for were closely interlinked, and his relationships with people like Pitt and Sanderson Miller were particularly important.

One major hurdle in any study of Brown's work and legacy is the challenge posed by the so-called grey literature – unpublished reports, conservation management plans, restoration plans, documents relating to Higher Level Stewardship schemes, Heritage Lottery grants and other similar applications for funding. This literature can be extensive for some sites, and can contain a great deal of original research and interpretation. Much of it is, however, currently inaccessible, and very little of it appears in the bibliographies of published academic work, so it is difficult even to gauge how much material of this kind exists, even in the hands of bodies such as English Heritage and the National Trust, both of whom have carried out extensive research into their own properties. Some reports of this kind are listed on the 'Parks and Gardens UK' website, and the Garden History Society are currently preparing a bibliography of conservation management plans (CMPs) for all designed landscapes across the UK, which will be published in September 2013.[29] This, and ongoing updates to Parks and Gardens UK, will certainly help considerably in the identification of recent and future research relating to Brown, and will be particularly helpful for those sites which have otherwise received relatively little academic attention. However, despite the obvious benefits that greater accessibility to this material will bring, we should sound a note of caution. Although much of this material undoubtedly is produced to high academic standards, some may not be. Furthermore, although the production of such reports generally involves a process of comment and revision between client and researcher, there is usually no form of wider peer review, in contrast to the situation with academic books and articles.

ATTRIBUTIONS: DEFINING BROWN'S CORPUS

One piece of research which urgently needs to be undertaken, and which would prove a particularly appropriate way of recognising Brown's tercentenary, would be the compilation of a reliable and graded list of his commissions. This cannot be achieved merely by consulting his own financial records. Only one of Brown's own account books survives, which listed current clients and the amounts of money received and expended in the years around 1764. Even this is not exhaustive – Jane Brown has noted that it fails to mention Petworth or Temple Newsam, all of which were 'active' at this time.[30] Brown's accounts with Drummonds Bank have been transcribed and published by Willis; they cover the years between 1753 and his death in 1783, but again do not offer a complete picture of his activities. Willis listed 90 individual sites mentioned in the accounts – less than half the number which can be reliably attributed to Brown.[31] The organisation of his business – which evidently, as we shall see, allowed money to be paid directly to contractors rather than via Brown – may in part be responsible for such omissions. This also ensures that it is not always possible to distinguish, on the basis of the size of bank payments, major commissions from minor ones. On the other hand, there is little doubt that a significant amount of expenditure points to an equally significant landscaping project – as at Benham (Berkshire) in the 1770s, where the work cost £7,650 but there is no surviving plan.

To date there have been three published gazetteers of Brown's work. The 1975 edition of Stroud's book provides a list of 214 sites;[32] in 1985 Turner's volume expanded this list, identifying 169 sites which had clear evidence of Brown's involvement and a further 59 where the attribution was doubtful, or where Brown's designs were not implemented.[33] Hyams' book of 1971 featured a gazetteer containing only 50 sites, being restricted to examples where Brown's work survived reasonably intact.[34] The Parks and Gardens UK database links Brown with 216 places, some of which do not appear in any of the published works on Brown.

In all, no less than 267 sites in England and Wales have been attributed to Brown by one authority or another (these are listed in Appendix 1). In some cases the basis for such identifications is entirely unclear. For example, Hunstrete House near Bath is listed as one of Brown's works by Parks and Gardens UK but is not identified as such in any of the published literature: the report of recent archaeological investigations by Wessex Archaeology on the site of the house, which was demolished in the nineteenth century, makes no mention of the involvement of Brown, despite discussing the landscape context of the house and estate in some detail.[35] In other cases mistaken attributions are due to understandable misinterpretations of the available evidence. The park at Elveden (Suffolk) was considered by Stroud to be by Brown on the evidence of an entry in his account book, an attribution repeated by Hinde and Turner, and still widely accepted.[36] The payment of £1,460 was made in 1765 by 'General Keppel', but this was not *Admiral* Augustus Keppel, owner of Elveden, but rather his brother General William Keppel of Dyrham in Hertfordshire, as the latter's bank account testifies. This misidentification was corrected in 2001 by David Brown, and more recently by Jane Brown in her biography, but the park is still identified as one of Brown's in local lists.[37] Some attributions are based on little more than hearsay and guesswork, such as Ditchingham (Norfolk),

which is listed as a Brown park by the revised edition of Pevsner's *Norfolk* and by Parks and Gardens UK, amongst others, even though – as Jane Brown correctly notes – this is no more than a 'family tradition'.[38] In fact the 'Brown plan' supposedly kept at the hall does not appear to have been seen by anyone within living memory. The park was laid out around 1764 but no reference to its owners, the Bedingfields, appears in Brown's account book. Furthermore, a plan of this date apparently showing the proposed 'deformalisation' of the grounds was surveyed by one Joseph Rudnall, not known as an associate of Brown. [39]

A slightly different, but nevertheless important, issue concerns the way in which, in a number of cases, Brown's involvement at particular places has simply been exaggerated. Holkham (Norfolk) is still widely accepted as one of Brown's parks but its key designer in the second half of the eighteenth century was unquestionably John Sandys, the head gardener, who came to Holkham with William Emes in c.1780.[40] Brown may have worked on the pleasure grounds, but even the alterations here were attributed by Repton to one of Brown's 'foremen', who had 'deservedly acquired great credit … by the execution of gravel walks, the planting of shrubberies, and other details belonging to pleasure grounds'.[41] Even where Brown unquestionably made a major contribution to a landscape it does not follow that he was responsible for every detail we see there today. He supervised the creation of the new park at Chatsworth (Derbyshire), west of the

UEA 'Lancelot 'Capability' Brown – A Research Agenda for the Future' workshop delegates at Kimberley Hall 10 May 2013 © English Heritage: Jenifer White

river Derwent, but the oft-repeated suggestion that he demolished the walled gardens to the east of the hall to create the sweeping 'Salisbury Lawn' in the pleasure grounds is incorrect: the lawn is clearly shown on Thomas Smith's painting of c.1743, and may well be the work of William Kent.[42]

Conversely, it is clear that a number, perhaps a large number, of Brown's commissions remain undiscovered and unrecognised – or are known to individual researchers but not widely publicised, and hidden away within the 'grey literature'. Several are suggested by references to Brown in correspondence or accounts, and would repay further investigation. To take just one example: Overstone (Northamptonshire) does not appear in any of the existing gazetteers, yet a letter from Brown to the owner, Sir Thomas Drury, dated 16th May 1758, survives in which he declares: 'I am sorry I was from home when you did me the honour to call at Hammersmith, I should have waited on you in Town but am obliged to set out on a journey into Sussex the morrow morning early, however shall take the first opportunity on my return'[43]. No estate accounts or other records for Overstone survive from this period, other than letters sent by Drury's estate steward, Edward Worley, which cover the period between March and December 1758. These, however, make it clear that a great deal of work was being carried out, including the removal of garden walls, extensive planting and the creation or alteration of ponds within the park.[44] An estate map of 1832 shows a landscape park with a distinctly Brownian air.[45]

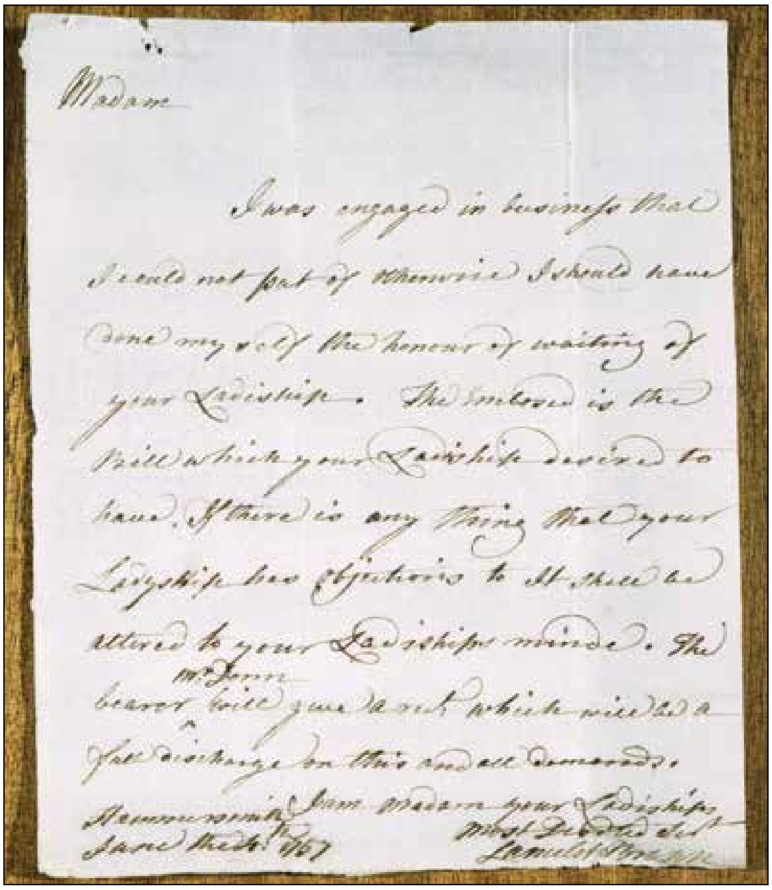
The list of Brown's sites thus needs a thorough examination in order to weed out spurious attributions. A refined gazetteer should also attempt to differentiate clearly between those sites which can be attributed to Brown with confidence and full supporting evidence; those where the balance of evidence strongly suggests Brown's involvement; and those for which there is simply no hard evidence. It should, in addition, attempt to assess the extent of his work in each case. The formulation of such a reliable corpus would greatly assist in understanding the characteristics of his style and the way in which this may have changed over the course of his career.

BROWN'S CAREER AND BUSINESS

Most of the principal studies of Brown tend, to varying extents, to adopt a biographical approach, examining his work in the context of his life history. They thus trace his early beginnings at Kirkharle in Northumberland, describe his move to Stowe, and the development of his career as an independent 'place-maker' following his move to Hammersmith in 1750. The scale of Brown's achievement is often emphasised by concentrating on his lowly origins (although some, troubled by how such an individual could have acquired the requisite amount of sensitivity and 'taste', have hinted or argued that he was in fact the illegitimate son of his first employer, Sir William Lorraine of Kirkharle).[46] In fact, his 'lowly' origins can be exaggerated: the family were, in local terms, of middle-class yeoman stock, and Lancelot's brother John was able to marry, apparently without scandal or opposition, Jane Lorraine, Sir William's daughter.[47]

Recent research has served to fill out many of the gaps in our knowledge of Brown's career. Of particular note is Steffie Shields investigation into his travels and commissions in the period between leaving Northumberland in 1739 and becoming head gardener at Stowe in 1742 – a time spent in Lincolnshire, especially at Grimsthorpe, where he gained an important reputation as an 'engineer'.[48] Jane Brown's recent biography has been particularly useful in showing (as Stephen Daniels has done for Repton)[49] the hardships involved in the regular long-distance travel which underpinned Brown's career, and the extent to which patterns of travel may have structured the geography of his commissions. She has also, like a number of other writers, noted the social networks which may have brought Brown particular commissions, emphasising especially his early connections with Sanderson Miller and, above all, the importance of the longer-term connection with William Pitt, Lord Cobham.[50]

Rather different connections have been highlighted by David Brown's meticulous examination of Brown's bank account at Drummonds (itself developing work begun by Peter Willis).[51] From the 1750s Brown was making large, but 'intermittent and variable'[52] payments to a range of individuals, many of whom already had, or later developed, careers as architects or landscape designers in their own right, such as Nathaniel Richmond and Adam Mickle. Many of these people worked with Brown over several decades. In David Brown's words, the sums recorded in the accounts 'do not represent personal payments or salaries. They are more likely to represent subcontract payments covering the supply of supervision, contract labour and, in some instances, materials on a flexible *ad hoc* basis according to the needs of the project'.[53] This network of collaborators, who are better described as 'associates' than as 'foremen', underpinned the phenomenal expansion of Brown's business. In 1753, the first year of his account at Drummonds, his recorded receipts totalled £4,924; by 1768 this had risen to £32,279. The development of this sophisticated business structure reflects the increasing commercialisation of all aspects of society at this time, something which was also manifest in the shift in the character of garden designer from gentleman amateur or dependent client, to professional practitioner. David Brown's work has highlighted the huge potential for studying Brown and other eighteenth-century designers, which is contained with contemporary bank records – many of which have not been systematically studied. A programme of digitisation of such records, particularly those held by the Royal Bank of

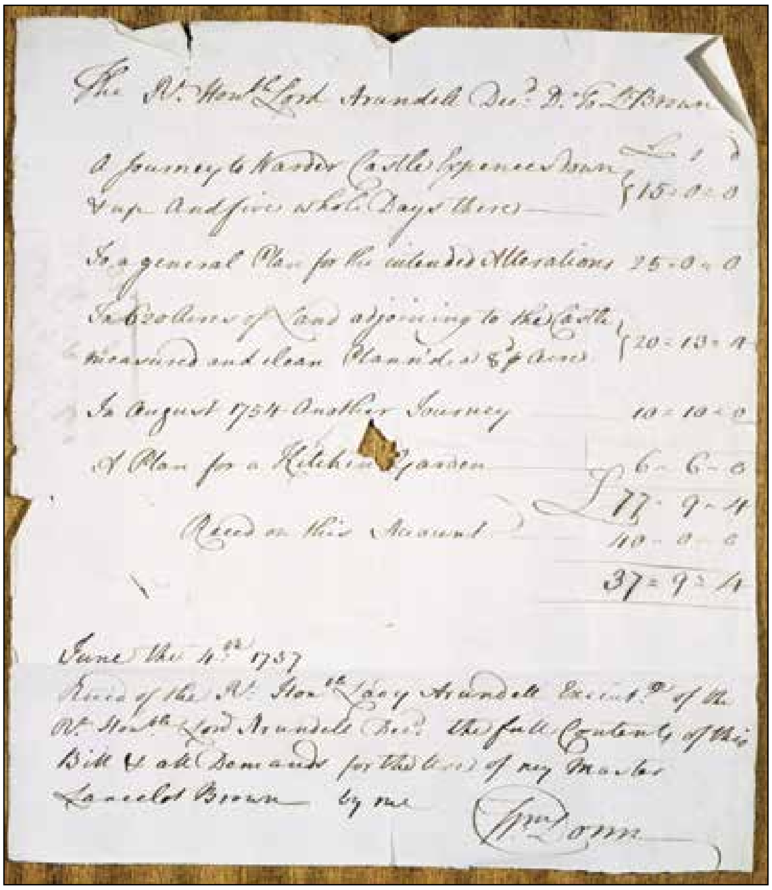


Madam

I was engaged in business that I could not put of otherwise I should have done my self the honour of waiting of your Ladiship. The inclosed is the Bill which your Ladiship desired to have. If there is any thing that your Ladyship has objections to it shall be altered to your Ladiships minde. The Mr Lomm bearer will give a rect which will be a full discharge on this and all demands.

Hammersmith June the 4th 1757

I am Madam your Ladiships most devoted Sert
Lancelot Brown



The Rt. Honble Lord Arundell Decd. Dr. To L Brown

	£ s d
A Journey to Warder Castle Expences Down & up And five whole Days there	15-0-0
To a general Plan for the intended Alterations	25-0-0
To 80 Acres of Land adjoining to the Castle Measured and clean Plann'd at 5s p Acre	20-13-4
In August 1754 Another Journey	10-10-0
A Plan for a Kitchen Garden	6-6-0
	£77-9-4
Recd on this Account	40-0-0
	37-9-4

June the 4th 1757
Recd of the Rt Honble Lady Arundell Executx of the Rt Honble Lord Arundell Decd the full Contents of this Bill & all Demands for the Use of my Master Lancelot Brown by me Wm Lomm

Letter from Capability Brown to Lady Arundell 1757 (Old Wardour Castle) from the Arundell Family Archive. Image reference numbers K990245 and K990246 © English Heritage Photo Library with permission from Wiltshire & Swindon Record Office

Scotland which include a number of different eighteenth-century banks, would enable researchers to carry out such research easily and would, indeed, provide an invaluable resource to any student of the eighteenth century.

The system of flexible subcontracting highlighted by David Brown has implications for the way that Brown organised particular commissions, and also for the ways in which these are documented in estate archives and other records. Brown's association with particular places often extended over years, even decades, but his presence on site was usually fleeting and sporadic. The character of the design having been agreed, close supervision was frequently left to associates, and payments often went direct to them rather than via Brown himself, who in consequence may hardly feature in the records of particular estates. At Chatsworth, for example, where Brown 'improved' the landscape between 1759 and 1766, he is hardly mentioned in the estate accounts, which instead record numerous large payments to Michael Milliken or Millican for 'earth moving'. Milliken's name first appears in 1760, when he received £313 in twelve separate payments; in 1761 he received a further £637; from December 1761 to October 1762, £635; and from November 1762 to November 1763 no less than £710. In all, the accounts suggest that he received payments totalling around £3,010 over a period of five years, apparently covering the costs of a specialist team filling in the great complex of fishponds to the north and west of the house, and grading the banks of the river.[54] This pattern of organisation, plus the fact (as Jane Brown has argued)[55] that some payments were made in cash and never appear in bank accounts, ensures that it is often hard to reconstruct from the surviving documentary sources the true scale of Brown's activities, posing problems in terms of constructing a complete and reliable list of his commissions.

Yet it is also important to emphasise that there was much variety in the way that commissions were organised. Even at Chatsworth, while Milliken's men carried out major schemes of earth-moving, the estate workers were employed in the levelling of hedges, walls and ditches within the area of the new park, and for much of the planting. Elsewhere landowners appear to have carried out all of the work of 'improvement' using their own workers or, perhaps, local contractors. This certainly appears to have been the situation at Burton Constable (Yorkshire), where the late Elizabeth Hall discovered the minutes of meetings between Brown and the agent, Robert Raines, which clearly imply – in the detail of the instructions recorded – that supervision of the works was in the hands of the estate itself, using regular estate labour or local contractors.[56] The minutes shed considerable light on Brown's working methods, as well as on his style, showing for example how he designed the construction of the lake dam, and more generally modified his plans on successive visits to allow for unforeseen consequences of earlier decisions.

One facet of Brown's career which perhaps deserves more attention is his role as an architect. There has been a tendency to downplay this aspect of his activities, and in particular to emphasise the extent to which it was carried out in association with his son-in-law, the architect Henry Holland, with whom he worked in partnership from the early 1770s. But there is some evidence that Brown was already making alterations to the mansion at Stowe in the 1740s, while as early as 1754 the accounts at Newnham Paddox (Warwickshire) describe him as 'Mr Brown the architect'.[57] Holland himself praised his father-in-law's abilities in this field; while Repton famously noted that:

> Mr Brown's fame as an architect seems to have been eclipsed by his celebrity as a landscape gardener, he being the only professor of the one art, while he had many jealous competitors in the other. But when I consider the number of excellent works in architecture designed and executed by him, it becomes an act of justice to his memory to record that, if he was superior to all in what related to his particular profession, he was inferior to none in what related to the comfort, convenience, taste, and propriety of design in the several mansions and other buildings he planned.[58]

His repertoire included the design of entirely new country houses (Claremont (Surrey), Ugbrooke (Devon) (?), Redgrave (Suffolk)); the extensive remodelling and extension of others (Broadlands (Hampshire), Warwick Castle, Newnham Paddox (Warwickshire), Burghley (Northamptonshire), Corsham (Wiltshire)); the design of model cottages and farms (Milton Abbas (Dorset), Croome (Worcestershire)); chapels and churches (Compton Verney (Warwickshire), Croome); as well as ice houses and numerous garden buildings. While it is no doubt true that his activities were largely restricted to the overall concept of the building, with Holland or others working out the practical and structural details,[59] his work in this field would nevertheless repay further attention simply because of the various links which have been suggested between the 'natural' style of gardening, and developments in architecture: whether in terms of the emergence of circuit as opposed to formal plans for country houses, as suggested by Girouard (below, pp.24-5); or the impact of Neo-Classical architecture after 1770, as argued by Tait in 1983.[60] William Mason, among other contemporaries, emphasised the close connections between the two spheres of his activities:

> I am uniformly of opinion that where a place is to be formed, he who disposes the ground and arranges the plantations ought to fix the situation, at least, if not to determine the shape and size of the ornamental buildings. Brown, I know, was ridiculed for turning architect, but I always thought he did it from a kind of necessity having found the great difficulty which must frequently have occurred to him in forming a picturesque whole, where the previous building had been ill-placed, or of improper dimensions.[61]

One of the most striking things about Brown's career, and one which – in spite of recent research – is still not entirely explained, is the speed with which he acquired a wide range of skills, something noted by Repton and others even in the eighteenth century. Contemporaries in fact emphasised his ability to charm, his wit and social skills, as much as his abilities as a designer, Chatham describing how 'you cannot take any other advice so intelligent or more honest'.[62] Yet even allowing for the possibility that his real genius may have been his ability to act as 'front man' for a team, the fact that he was already designing lakes and dams at Grimsthorpe (Lincolnshire) by 1739, and was perhaps acting as an architect by 1745, suggests an individual able to learn a range of trades and skills with remarkable facility.

BROWN'S STYLE

Much of what the principal texts have to tell us about Brown's style of landscape design is essentially vague. There is much emphasis on how he 'swept away' existing geometric features, replacing them with 'natural' landscapes characterised by sinuous or irregular lines. We learn that he created lakes, serpentine in shape and usually with unplanted margins, in the middle distance (or, as at Chatsworth, widened rivers to serve this purpose); and that he planted large numbers of indigenous trees, such as oak, elm and beech, arranged as loose scatters, clumps, and perimeter belts. Most authorities also note how he created circuit drives (often running in and out of the perimeter belt) and, above all, systematically removed formal gardens from the vicinity of the mansion, replacing them with lawns and serpentine pleasure grounds which were separated from the grazed park by a sunken fence or *ha ha. Ha has* might also be used more widely to subdivide parkland, protect clumps or enclose churchyards isolated within parks, as at Corsham (Wiltshire).

Perhaps the key change in our understanding of Brown's style in recent decades has been the recognition, in the work of Mark Laird especially, that it was rather more 'garden-like' in character than an earlier generation assumed: Brown was the creator of pleasure grounds as much as landscape parks.[63] Given that the period between 1740 and 1770 was the golden age for the importation of flowering shrubs from America and elsewhere, as Laird and others have shown, it would indeed be strange if Brown's success had depended entirely on the composition of parkland scenes exclusively using indigenous hardwoods. This new emphasis represents a rediscovery of something widely accepted in the eighteenth and nineteenth centuries. As Uvedale Price put it, 'Mr Brown has been most successful in what may properly be called the garden, though not in that part of it which is nearest the house', describing how the 'modern pleasure garden with its shrubs and exotics would form a very just and easy gradation from architectural ornaments, to the natural woods, thickets and pastures'.[64] But flowering shrubs were not only established in the pleasure grounds near the mansion. As Stroud was already aware in the 1950s, at places like Petworth (Sussex) laurel and other low-growing ornamentals were more widely planted, on the margins of plantations, and as 'plantations of low shrubs' in their own right.[65] This was one aspect of a wider phenomenon: although we usually think of Brown's parks as dominated by indigenous hardwoods, he evidently made much use of exotics such as American plane, cedar of Lebanon, weeping willow and evergreen oak, as well planting a range of conifers, principally Scots pine, spruce and larch. Indeed, the cedar has been described as his 'signature tree'.[66] It is easy to assume that the conifers, at least, were mainly used as 'nurses' in the plantations of hardwoods, and to some extent they were, but close examination of Brown's plans often shows them scattered across the parkland turf, as at Kimberley (Norfolk), while at Burton Constable (Yorkshire), according to Hall, they were used to vary the margins of plantations, and in general provide an element of variety.[67] To some extent the shorter lives of many of these exotic species has tended to accentuate the indigenous, 'natural' character of Brown's planting.

Some have argued a very different view: that Brown, from his time at Stowe onwards, consciously rejected the fashionable use of foreign trees and shrubs, because he was one

of a series of writers and designers who sought to develop a specifically English form of gardening, and to form the 'inchoate material of England into something definitively English and not French'.[68] Yet the evidence of the few surviving planting lists that we have leave little doubt that exotics were employed by Brown in both pleasure grounds and parks. At Petworth more than twenty shrubs were purchased for Brown's garden, including such American imports as 'Virginia Shumach' and 'Virginia Rasberry', while at Syon House (Middlesex) the long shrubbery walk – the Church Walk Wilderness – was planted with a range of shrubs which included evergreen honeysuckles, Alexandrian laurels, lilacs, laburnums, syringes and viburnums.[69] Six cedars – hardly an indigenous English tree – were also planted here, as they were at many other places. At Burton Constable, while indigenous trees formed the bulk of the planting, large numbers of conifers were purchased, together with sugar maples and scarlet oaks. Here, as elsewhere, other trees which – while indigenous – we would today perhaps associate more with gardens than parklands were widely planted, most notably silver birch, which were purchased in their thousands.[70] Here, too, it seems that the passing of time has served to change our perception of Brown's planting: birch trees seldom attain an age of more than a century. It might be argued that this kind of planting, when recorded in estate records, often reflects the tastes of owners rather than the desires of Brown himself, but we have no real evidence that this was the case.

If elements of Brown's parks were thus perhaps rather more like gardens, and less like traditional deer parks or the wider countryside, than we often assume, the extent to which he 'swept away' existing geometric landscapes also requires further examination.

A view of Petworth Park. Image reference number 24703_027 © English Heritage

At the kinds of exalted social levels at which he was employed few mansions probably retained walled, formal gardens by the 1750s or 60s: walls had already been removed and geometry softened and simplified under the influence of Bridgeman, Kent and their contemporaries. Superficially, Brown was not invariably hostile to the residual geometric features at such sites, retaining avenues at a number of places, although of course the preferences of individual owners were also important here. His patrons may have insisted on the retention of some much-loved established landscape features not least because – a fact all too easily forgotten – most avenues, wildernesses and other formal plantings were barely mature at the point when Brown arrived on the scene. Geometric planting might thus be softened, but not rendered entirely irregular and serpentine in character, as appears to have happened with the formal elements in the gardens at Petworth.[71] Sometimes it is clear that Brown was only employed to modify one relatively small section of a landscape, usually the immediate setting of the house, leaving wider geometric planting undisturbed. Such circumstances presumably explain the survival of the mesh of avenues in the park at Moor Park (Hertfordshire) long after Brown had landscaped the grounds there, and his retention of the avenues at Wimpole (Cambridgeshire) and Blenheim (Oxfordshire) (as Sarah Crouch has reminded us, 'many writers continued to give advice on planting avenues well into the latter half of the century and in fact many more avenues survived than the writers on taste in gardening would suggest'[72]). Elsewhere, in contrast, Brown evidently modified parklands but did less in the vicinity of the mansion, as at Wrest (Bedfordshire) where, some time after his activities, Horace Walpole was still able to describe the gardens as 'very ugly in the old fashioned manner with high hedges and canals'.[73]

A more interesting question is whether Brown's designs really eschewed formal geometry to the extent that most researchers have assumed. Some of the geometry underlying Brown's design at Blenheim was explored by Hal Moggeridge in the 1980s, but more important are the arguments advanced by John Phibbs, in a series of three challenging papers, that the overall layout of planting and other features in Brown's parks was, in fact, structured by an underlying, abstract, 'hidden' geometry.[74] The suggestion has not found wide acceptance, although it is paralleled, for example, by the recent arguments of Caroline Dalton regarding the geometry underlying Vanbrugh's landscape designs.[75] Both arguments arguably suffer from a lack of rigorous statistical testing: because it is possible to impose a pattern of geometry on a landscape this does not mean that the landscape was necessarily designed in this manner, or that other patterns of geometry would not also 'fit' the disposition of features equally well.[76] Lack of precision in the dating of the trees and earthworks allegedly forming the elements of such geometric patterns poses another potential problem, and there is a real danger of circularity of argument: poorly-dated features which form the pattern are deemed to be 'dated' by this fact alone, thus further justifying the validity of the pattern itself. We might also note how, in some circumstances at least, abstract geometrical arrangements, worked out on a plan, would have been hard to combine with visual effects intended at ground level, which depended on the use of clumps and belts to frame views or obscure less desirable prospects. All this said, Phibbs' ideas are important and challenging, supported by a wealth of experience of Brown's designs, and thus require further testing.

Other aspects of Brown's planting remains contentious, and many strongly expressed views concerning its character have again not been subjected to rigorous research or peer-review: an unfortunate circumstance, given that they underpin much current restoration work. There is, for example, disagreement over the character of Brown's perimeter belts. Most researchers have argued that these were intended to provide a screen of vegetation, forming a clear boundary between the park and wider landscape: where drives wound through these belts selective views out into the working countryside might be made at intervals, but overall the belt acted – as the alternative contemporary term suggests – as a 'screen'. Against this, Phibbs has strongly argued that Brown's belts lacked any form of understorey and were intended to be permeable: the wider countryside should be visible between the stems, and beneath the canopy, the trees if necessary being pruned to assist this aim.[77] This suggestion, which has major implications both for how we 'read' Brown's landscapes (as private and inward-looking, or as closely integrated with the surrounding countryside) and for how we restore them, is likewise in urgent need of rigorous testing. Many of Brown's belts unquestionably had a planted understorey, coppiced or otherwise, to judge from surviving remains. At Burton Constable the minutes of the meetings between Brown and Raines leave little doubt as to the character of such planting: 'Plantations, mainly the famed shelter belts forming enclosures on the boundary, were generally recommended to be 150-300 feet wide. For these Brown liked the underwood to be retained, thus creating a "woodland" rather than the "grove" that John Phibbs suggests Brown typically designed for this feature'.[78]

While the character of Brown's planting has received much attention, other aspects of his work have received rather less, in part because much research has been directed towards the restoration of particular sites, something which usually embraces planting but is less commonly directed towards earth-movement or the restoration of expensive water features. One area which would certainly repay further study is Brown's involvement in major schemes of water management. Many commentators, most notably perhaps Steffie Shields and Thomas Hinde, have discussed Brown's lakes – their shape, planting and construction.[79] Less attention has perhaps been paid to the fact that, at many of the places where details of his activities are known from contracts and the like, Brown's work included improvements to drainage, especially in the area close to the mansion (as at Croome, Bowood, Burghley, Claremont, Longleat, Corsham or Belhus).[80] The removal of existing areas of water close by – usually fishponds – was also a frequent occurrence.[81] One of the key features of Brown's designs was thus the provision of a dry environment for his patrons, and this emphasis is apparent from the very start of his career. The monument erected to his memory by Lord Coventry at Croome, one of his earliest commissions, praised the way in which he had 'formed this garden scene/ out of a morass'. Ensuring that water was in its proper place – away from the house, and relegated to the middle distance in the prospect from its windows – could almost be described as a defining aspect of his style.

While much has been written about Brown's landscaping style, little attempt has yet been made to examine systematically how this may have changed over time, something which is in marked contrast to the way in which art historians, in particular, usually consider the development of individual careers. Some writers have suggested that once devised, Brown's essential formula remained unaltered, Tom Turner for example suggesting that

'during the thirty-two years of his career as an independent designer Brown's style hardly changed and is easily represented by a single diagram'.[82] Yet it seems *a priori* unlikely that his designs for parks and pleasure grounds continued without significant alteration for more than three decades: indeed, significant changes can arguably be identified, especially in the character of his planting and his use of buildings, with a general tendency for design to become less complex, and less organised around a series of set 'views', framed by planting and focused on ornamental structures. Robert Williams thus noted how 'in the course of his career [he] gradually learned to think out his landscapes more in terms of ground, wood, and water', and with less of the 'enthusiasm for ornamental structures' which had characterised his earlier works, and that of predecessors like Kent and Miller.[83] Jane Brown's recent biography suggests in addition that, from the 1770s, elements of his work began to exhibit an appreciation of the 'picturesque'.[84] Developments in his style have thus been identified, but perhaps remain insufficiently explored.

One simple way of beginning to tackle this issue should be to collate and compare the various plans prepared by Brown (and his colleagues) for 'improving' particular sites. Many of these have been published but no attempt has been made to draw them together in a single collection, or volume, which leaves a serious gap in our knowledge. Rogge's recent analysis of Repton's Red Books has highlighted the benefits to be gained by art historical approaches to the study of landscape design.[85] Such plans can be analysed in forensic detail, by examining pencil marks, handwriting and paper quality to deepen our understanding of Brown's practice. Stroud included 24 plans in her monograph; Brown's recent biography reproduced only one (although it does include maps of several sites). Not all of 'Brown's' plans, it should be emphasised, were drawn by Brown himself, and many can be attributed to Samuel Lapidge or Jonathan Spyers. In addition, many contemporary views of Brown's landscapes have been published, including engravings, watercolours and drawings. Although we remain unsure as to what Brown's final intention was for the appearance of his landscapes, such illustrations do at least show the near-contemporary finished article. Systematic comparison and analysis of this material should therefore provide some indication of how Brown's style developed over his long career.

ORIGINS AND ORIGINALITY

A consideration of these issues shades imperceptibly into questions of origins and originality: of how novel Brown's style was, and where it came from. As we noted at the start of this report, some commentators and researchers – both in the eighteenth century, and today – have told an essentially teleological story. Brown's landscapes were the culmination of a gradual movement in taste away from geometry and formality which occurred in the early decades of the eighteenth century, marked by the writings of Pope, Switzer and Walpole and by the designs of a series of key individuals. Under Bridgeman and Vanbrugh gardens became more open and simpler in outline, less rigidly geometric, with more emphasis on grass, gravel and areas of shrubbery and woodland; while under Kent pleasure grounds became more irregular in layout, with temples, clumps of trees and other 'informal' planting echoing the disposition of elements in Claude Lorrain's idealised paintings of Italian scenery. Some of Kent's later designs – such as Euston (Suffolk) – already included the creation of such scenes at a parkland scale. Brown took these developments further, placing more emphasis on planting and less on ornamental buildings. But while in one sense continuing an established tradition Brown was also a pioneer, and his new style was widely copied by a mass of 'imitators', some of whom were his former employees.

Recent research has presented a more complex and nuanced picture. To begin with, while Brown may have been the most successful of mid/late eighteenth-century landscape designers, both in financial and in artistic terms, he was nevertheless one of a number of able practitioners, amateur and professional, who were involved in a wider stylistic movement in the 1740s, 50s and 60s. The stylistic debt he owed was not simply to Kent. As Mowl has argued, many of the elements considered characteristic of Brown's designs were already well established in landscape design before his career began. Similarly, Jennifer Meir has shown that key aspects of his style are already apparent in the designs prepared by Sanderson Miller at places like Farnborough or Alscot (Warwickshire) in the 1740s, in which 'lakes adorn the middle distance', belts of indigenous trees formed the perimeter of the design, clumps were extensively employed and much effort was put into the improvement of drainage.[86] 'Miller landscapes are much closer in style to the extensive plans of Brown than to the more artificial and smaller scale designs of … Kent'.[87] The two men were associated with each other in a number of ways at the start of Brown's career, and Meir suggests that Miller, as much as Brown, may have had a hand in the design of Croome. In the five years after Croome, moreover, 'practically all of Brown's commissions have connections with Miller or Miller's circle of friends'.[88] Other predecessors, or contemporaries, who have received attention over recent years, and into whose activities research is currently continuing, include Thomas Wright, whose activities clearly extended beyond garden buildings to the landscapes in which these were set.[89]

Other researches have thrown important new light on Brown's supposed 'imitators', most notably Fiona Cowell in her thesis and her book, *Richard Woods (1715-1793) Master of the pleasure ground*, and David Brown in his as yet unpublished thesis on Nathaniel Richmond.[90] Although still sometimes castigated simply as copyists such men had their own particular styles. Woods, for example – as the subtitle of Cowell's book suggests

– was more concerned with intimate pleasure grounds and gardens than with vast panoramas of parkland, although the latter did still feature significantly in his deigns. He also created *ferme ornées*, a form of landscape which arguably maintained its popularity in various forms throughout the eighteenth and into the nineteenth century, its importance obscured by later scholars' fascination with the landscape park, as well as by the fact that ornamental farmland can be less easy to identify, on maps and similar sources, than parkland of more usual form. The clients of both Richmond and Woods were not necessarily of lower social rank than those of Brown, although they were generally more socially diverse. Many of Woods' patrons were thus drawn from what Cowell has described as the 'established middling gentry', contrasting this with those of Brown, who came almost exclusively from the upper echelons of society. Nevertheless, men like Sir John Griffin Griffin at Audley End (Essex) were happy to employ him. At Wardour Castle (Wiltshire) the 7th Baron Arundel commissioned Brown to redesign the grounds but following his death his son the 8th Baron was happy to turn to Woods, employing him for more than a decade.[91] Repton at the start of his career named Richmond alongside Kent and Brown as key stylistic influences. Whether Brown was a 'pioneer', and his contemporaries merely 'followers' and 'imitators', is thus a matter for some debate: David Brown has gone to far as to argue that the work of men like William Emes, Richard Woods, Francis Richardson and Nathaniel Richmond:

> …is in a similar style but does not appear to have evolved from [Brown's] work. It seems that Brown's style was the style of his time rather than being his personal invention. Indeed, he may well have been as much the recipient of design ideas from some of his very able associates as he was the disseminator of that style.[92]

Certainly, a broad grammar of landscape style was widely shared in England, at least by the 1760s, and at most Brown can have been responsible for no more than 5% of the landscape parks created in the country during his lifetime. What remains unclear is whether there are identifiable 'signatures' to Brown's own particular version of the 'natural' style – idiosyncratic touches which were not shared by his contemporaries. Phibbs has drawn attention, for example, to the low mounds used to conceal Brown's drives at places like Himley (Staffordshire), but at present insufficient research into the landscapes created by others makes it unclear whether such touches really were indeed restricted to Brown himself.

Various researchers over the last three decades have attempted to explain the origins of some of the characteristic features of Brown's parks – serpentine belts, lakes, clumps. Belts and clumps, for example, have traditionally been attributed to William Kent, and ultimately to the groups of trees in paintings by Claude and Poussin, but two separate writers in 1991 suggested that they were largely derived from the indigenous working countryside.[93] Belts were inspired by the wide hedgerows and the narrow linear woods found in some old-enclosed districts, such as the 'shaws' of Kent; clumps by a traditional coppicing system similar to the Scandinavian *loveng*, or meadow copse, comprising small clusters of trees scattered around areas of meadow or pasture (a form of planting for which there is, unfortunately, no actual evidence in England). Many in contrast have emphasised the place of the landscape park within the longer and broader tradition of the park in England. Deer parks – venison farms and hunting grounds – were established

in England from the eleventh century and comprised areas of woodland pasture sometimes interspersed with blocks of enclosed and coppiced woodland. Walpole famously noted the debt owed by eighteenth-century designers to these 'contracted forests, and extended gardens'[94] and, while many early deer parks lay in remote places, quite divorced from the homes of their owners, at the most important residences (castles and palaces) they were often in close proximity, and from the fourteenth century this became normal even at lower social levels. In 1986 Rackham forcibly restated the connection between deer parks and landscape parks: eighteenth-century designers were 'heirs to a long tradition', often adapted existing deer parks, and derived key elements of their designs from them.[95] The eighteenth century was simply the 'third age of parks' when 'their design became an art form in the hands of Lancelot 'Capability' Brown, Humphry Repton and their contemporaries'.[96]

These suggestions have been given a further twist by the growing acceptance, on the part of many landscape historians and archaeologists, that large-scale landscape design had, in fact, been invented in the Middle Ages, and that deer parks had often formed key elements of extensive and elaborate ornamental landscapes laid out around elite residences. In Michael Leslie's words, 'There was indeed a medieval landscape art … involving the modelling of substantial tracts of land, large-scale earthworks, water features and garden architecture with the aim of pleasing the eye …fundamental to their effect is the motion of the visitor or viewer'.[97] These designs featured large bodies of open water, parkland turf scattered with trees, and – allegedly – circuitous approaches and drives, all first clearly described by Wilson-North, Everson and Taylor at Bodiam Castle (Sussex) and since identified at numerous locations.[98] The similarities between such early

An aerial view of Audley End. Image reference number N071723 © English Heritage Photo Library

ornamental landscapes, and those designed by Brown and his contemporaries in the eighteenth century, are striking, and Leslie memorably described them as 'the English landscape garden before the English Landscape Garden', while Muir has asserted that 'It is clear that the medieval determinants of landscape taste were not greatly different from those of the 'great masters' of post-medieval landscape design'.[99] Muir indeed has drawn attention to the possibility that irregular, sylvan scenes have a *universal* appeal, associated with the kinds of wood-pasture savannah landscapes which, according to Frans Vera and others constituted (rather than closed-canopy woodland) the natural vegetation of pre-Neolithic north west Europe.[100]

We do not have the space here to discuss the problems with the concept of 'medieval designed landscapes', which have been dealt with elsewhere.[101] Suffice it so say that a good argument can be made that the claims made for complex and sophisticated landscape design in the middle ages – for the manipulation of perspective, the laying out of complex approaches involving a series of framed views, the creation of visual illusions – as well as for the establishment of carefully contrived 'naturalistic', sylvan scenes as the ideal setting for the residence – currently rest more on analogies with better-documented post-medieval landscapes than on direct evidence from the Middle Ages: and that the apparent similarities with Brown's style mainly arise from the way in which this has been imposed, by modern scholars, on the imperfectly preserved landscapes of the Middle Ages. This said, there can be little doubt that the 'Brownian' park owed much to the long deer park tradition, and that lakes, for example, were descended in part from the chains of large fish ponds (*vivaria*) which were often found within medieval and post-medieval deer parks. It is noteworthy that eighteenth-century writers like Whateley refer to parks not as a new type of landscape but as a long-established one transformed, like other aspects of the contemporary countryside, by the hand of taste: gardening was 'no longer confined to the spots from which it borrows its name, but regulates also the disposition and embellishments of a park, a farm, or a riding'.[102]

As well as the avenues and other formal planting which spread through parkland from the 1660s, but which appear to have been relatively rare before this date, certain aspects of 'Brownian' planting arguably appeared within them earlier than we might expect. The perimeter belt was present at places like Somerleyton (Suffolk) as early as 1652.[103] Small clumps of trees, apart from being a classic feature of Kent's designs, also feature on a number of illustrations in Campbell's *Vitruvius Britannicus* of 1722 and as early as 1731 Miller could describe how oaks were suitable 'to plant in Clumps in parks'.[104] True lakes – often adapted from earlier fishpond complexes – were also fairly common features of parks by the 1730s, many with serpentine forms resulting from the difficulties of constructing large water bodies with rigidly geometric shapes. In the county of Norfolk alone – to take an area known to the writers – true 'lakes', covering an area of more than ten acres (c.4 hectares) and with outlines at least partly sinuous, were created in the parks at Raynham in the early 1720s; at Holkham between 1725 and 1731; and at Wolterton in the late 1720s. That in Kimberley Park was in existence by 1739, while the present lake at Blicking developed from a substantial body of water which was already in existence when the park was mapped by James Corbridge in 1729.[105] A number of the basic elements of the landscape park, in short, were familiar features of parks some time before Brown, or even Kent, began their careers.

THE MEANING OF THE LANDSCAPE STYLE

Many garden historians have been happy to 'explain' the rise of the landscape park entirely in terms of the history of garden design – as an autonomous discourse and practice – and have, as already noted, posited an effectively teleological argument, in which the works of Brown are the culmination of an inexorable shift towards more 'natural' styles of design which occurred in the course of the eighteenth century. A number of scholars, however, have sought to establish links between changes in garden design and developments in other intellectual and cultural fields. A long tradition, already well established by the 1770s, thus views the landscape style as an expression of political ideas, representing in physical form the balance inherent in the English constitution between tyranny and absolutism – expressed by the geometric garden – and anarchy – present in the chaos of 'unadorned nature'. It also expressed more generally a distinct English cultural and ideological identity (a suggestion which wilfully ignores how much the 'landscape' style owed to such foreign influences as the paintings of Poussin).[106] Some commentators have drawn parallels with contemporary developments in aesthetic theory, noting the similarities between Hogarth's 'line of beauty' and the sinuous curves of Brown's lakes or plantation belts.[107] A few have associated the rise of the 'natural' style with the growing influence of empiricist philosophy, against the Cartesian systematism and Neoplatonism which underlay the formality of the geometric garden;[108] or have connected Brown's 'belief in and search for an ideal beauty of form' with Neo-classical thinking.[109] Rather different to such approaches, although in some respects connected to them, are perspectives which link changes in garden design with changes in other aspects of the physical environment.

A long line of commentators has thus suggested an association between the rise of the 'landscape' style on the one hand, and the spread of enclosure, and the reclamation of commons and 'wastes', on the other. Keith Thomas, for example, while emphasising the importance of Italian landscapes, the poetry of Horace and Virgil, and the paintings of Claude, Poussin and Lorraine in the development of Brown's style, has argued that it was 'English agricultural progress which made these models so seductive'.[110] 'As Nature itself became regularized into a farm, and geometrized by the parliamentary surveyors' charts and chains, so artifice inevitably lost its compelling rationale. With Nature tamed, wildness itself could at last become aesthetically prized'.[111] Such ideas have a long ancestry. As early as 1783 William Marsden argued that:

> In highly cultivated countries, such as England, where property is all lined out, and bounded and intersected with walls and hedges, we endeavour to give our gardens … the charm of variety and novelty, by imitating the wildnesses of nature in studied irregularities … and the stately avenues, the canals, and the lawns of our ancestors, which afforded the beauty of contrast in ruder times, are now exploded.[112]

John Claudius Loudon in 1838 noted a similar connection:

> As the lands devoted to agriculture in England were, sooner than in any other country in Europe, generally enclosed with hedges and hedgerow trees, so the face of the country in England, sooner than in

> any other part of Europe, produced an appearance which bore a closer resemblance to country seats laid out in the geometrical style; and, for this reason, an attempt to imitate the irregularity of nature in laying out pleasure grounds was made in England sooner than in any other part of the world.[113]

More sophisticated social readings of such a relationship have been advanced by a number of modern scholars, most notably Anne Bermingham:

> As the real landscape began to look increasingly artificial, like a garden, the garden began to look increasingly natural, like the pre-enclosed landscape. Thus a natural landscape became the prerogative of the estate, so that nature was the sign of property and property the sign of nature. By conflating nature with the fashionable taste of a new social order, it redefined the natural in terms of this order, and vice versa.[114]

Unfortunately for so neat and attractive an argument, research into the chronology of enclosure over the last three decades or so has made such a direct connection harder to sustain. By the middle of the eighteenth century more than two thirds of England already lay in enclosures, and even in the Midland counties, where open landscapes persisted longest, the heartlands of the larger estates had usually been enclosed.[115] Yet we should perhaps be cautious in rejecting completely a connection between enclosure and the emergence of the Brownian park. The new method of enclosure by parliamentary act which developed in the eighteenth century created landscapes more regimented and geometric than most of those established by earlier forms, and ones perhaps more

Aerial view of the Stowe landscape. Image reference number 26048_010 © English Heritage

Old Wardour Castle in its Capability Brown landscape setting. Image reference N090397
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radically different in appearance to the landscape of the park. Instead of wide, multi-species hedges with abundant timber and pollards, they thus featured large straight sided fields defined by flimsy species-poor hawthorn hedges, often sparsely-timbered, straight roads and newly-built isolated farms. It is perhaps noteworthy that Brown's career coincided with the first 'wave' of parliamentary enclosure, between 1750 and 1780. In the 1740s just 39 parliamentary enclosure acts were passed, increasing to 117 in the 1750s, 393 in the 1760s and peaking at 640 in the 1770s. The following decade saw a more modest total of 237 acts, though this represented merely an interlude before the second and more dramatic wave of acts in the decades either side of 1800.[116] The first wave of enclosure was dominated by acts dealing primarily with open fields, and as such was particularly focused on the Midland counties where such landscapes were most extensive. This was also one of the main centres of Brown's activities.

Parliamentary acts represented an attractive way of enclosing land in two particular contexts: firstly, where the complexity of landholding precluded any form of enclosure by exchange or agreement; and secondly, where two or more rival landholders held sway and an act of parliament offered the opportunity to achieve what might otherwise take years or decades of negotiation.[117] It is in this second context that additional links may be drawn with the work of Brown and his contemporaries. Parliamentary enclosure offered opportunities to extend the acreage of parkland as well as that of cultivated fields; and schemes of agricultural and aesthetic improvement could progress in tandem as part of

wider projects of estate improvement. And in a more general sense, the idea that parks consciously rejected the landscape of agricultural production, and that a landscape devoid of walls or hedges was one redolent with elite status, remains a powerful one.

Others have posited connections between developments in architecture and changes in landscape design. Mark Girouard, in a remarkable contribution to the subject which has not perhaps been sufficiently followed up by scholars, suggested an association between developments in the plans of country houses and the disposition of their grounds. At the start of the eighteenth century great houses were still organised around a number of linear axes: the 'axis of honour' represented by the two main public rooms of the house – hall and salon – occupying its central areas and ranged one behind the other; and the 'enfilades' leading off these public spaces, into areas of increasing privacy.[118] In the 1750s, however, such 'formal' plans declined in popularity. Public reception rooms proliferated, each designed as a distinct experience, and they were now arranged as a circuit, an arrangement suited to more informal social encounters. Private apartments remained important but were no longer the key structuring principal of house plans, and in many houses the importance of the 'axis of honour' itself declined, as the hall itself became little more than a vestibule.[119] These changes in the design of large houses, according to Girouard, had a major impact on the layout of their grounds. People began to look at buildings in a different way: 'they no longer thought in terms of rigidly intersecting axial vistas, each neatly ending in a terminal feature. They liked to see buildings in a series and from a variety of constantly changing angles'.[120] Moreover, the flexible, informal social encounters for which the new plan forms were designed also required different arrangements of outdoor spaces.

> Axial planning, and straight avenues, canals or walks all converging on the ceremonial spine of the house disappeared in favour of circular planning. A basically circular layout was enlivened by different happenings all the way round the circuit, in the form of temples, obelisks, seats, pagodas, rotundas and so on.[121]

The earlier 'circuits' were around the pleasure grounds, and enjoyed on foot: but Brown's parks, with their extensive networks of drives, provided more extended routes which were experienced in one of the new light-weight chaises.

Girouard's argument, it should be noted, is not simply that garden design 'mirrored' changes in domestic architecture, but rather that both developed in forms which were appropriate to the new modes of social interaction which were emerging in the middle decades of the eighteenth century, with the rise of what Girouard has usefully labelled 'polite society'.[122] From the later seventeenth century the differences in status and lifestyle between the greatest landowners, and the broader group of the propertied comprising the local gentry and wealthy professionals, were being consciously played down. Social encounters – at country houses or, increasingly, at assemblies and similar gatherings – became more relaxed and informal in character, as emphasis was placed on easy affability, wit, conversation. The upper ranks of society began to coalesce into a single cultural group, and the landscape park can usefully be considered as its sign and symbol. Not only did it provide, with the mansion, an appropriate arena for 'polite' encounters. In addition, the very style of the landscape park helped to mark off the 'polite' clearly both

from the local farming community, and from more decidedly middle-class neighbours. When the garden courts were removed from the vicinity of the house, so too were all the productive features and enclosures – many of which had been semi-ornamental in character – in which the gentry had once delighted, and which had symbolised their active involvement in the productive life of their estates – orchards, nut grounds, fish ponds, dovecotes, farm yards. Removal of productive clutter arguably served to express a lack of involvement with the shared world of the agricultural community. At the same time, with the development of a more complex, commercial, consuming society – with a middle class growing in size and wealth and busy making elaborate gardens of their own – the new style prioritised the ancient symbol of the park, over elaborate gardens, as the main setting for the homes of the wealthy. Not only was the park a long-established sign of aristocratic privilege. It also required for its creation the commodity which only the established landed elite possessed – land in abundance.[123]

The landscape park also provided a measure of social isolation for the 'polite', privacy and seclusion from the wider communities around them, although it was not unique in this. Although many writers quote Goldsmith's poem *The Deserted Village* of 1761 – 'Have we not seen, at pleasure's lordly call/The smiling long-frequented village fall', so that the great house stood 'in barren solitary pomp' – most of the villages cleared to make way from parks in fact disappeared in the period before 1750, and while Brown himself is associated with the famous example of Milton Abbas, in general the great age of depopulation through emparking was over by mid century. Roads and footpaths were, however, frequently closed or diverted when parks were created, although perhaps most frequently after legal changes in 1773 established Road Closure Orders, cheaper and easier to affect than the writs of *ad quod damnum* or parliamentary acts which had formerly been required to change public rights of way. Perimeter belts also served to provide a measure of seclusion and privacy, as did the lodges which were erected at the gates of the larger parks.

The social determinants of the landscape park should not be exaggerated – privacy and seclusion could have been achieved in other ways, and the arenas for the new modes of social interaction would not necessarily have produced an informal, naturalistic landscape. This said, a social approach certainly encourages us to examine how the parks created by Brown and his contemporaries were experienced, used and consumed. Important work on this issue has been carried out by, in particular, Kate Felus: her PhD unfortunately remains unpublished but her exploration of the use of lakes, for boating and fishing, represents one of the most important contributions to the study of garden history to have appeared in recent years.[124] The use of Brown's garden buildings, including the menageries which he designed at Melton Constable (Norfolk), Ingestre (Staffordshire), Temple Newsam (Yorkshire) and elsewhere, would repay further research and in general terms the idea of landscape parks, not as empty spaces or carefully framed compositions, but as places busy with life and activity, is an important one not simply in terms of academic research agendas but also for the manner in which these places are presented to the general public.

Some of the ways in which parks were used by their owners are currently contentious. In particular, writers have generally accepted that landscape parks continued, like the

deer parks from which they in part developed, to be used for recreational hunting. To Robert Williams, the landscape parks was 'a private larder … a sylvan arena for blood sports'; more recently, Jane Brown has noted how the eighteenth-century park served 'the contented state of mind of the country sportsmen'.[125] The well-attested shift of sporting interest towards the pheasant – a bird of the woodland edge – in the second half of the eighteenth century has been linked to the emergence of the characteristic forms of parkland planting, the clump and the narrow belt.[126] But John Phibbs has recently argued strongly that Brown's parks were never used for hunting or shooting, except perhaps for the more distant recesses of the largest examples, and that their role in this respect can have had no significant impact on their design.[127] It is true that the smaller landscape parks and gardens were not important game reserves, or used regularly as hunting grounds; it is also true that there are dangers in hastening the arrival of highly-organised pheasant shooting, which was more a phenomenon for the last decades of the eighteenth century, than of the middle decades, when the landscape style was being forged. This said, the argument that Brown's parks had nothing to do with hunting and shooting is hard to accept, not least because it would suggest a very radical and sudden break with established practice. The various pieces of anti-poaching legislation passed in the first half of the eighteenth century, such as the Black Act of 1723, appear to assume not simply that game was kept in parks, but that it was *principally* to be found there.[128] Shooting was already an important aspect of country life and it is hard to believe that Brown transformed landscapes in ways that ensured that they could no longer function, in part, as game reserves for their owners. In many districts of England, especially the 'champion' areas of extensive open fields, owners may not have had a choice between shooting pheasants in the park and shooting them in the woods more widely scattered across the estate, because the latter did not yet exist to any significant extent. As late as 1796 Nathaniel Kent observed that while 'gentlemen of fortune' in the county of Norfolk had carried out much tree-planting 'in their parks and grounds', the planting of 'pits, angles, and great screens upon the distant parts of their estates, which I conceive to be the greatest object of improvement, has been but little attended to', a suggestion born out by the evidence of contemporary maps, which often show that game cover was only provided in parks.[129] When the Fisherwick (Staffordshire) estate was sold in 1808, to quote but one example, Brown's park was said to have been 'abundantly stocked with deer and game'.[130] It is possible, but perhaps unlikely, that this was a relatively recent development. Phibbs has certainly done an important service in highlighting the problems involved in too great an emphasis on the role of landscape parks in game shooting. Yet, as Brown himself put it, his landscapes provided 'all the elegance and *all the comforts* that mankind wants in the Country'. The extent to which their form was structured by recreational use, rather than by abstract aesthetics or philosophical ideas, certainly requires further research.

ECONOMICS AND LAND USE

The manner in which landscape parks were consumed, in terms of leisure and recreation, shades off without clear demarcation into how they were exploited in economic terms, for as several writers have argued they comprised arenas for particularly aristocratic forms of production. Stephen Daniels and others have noted how the rise of the landscape style, with its clumps and belts, in the early and middle decades of the eighteenth century was part of a more general upsurge in tree-planting.[131] Landowners were fired up by the writings of men like John Evelyn, whose book *Sylva, or a Discourse on Forest Trees* of 1664 was followed (and extensively plagiarised) by a rash of similar texts, including Stephen Switzer's *Ichnographica Rustica* (1718).[132] There was widespread concern that timber supplies were running dangerously low, Batty Langley in 1728 for example stating that 'our nation will be entirely exhausted of building timber before sixty years are ended'.[133] Men like Phillip Miller (1731), James Wheeler (1747), Edmund Wade (1755) and William Hanbury (1758) were also concerned about the military implications of a timber shortage, and throughout the century the government worried about how to provide the vast quantities of timber required by the Royal Navy dockyards.[134] There are grounds for believing that such concerns – especially regarding naval supplies – were to some extent exaggerated, relating more to questions of how the royal forests were managed and to problems of transportation, but in the present context this matters less than the fact that most educated people *believed* that the country was growing short of timber, especially for ship building, and that large-scale planting was thus seen as a patriotic act. It is noteworthy that the Royal Society for the Encouragement of Arts awarded annual

Aerial view of the park at Chatsworth Image reference number NMR_23218.03
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medals for forestry between 1757 and 1835. And as Daniels has argued, there was a more general association of patriotism and planting in the period after 1660, for the planting of trees demonstrated confidence in the future, and thus in the new political dispensation brought about by the Restoration of the Monarchy, and by the Glorious Revolution of 1688.[135] Planting also expressed confidence in the continuity of ownership on the part of local dynasties – only those who expected to pass on a property to their children and grandchildren would plant over it. Landowners planted to beautify their estates, but also to demonstrate their extent. 'What can be more pleasant than to have the bounds and limits of your property preserved and continued from age to age by the testimony of such living and growing witnesses?', asked Joseph Worlidge in 1669.[136] They also planted to provide cover for game – and to make money. While it is true that the trees in the more visible areas of parkland would not have been managed primarily with economics in mind, money could nevertheless be made from the repeated thinnings of the nurse crop planted in clumps. The more remote areas of the larger parks were unquestionably managed as forestry enterprises.

The other key component of parks – grass – also had important economic functions, and once again ones with particularly aristocratic, elite connotations. As Repton noted in 1792:

> Labour and hardship attend the operations of agriculture, whether cattle are tearing up the surface of the soil, or man reaping its produce; but a pasture shows us the same animals enjoying rest after fatigue, while others sporting with liberty and ease excite the pleasing idea of happiness and comfort annexed to a pastoral life. Consequently, such a scene must be more in harmony with the residence of elegance and comfort, and marks a degree of affluence, so decidedly that we never see a park ploughed up, but we always attribute it to poverty.[137]

Parks provided, in addition, places where the gentry and aristocracy could indulge a fashionable interest in livestock improvement. It would be interesting to know how far – if at all – the need to manage the grazing of sheep and cattle may have ensured the physical subdivision of the parkland turf, and the extent to which the need to conceal such subdivisions may have affected the disposition of clumps or other aspects of design.

However, it should be noted that the precise manner in which the parkland turf was managed is currently a matter of contention. While most researchers have assumed that the parks created by Brown and his 'imitators' were grazed, by deer, sheep and/or cattle, Phibbs has cogently argued that parks as a whole, including the areas in close proximity to the house, were in fact usually managed as meadows: they were closed to livestock for most of the spring and summer, allowing the grass to grow long, so that it could be cut for hay. The sward would thus have boasted the range of tall wild flowers characteristic of this form of management. Some parts of some parks were certainly managed in this way, as named subdivisions such as 'The Hay Park' testify, and in some examples areas of irrigated meadow were even installed (as at Woburn).[138] But the suggestion that most or all of the area, of the majority of parks, comprised meadow rather than pasture, and that this was the dominant and intended aesthetic of Brown's parklands, is more difficult to sustain. Some parks were simply too large to have been managed in this way – hay-

making is a labour-intensive and weather-dependent business, and there would never have been enough manpower to mow the entire area of Blenheim or Petworth, for example. Repton on one occasion wrote of the need for 'judicious lines of demarcation' separating 'the grounds to be fed from the grounds to be mown', suggesting a mixture of management regimes; but he usually implies that parks were primarily (and sometimes exclusively) grazed, as when he urged that parkland 'of course, should be grass, whether fed by deer, by sheep or by other cattle' and that subdivisions, 'if any', ought not to be permanent. But above all, if parks were supposed to function as meadows it is surprising that eighteenth-century paintings of country houses seldom, if ever, show them standing in a sea of long, uncut grass; and odd that landscapes created in Brown's style could be castigated by Knight and other critics as 'bare', 'smooth' and 'bald'.[139]

Although there are thus differences of opinion concerning precise forms of management, there is no doubt that parks, while being primarily aesthetic landscapes, also had important economic functions, and constituted part of the wider economy of the landed estate: and it is important to know how far their form and structure may have been modified by such practical roles. In a wider sense, moreover, the nature of the relationship between designed landscapes and the wider productive countryside would repay further investigation. Many landowners undoubtedly wanted their parks to appear distinct and different from the surrounding countryside, but it does not necessarily follow that they found all aspects of the wider rural environment aesthetically unappealing.

Compton Verney © English Heritage:John Critchley

Straight-sided fields, model farms and estate plantations all contributed to an air of rational improvement and might be considered visually pleasing in their own right. Recent research on the landscapes of landed estates has emphasised the importance of examining them as a whole, rather than drawing too sharp a distinction between the designed core and surrounding farms and plantations.[140] Many aspects of estate landscapes served both functional and aesthetic purposes, uniting the two contemporary aims of 'beauty and utility', albeit to differing extents and in different ways in different locations.[141] A fuller understanding of the parks created by Brown and his contemporaries thus arguably requires an appreciation of change in the wider countryside, particularly through enclosure, tree planting and the progressive remodelling of estate landscapes.

Afforestation, enclosure, reclamation and park-making were all described by contemporaries as forms of 'improvement' -'that ultimate Georgian buzzword'.[142] "'Improvement" was a label often applied to the land, serving as a code word for capitalist farming, notably enclosure, while also being applied to landscape gardening'.[143] Stroud herself emphasised that Brown's 'place-making' could usefully be considered as only one aspect of a wider phenomenon:

> The passing of Acts for the enclosure of large areas of hitherto common land, new methods of reclamation and husbandry, the making of better roads, and the importation of new species of trees and shrubs, all…came under the general heading of "improvement". While improvement did not necessarily imply landscaping, no landscape could hope to flourish unless due attention had been paid to the ground on which it was to be formed, and the proper cultivation of trees with which it was to be planted.[144]

Jacques, amongst others, has also emphasised the connection between landscape design and the more general 'improvement' of the landscape, especially through tree-planting.[145] In the eyes of some researchers, 'improvement' is the key to understanding many other aspects of the landscapes and material culture of the period:[146] activities described in this manner in the eighteenth century include large-scale water management schemes – wetland drainage, the improvement of rivers and (ultimately) the development of a canal network – as well as the improvement of roads, especially through proper surfacing, usually under the aegis of turnpike trusts.[147] It is almost superfluous to note the parallels between these kinds of endeavours, and the creation of lakes, installation of land drainage schemes, and laying out of networks of gravel drives, which typified Brown's own 'improvements'. His landscapes, looked at in this way, embodied many of the wider concerns and interests of the period.

SITE RESEARCH, FIELDWORK AND RESTORATION

Research into what Brown actually carried out on the ground at particular places, and how extensive that work may have been, has been based in part on an examination of documentary and cartographic sources and in part on fieldwork – that is, on a systematic analysis of the surviving remains of his landscapes. Documentary sources include comments by travellers and visitors like Horace Walpole, and the records of particular families and estates, including maps, accounts, diaries and letters. Information can also be gleaned from the official documents attached to road closure orders and *Inquisitiones ad quod damnum*, and from a systematic analysis of extant bank accounts – both those of Brown himself, and of clients – a source already extensively examined by David Brown.[148] The use of some, but not all, of this material in the study of garden history more generally has been discussed by David Lambert and others.[149] There can be little doubt that, in spite of the research carried out over many decades, much documentary material relating to Brown's activities remains to be discovered, and Hall's discussion of the minutes of meetings held between Brown and the estate steward concerning the improvements at Burton Constable, already noted, shows the importance of the new insights which can be produced by a single previously unknown source.[150]

In terms of assessing the contribution that Brown may have made at particular sites, a major problem is that for a significant number there are no maps or illustrations surviving from the period immediately following (or preceding) his activities, and in some cases none dating to before the nineteenth century. Researchers are thus obliged to rely on the evidence of such sources as the draft Ordnance Survey 2": 1 mile drawings, made between 1798 and 1836; tithe award maps (mainly c.1838-1845); and the First Edition Ordnance Survey 1: 10,560 (6": 1 mile) maps (c.1860-1890). These sources, and especially the first two, have their own particular problems of interpretation but more importantly the landscapes they depict will have undergone often far-reaching change in the two or three generations which have passed since Brown was active. We have already noted the possibility that some of Brown's parks were already being 'restored' by the 1830s, and such modifications may not always have been faithful to his original designs. More importantly, fashions changed rapidly in the early nineteenth century, and it is clear that Brown was not necessarily held in such high esteem, even by the 1790s, that owners were unhappy to see his work extensive modified or even swept away. Where we have only one source – such as a map of 1840 – we are often obliged to assume that much or all of what we see there was created by Brown but in most cases such a view will be wrong. Perhaps one of the greatest difficulties in evaluating the character of Brown's work is the fact that confident interpretations are too frequently based on sources dating to five decades or more after his involvement at a particular place.

To supplement documentary sources, and also to provide some test of their reliability, much use has also been made of fieldwork evidence – the analysis of standing structures, of earthworks and other archaeological features, and of surviving planting.[151] Again, the use of such evidence in the more general study of garden history has been discussed elsewhere, with particularly useful analyses of the archaeological approaches provided by Taylor and Currie.[152] In terms of mid/late eighteenth-century landscapes, and especially those created by Brown, field archaeology has its own particular difficulties. It has been

employed effectively to identify the sites of ornamental buildings, and the layout of circuit drives and pleasure ground paths;[153] but in general the physical remains left by landscape design in this period are less robust and definable than those of earlier phases of walled, geometric gardening, and even less than those of the simplified geometry of Charles Bridgeman and his contemporaries.[154] Phibbs has ably emphasised the practical difficulties involved in recording – in conventional terms of hachure plans and the like – the archaeology of Brown's earth-moving, which he has aptly described as the archaeology of 'what isn't there'.[155] Minor debates surround the interpretation of the earthworks of pre-park landscapes preserved in the turf of Brown's parks, with some insisting that many of the remains of shifted roads and settlements, or of former hedges fields or ridge and furrow, were *intentionally* left in the landscape by Brown and others, for symbolic or philosophical reasons; while others point to the spatial distribution of such remains (usually surviving best in the more remote areas of the landscape, and banished from the immediately vicinity of the house), as well as the abundant documentary evidence for systematic levelling, to argue that such remains were residual elements, of little or no significance to contemporaries.[156] Future research in this area should make use of LIDAR to explore the very slight earthworks found within landscape parks; this may be of particular use when exploring issues such as drainage and planting.

Rather different issues concern the interpretation of surviving planting. Rackham and others have noted the extent to which pre-existing trees, principally from hedgerows, were retained by Brown and other eighteenth-century park-makers, and can usually be readily identified by their disposition (in lines), growth pattern (a significant proportion are former pollards) and archaeological associations (with the earthworks of former field boundaries).[157] Many of Brown's parks contain fine collections of veteran trees, retained from the earlier landscape in this way, such as Croome (Worcestershire), Blenheim (Oxfordshire) and Kimberley (Norfolk).[158] It is the trees which he and his contemporaries (and successors) added to the landscape, those which were deliberately planted as part of the design, that can cause problems. Where documentary evidence is meagre the importance of establishing a date for individual trees, or for belts and clumps, becomes critical, especially in cases where complex geometric schemes of design are deduced from the disposition of trees confidently identified by 'surveys' as being of Brownian date.[159] Researchers have been obliged to make use of the various methods of dating trees from girth measurements which have been developed by arboriculturalists, principally the simple (but rapid) estimates produced by Alan Mitchell's rough rule-of thumb; and the more complex method, involving time-consuming calculations, developed by John White.[160] Awareness that trees grown in clumps, avenues and the like may put on girth at very different rates, a consequence of the varying extents to which they are over-grown by neighbours, has led to the formulation of even more complex methodologies. Lennon for example has argued that the *average* girth of trees growing in features like clumps and avenues ought to be a reasonable guide to the age of the planting as whole:[161] but this would only work if we could be sure that the extant specimens constitute the majority of those once planted rather than – as is often the case – a small minority of survivors. And in a more general sense research has demonstrated that marked variations in the growth of trees planted within a single feature, having once been established in the early years of its existence, do not appear to diminish in subsequent decades or centuries.[162] Both White and Mitchell, it should be emphasised, have been at pains to stress the

limitations of their dating methods, and the manner in which the rate at which trees put on girth depends not only on species but on variety, soil type, drainage, and location in regard to other specimens. Any suggestion that trees planted in (say) 1770, by Brown, in a particular landscape can be confidently distinguished from those established in 1745, or 1795, should on the available evidence be treated with extreme caution, especially given the possibility that quite mature trees might on occasions be moved and replanted in this period.[163] Like Hooper's method of 'hedge dating', by counting the numbers of species present in a set length, the dating of trees by measuring their girth appears ripe for critical appraisal. Dating by ring-counting felled specimens, or by coring standing examples, can usually be used only sparingly, and may in some cases be less reliable than often assumed.

In a more general sense, as Currie has warned, reconstructions of the history of particular designed landscapes based heavily on field evidence – integrating tree surveys with earthwork evidence – can often prove to be misleading when additional independent evidence, from documents or archaeological excavation, is employed.[164] There is a real danger of imposing what we think we know about Brown and his works on our understanding of the poorly-dated remains – in terms of planting and earthworks – found at particular sites, and of assuming that these can thereby be dated with confidence, even in the absence of independent reliable dating. Detailed reconstructions of such things as how Brown's landscapes were explored or negotiated, based largely or entirely on fieldwork evidence, should perhaps be proposed with more caution than has sometimes been the case.[165]

However we employ field survey evidence for reconstructing the history of Brown's landscapes, it cannot be over-emphasised that much of this evidence has an importance in its own right. In arable areas of England especially, eighteenth-century parks often provide the only areas of unploughed ground in otherwise intensively arable landscapes, and thus the only places where extensive collections of earthworks – of medieval and post-medieval date, but occasionally earlier – can survive. They also generally contain more 'veteran' trees – that is, tree old for their species, and thus of particular importance for biodiversity – than the surrounding countryside, where aesthetic or sentimental concerns took precedence over economic ones in tree management. Many parks, moreover, comprise or include areas of unimproved or minimally-improved grassland. Although landscape parks are usually valued for their aesthetic qualities and cultural and historical importance, we should not forget what Ian Rotherham has termed the 'ecology of Capability Brown'. This has recently been the subject of an important report produced by Natural England, which has also emphasised the role of parks in ecological connectivity, and their contribution to ecosystem services through such things as the regulation of water quality and water flows.

A brief comment needs to be made about restoration, something which owners of Brownian landscapes – private or institutional – may well be considering as Brown's tercentenary approaches. We do not need to rehearse here the familiar debates relating to the restoration of historic landscapes (such as how additions made subsequent to what might be perceived as the 'most important' period of their history should be treated). But one issue particularly relevant to Brown's designs should be highlighted.

Their 'naturalistic' character ensures that trees, individually or in groups, constitute their most important elements. Some thought therefore needs to be given to how these landscapes can be 'future proofed' against the possibility of climate change and, in particular, the threat of increasing levels of tree disease resulting in large measure from globalisation. As well as ash *chalara*, a host of new diseases, pests and parasites have been recorded in England over recent decades, including red band needle blight in Corsican and Scots pine, oak processionary moth, sweet chestnut blight, horse chestnut leaf miner and bleeding canker, a spate of phytopthera, and above all sudden oak death and acute oak decline.

Those involved in the restoration of historic landscapes have been obliged to substitute other species for the elms so widely planted by Brown and others in the eighteenth and nineteenth centuries, and which have been destroyed by Dutch elm disease (as with the great avenue at Wimpole). To what extent should we now be considering anticipatory diversification of planting, to assist long-term survival of restored landscapes? Should for example plantings of indigenous beech be augmented with specimens of exotics like Lengua beech (*Nothofagus pumilio*) or Raoul beech (*Nothofagus alpine*), or plantings of indigenous oak by examples of Hungarian oak (*Quercus frainetto*) or downy oak (*Q. pubescens*), in order to provide trees more tolerant of a warmer and drier climate and, more importantly, to provide a more diverse population with higher potential resistance to particular pests? Is there also an argument that planting in eighteenth-century parks should be more generally diversified by the use of certain indigenous species not much used by Brown or other eighteenth-century designers, in part perhaps because they were not an established element in contemporary forestry practice? Hornbeam, seldom encountered in the eighteenth- and nineteenth-century countryside other than as a pollard,[166] was planted comparatively rarely in parks but makes a fine specimen tree and does not (as yet) suffer from major diseases or pests. To some extent, the character of the planting adopted in restorations should depend on a fuller understanding of Brown's style, and in particular on the extent to which conifers like larch, Scots pine or spruce were employed as design elements, rather than simply as 'nurses': the use of such species would further diversify planting and help ensure robustness of restored landscapes in the face of future threats.

To some purists, ideas like this may seem philosophically suspect: 'restoration' employing alien species is a contradiction in terms. They may well be right: but against this there seems little point in scrupulous accuracy in restoration if the planting in question is likely to die within a short period of time. The issue certainly requires further debate.

SUMMARY AND CONCLUSIONS

The foregoing discussion has highlighted a number of key issues relating to Brown and his landscapes which urgently require attention from researchers.

- We need a reliable list of the landscapes which Brown designed. Current gazetteers include numerous spurious attributions, omit a number of sites at which he was very probably active, and fail to distinguish effectively the scale of his involvement in particular cases. The Parks and Gardens UK website may offer a good platform on which to build this, as it already includes entries for many Brown sites (although these need to be carefully reviewed to remove errors). The work of collating material and references could be carried out by volunteers, perhaps with the support of the Garden History Society and the Association of Gardens Trust, and with a multi-disciplinary team of academics and professionals to interpret and finalise a new, definitive gazetteer of Brown's work. A 'crowdsourcing' approach – subject to a measure of academic peer review – would help to raise public awareness of Brown and his works, and might well be deemed an appropriate target for funding by key grant-giving bodies, given the current emphasis on engagement. The recent work of the Public Catalogue Foundation, which aims to digitise and catalogue the national collection of oil paintings using crowd-sourced information, offers an interesting model for how large and complex datasets, including visual material, can be handled online – http://www.thepcf.org.uk/.

- All the information relating to the better-documented examples of these sites – especially all the known Brown plans, maps and near-contemporary illustrations – needs to be collated and examined together, in a systematic manner, in order to ascertain the precise characteristics of Brown's style and the extent to which this changed over time. This has the potential to be a serious multi-disciplinary project including a number of academic and non-academic partners, with the potential to create a high quality digital archive which can be used for research purposes by a variety of researchers. Such a project would also highlight aspects of Brown's activities, such as land drainage and attitudes to earlier landscapes, which have so far received insufficient attention from garden and landscape historians. It would also help in testing some of the suggestions made over the last few decades about the character of his designs, especially the extent to which they embody hidden geometric principles.

- To assist this, a central repository of 'grey' literature – reports on particular sites compiled as part of Conservation Management Plans or to support schemes of restoration – needs to be created. The Parks and Gardens UK website may provide a potential opportunity for hosting digitised reports and a database of references to the grey literature. Organisations such as English Heritage and the National Trust can play a leading role here, in making their own research on properties in their care publically accessible.

- Research over the last few decades has thrown much light on Brown's contemporaries (or 'imitators'): we now need more information about fashions in landscape design at the start of Brown's career, in the 1740s and 50s. Recent work on Sanderson Miller

and Thomas Wright has advanced our knowledge considerably in this area. Further research would be helpful in ascertaining how far Brown's style was indeed novel, and how far it formed part of a more general fashion, widely shared, which came to be particularly associated with him as a consequence of his success and ability as an artist, and as a businessman.

- A deeper understanding of Brown as a *garden* designer, as opposed to a landscape and parkland designer, may well result from some of the suggestions made above, and discussed in this review. In particular, more work needs to be done on Brown and walled kitchen gardens, an element of his landscapes which does not appear to have been studied in any depth.

- The detailed and systematic examination of sources such as eighteenth-century bank records has enormous potential for the study of the period, including the identification of Brown's sites, and the work of other designers. Such records could be digitised and made available online, alongside other resources and transcriptions, again employing a crowd-sourcing approach and utilising the help of volunteers. The Royal Bank of Scotland holds the archives of Drummonds, Brown's own bank, but also records from a number of other contemporary banks, including Coutts. These constitute an outstanding set of resources whose full potential has yet to be realised.

- More research is required into precisely how Brown's parks were used and experienced – what went on in them in terms of both recreational and economic activities – and how such use contributed to their structure and layout. As will be apparent from the above review, there are a number of major disagreements on these issues which require examination and discussion. There are also areas which have been under-researched in this regard, particularly the role of gender in understanding Brown's landscapes.

- Further research into contemporary reactions to Brown and his landscapes is needed – both positive and negative. The question of his reputation and legacy in an international context also needs to be explored in more depth. In the context of the celebrations in 2016, this could be achieved by bringing together an international and multi-disciplinary group of scholars together for a conference or workshop.

- Some attention needs to be paid to how Brown's landscapes were regarded, and treated, in the period between his death and 1783 and his return to fashion in the twentieth century, not least because this period may have witnessed important changes in their structure and planting through age, neglect, or even 'restoration'.

- Critical appraisal is needed of the various fieldwork techniques employed by researchers, and which often form the basis for both academic discussion and programmes of restoration. The extent to which individual trees, or planting features, can be dated by non-intrusive methods is in particular need of objective examination.

- More thought and discussion is required concerning the restoration of Brown's landscapes, and in particular to the kinds of trees employed in new planting, with

particular attention being paid to 'future-proofing' restorations against climate change and infections. Ongoing research into the long-term effects of climate change will undoubtedly throw up new ideas about management and sustainability in the future, and researchers and professionals working with Brown's landscape should remain alive to future possibilities. Good management, and examples of best practice, will be key to sustainability and resilience over the next century.

- Future research could address the social and economic value of Brown's landscapes, and other eighteenth-century designed landscapes, in the UK, both to domestic and international visitors. Demonstrating their importance in this regard may help to safeguard their long-term future. At the same time, more research is required into the effects which significant numbers of visitors might have on these often fragile landscapes.

Although the group which has peer-reviewed and discussed the findings of this review was a multi-disciplinary one, encompassing social and landscape historians, landscapes architects and ecologists, there is a need to engage with other academic and professional disciplines, including forestry and agriculture, architectural history, the tourism sector and heritage bodies (both public and private).

Many of the suggestions and recommendations made here can only be achieved if funding is secured. Research council funding, from the Arts and Humanities Research Council and similar bodies, is an obvious starting point for academic institutions working in partnership with non-academic organisations. Other funding bodies, such as the Heritage Lottery Fund, the Arts Council and a range of charitable trusts (such as the Getty Foundation or the Paul Mellon Centre), could also be a source of funding for some elements of future research. The support of the owners of Brown's landscapes themselves, both charitable and private, will be critical – particularly in cases where parks are not regularly open to the public, and where archival material has been retained in private ownership. Owners could have a role to play in terms of funding and sponsorship of some research outcomes, such as a publication on Brown's plans, or as sponsors of scholarships for students researching Brown and landscape design in the eighteenth century.

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APPENDIX 1: GAZETTEER OF BROWN SITES

This gazetteer has been compiled from the principal secondary literature and existing gazetteers. Counties are based on the 1851 county boundaries.

	Name	County	Date	Attribution	Secondary Bibliographic References
1	Adderbury	Oxfordshire	?1768	Definite	Stroud 1975; Turner 1985; Mowl 2007.
2	Addington Place	Surrey	1781-82	Definite	Stroud 1975; Hyams 1971; Turner 1985.
3	Allerton/Stourton	Yorkshire	1781	Attribution Only	Stroud 1975; Hyams 1971; Turner 1985.
4	Alnwick Castle	Northumberland	1760	Definite	Stroud 1975; Hyams 1971; Tyne and Wear 1983; Turner 1985; Hinde 1986; Brown 2011.
5	Althorp	Northamptonshire	1780	Attribution Only	Stroud 1975; Turner 1985; Brown 2011.
6	Ampthill Park	Bedfordshire	1771-1772	Definite	Stroud 1975; Hyams 1971; Turner 1985.
7	Ancaster House, Richmond	Surrey	1772/3	Definite	Stroud 1975; Turner 1985; Brown 2011.
8	Appuldurcombe Park	Isle of Wight	1779	Not implemented	Stroud 1975; Turner 1985.
9	Ashburnham Place	Sussex	1767	Definite	Stroud 1975; Turner 1985; Hinde 1986.
10	Ashridge	Hertfordshire	1754-68	Definite	Stroud 1975; Hyams 1971; Turner 1985; Hinde 1986; Brown 2011.

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	Name	County	Date	Attribution	Secondary Bibliographic References
11	Aske Hall	Yorkshire	1770s	Definite	Stroud 1975; Turner 1985.
12	Astrop	Northamptonshire	Undated	Definite	Stroud 1975; Turner 1985; Brown 2011.
13	Audley End	Essex	1763	Definite	Stroud 1975; Hyams 1971; Turner 1985; Hinde 1986; Brown 2011.
14	Aynho Park	Northamptonshire	1760-63	Definite	Stroud 1975; Turner 1985; Brown 2011.
15	Badminton Park	Wiltshire	Undated	Not implemented	Stroud 1975; Hyams 1971; Turner 1985; Mowl 2002.
16	Basildon Park	Berkshire	1778	Attribution Only	Stroud 1975; Turner 1985.
17	Battle Abbey	East Sussex	1772-4	Definite	Willis 1984.
18	Beaudesert	Staffordshire	Undated	Attribution Only	Stroud 1975; Turner 1985.
19	Beechwood	Hertfordshire	1754	Definite	Stroud 1975; Turner 1985; Hinde 1986; Brown 2011.
20	Belhus Park	Essex	1753	Definite	Stroud 1975; Turner 1985; Brown 2011.
21	Belvoir Castle	Rutland	1779	Not implemented	Stroud 1975; Turner 1985; Brown 2011.
22	Benham Park	Berkshire	1773-5	Definite	Stroud 1975; Hyams 1971; Turner 1985; Hinde 1986.

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	Name	County	Date	Attribution	Secondary Bibliographic References
23	Benwell Tower	Northumberland	1738	Attribution Only	Stroud 1975; Turner 1985; Hinde 1986.
24	Berrington	Herefordshire	1776; 1781-2	Definite	Stroud 1975; Hyams 1971; Turner 1985; Brown 2011.
25	Birdsall Hall	Yorkshire	Undated	Attribution Only	Parks and Gardens UK
26	Blenheim Palace	Oxfordshire	1764-8	Definite	Stroud 1975; Turner 1985; Hinde 1986; Mowl 2007; Brown 2011.
27	Boarstall	Buckinghamshire	Undated	Not implemented	Stroud 1975; Turner 1985.
28	Bowood	Wiltshire	1761-8	Definite	Stroud 1975; Hyams 1971; Turner 1985; Hinde 1986; Brown 2011.
29	Branches	Suffolk	1763-5	Definite	Stroud 1975; Turner 1985; Hinde 1986; Brown 2011.
30	Brentford	Middlesex	1773	Not implemented	Stroud 1975; Turner 1985.
31	Brightling Park	East Sussex	Undated	Attribution Only	Stroud 1975.
32	Broadlands	Hampshire	1764-8	Definite	Stroud 1975; Hyams 1971; Turner 1985; Hinde 1986; Brown 2011.
33	Brocklesby	Lincolnshire	1771-3	Definite	Stroud 1975; Turner 1985; Brown 2011.
34	Buckingham House (Palace)	Middlesex	1762-3	Not implemented	Brown 2011.

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	Name	County	Date	Attribution	Secondary Bibliographic References
35	Burghley House	Lincolnshire	1754-82	Definite	Stroud 1975; Turner 1985; Hinde 1986; Brown 2011.
36	Burton Constable	Yorkshire	pre 1760 and 1773	Definite	Stroud 1975; Turner 1985; Brown 2011.
37	Burton Park	Sussex	1758	Definite	Turner 1985.
38	Burton Pynsent	Somerset	1765	Definite	Stroud 1975; Turner 1985; Brown 2011.
39	Byram	Yorkshire	1782	Not implemented	Stroud 1975; Turner 1985; Brown 2011.
40	Byrkley Lodge	Staffordshire	Undated	Attribution Only	Mowl 2009; Brown 2011.
41	Cadland House	Hampshire	1775	Definite	Stroud 1975; Turner 1985; Brown 2011.
42	Capheaton	Northumberland	Undated	Attribution Only	Turner 1985.
43	Cardiff Castle	Glamorganshire	1775-1777	Definite	Stroud 1975; Turner 1985.
44	Castle Ashby	Northamptonshire	1761	Definite	Stroud 1975; Turner 1985; Brown 2011.
45	Caversham Park	Oxfordshire	1764	Definite	Stroud 1975; Turner 1985; Brown 2011.
46	Chalfont House	Buckinghamshire	1760	Definite	Turner 1985.
47	Charlecote Park	Warwickshire	1757-71	Definite	Stroud 1975; Turner 1985; Brown 2011; Mowl 2011.

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	Name	County	Date	Attribution	Secondary Bibliographic References
48	Charlton Park	Kent	1767	Definite	Stroud 1975; Turner 1985.
49	Chatsworth	Derbyshire	1760	Definite	Stroud 1975; Turner 1985; Brown 2011.
50	Chenies Place	Buckinghamshire	Undated	Attribution Only	Parks and Gardens UK.
51	Chevening	Kent	1777	Attribution Only	Stroud 1975; Brown 2011.
52	Chilham Castle	Kent	1777	Definite	Stroud 1975; Turner 1985.
53	Chillington	Staffordshire	1760	Attribution Only	Stroud 1975; Turner 1985; Brown 2011.
54	Church Stretton	Shropshire	1770s	Attribution Only	Stamper 1996
55	Chute Lodge	Wiltshire	Undated	Attribution Only	Stroud 1975; Turner 1985.
56	Clandon Park	Surrey	1781	Definite	Stroud 1975; Turner 1985; Brown 2011.
57	Claremont	Surrey	1769	Definite	Stroud 1975; Turner 1985; Brown 2011.
58	Cliveden	Buckinghamshire	1778	Attribution Only	Stroud 1975; Turner 1985.
59	Clumber Park	Derbyshire	Undated	Attribution Only	Park and Gardens UK.
60	Cole Green	Hertfordshire	1756	Definite	Stroud 1975; Turner 1985.
61	Compton Place	Sussex	1766	Definite	Park and Gardens UK.

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	Name	County	Date	Attribution	Secondary Bibliographic References
62	Compton Verney	Warwickshire	1768	Definite	Stroud 1975; Turner 1985; Brown 2011; Mowl 2011.
63	Compton Wynyates	Warwickshire	1765	Not implemented	Stroud 1975; Turner 1985.
64	Coombe Abbey	Warwickshire	1771	Definite	Stroud 1975; Turner 1985; Brown 2011.
65	Coopershale	Essex	1774	Not implemented	Stroud 1975; Turner 1985.
66	Copped Hall	Essex	Undated	Not implemented	Stroud 1975; Turner 1985.
67	Corsham Court	Wiltshire	1760	Definite	Stroud 1975; Turner 1985; Brown 2011.
68	Cowdray House	Sussex	1769	Definite	Stroud 1975; Turner 1985.
69	Crewe Hall	Cheshire	Undated	Attribution Only	Stroud 1975; Turner 1985.
70	Croome Court	Worcestershire	1750	Definite	Stroud 1975; Turner 1985; Mowl 2006; Brown 2011.
71	Cuffnalls	Hampshire	Undated	Definite	Stroud 1975; Turner 1985; Brown 2011.
72	Dacre House	Kent	1767	Definite	Stroud 1975; Turner 1985.
73	Danson Park	Kent	Undated	Attribution Only	Stroud 1975; Turner 1985.
74	Denham Park	Buckinghamshire	1773	Definite	Stroud 1975; Turner 1985.

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	Name	County	Date	Attribution	Secondary Bibliographic References
75	Digswell	Hertfordshire	1771-3	Definite	Stroud 1975; Turner 1985.
76	Ditchingham	Norfolk	Undated	Attribution Only	Brown 2011.
77	Ditchley	Oxfordshire	1777	Attribution Only	Stroud 1975; Turner 1985.
78	Ditton Park	Buckinghamshire	1762-74	Definite	Stroud 1975; Turner 1985; Brown 2011.
79	Doddington Park	Cheshire	1770	Definite	Stroud 1975; Turner 1985.
80	Dodington Park	Wiltshire	1764	Definite	Stroud 1975; Turner 1985; Brown 2011.
81	Dornford	Oxfordshire	1775	Definite	Stroud 1975; Turner 1985.
82	Down, Blandford St Mary	Dorset	1770s	Attribution Only	Brown 2011.
83	Downham House	Suffolk	Undated	Attribution Only	Brown 2011.
84	Dynevor (Newton) Castle	Camarthenshire	1775	Definite	Stroud 1975; Turner 1985; Brown 2011.
85	Dyrham	Hertfordshire	1765	Definite	Brown 2011.
86	Ealing Place	Middlesex	Undated	Attribution Only	Stroud 1975; Turner 1985.
87	Eaton Hall	Cheshire	1761	Definite	Stroud 1975; Turner 1985.
88	Edgbaston	Warwickshire	1776	Definite	Stroud 1975; Turner 1985.

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	Name	County	Date	Attribution	Secondary Bibliographic References
89	Elvaston Castle	Derbyshire	Undated	Attribution Only	Parks and Gardens UK.
90	Elvedon	Suffolk	1765-9	Attribution Only	Stroud 1975; Turner 1985.
91	Enville	Staffordshire	Undated	Attribution Only	Stroud 1975; Brown 2011.
92	Euston Hall	Suffolk	1767	Definite	Stroud 1975; Turner 1985; Brown 2011.
93	Eywood	Herefordshire	1775	Not implemented	Stroud 1975; Turner 1985; Brown 2011.
94	Fawley Court	Buckinghamshire	Undated	Definite	Stroud 1975; Turner 1985.
95	Fawsley Hall	Northamptonshire	1763-6	Definite	Stroud 1975; Turner 1985; Brown 2011.
96	Finmere Rectory	Buckinghamshire	1748	Definite	Stroud 1975; Turner 1985; Brown 2011.
97	Fisherwick	Staffordshire	1768	Definite	Stroud 1975; Turner 1985; Brown 2011.
98	Flambards	Middlesex	1756-70	Definite	Stroud 1975; Turner 1985; Brown 2011.
99	Fornham St Genevieve	Suffolk	1782	Not implemented	Stroud 1975; Turner 1985.
100	Garrick's Villa	Middlesex	1756	Definite	Stroud 1975; Turner 1985.
101	Gatton	Surrey	1765	Definite	Stroud 1975; Turner 1985.
102	Gatton Park	Surrey	1762-8	Definite	Stroud 1975; Turner 1985; Brown 2011.

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	Name	County	Date	Attribution	Secondary Bibliographic References
103	Gayhurst	Buckinghamshire	Undated	Attribution Only	Stroud 1975; Turner 1985.
104	Gibside	Durham	1750	Attribution Only	Stroud 1975; Turner 1985.
105	Glympton	Oxfordshire	Undated	Attribution Only	Turner 1985.
106	Gosfield Hall	Essex	Undated	Attribution Only	Parks and Gardens UK.
107	Grey's Inn Walks	Middlesex	1755-70	Definite	English Heritage listing.
108	Grimsthorpe	Lincolnshire	1772	Definite	Stroud 1975; Turner 1985; Brown 2011.
109	Grove House	Surrey	Undated	Attribution Only	Parks and Gardens UK.
110	Hackwood Park	Hampshire	Undated	Attribution Only	Parks and Gardens UK.
111	Hainton	Lincolnshire	1780	Attribution Only	Stroud 1975; Turner 1985.
112	Hallingbury	Essex	1758; 1778	Definite	Stroud 1975; Turner 1985.
113	Hampton Court	Surrey	1764	Not implemented	Stroud 1975; Turner 1985.
114	Hanwell	Midl	Undated	Not implemented	Stroud 1975; Turner 1985.
115	Harewood	Yorkshire	1772	Definite	Stroud 1975; Turner 1985; Brown 2011.
116	Harleyford	Berkshire	1755	Attribution Only	Stroud 1975; Turner 1985.

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	Name	County	Date	Attribution	Secondary Bibliographic References
117	Hartwell	Northamptonshire	Undated	Attribution Only	Stroud 1975; Turner 1985.
118	Haynes (Hawnes)	Bedfordshire	1778	Not implemented	Stroud 1975; Turner 1985.
119	Hesleyside	Northumberland	1776	Attribution Only	Stroud 1975; Turner 1985.
120	Heveningham	Suffolk	1781	Definite	Stroud 1975; Turner 1985; Brown 2011.
121	Hewell Grange	Worcestershire	1768	Definite	Turner 1985; Mowl 2006.
122	Highclere	Hampshire	1770	Definite	Stroud 1975; Turner 1985; Brown 2011.
123	Highcliffe	Hampshire	1770s	Definite	Turner 1985; Mowl 2003; Brown 2011.
124	Hill Park (Valons)	Kent	1772-5	Definite	Stroud 1975; Turner 1985.
125	Hills Place	Sussex	1769-71	Definite	Turner 1985; Brown 2011.
126	Hilton	Huntingdonshire	1777	Definite	Stroud 1975; Turner 1985.
127	Himley	Staffordshire	1780-82	Definite	Stroud 1975; Turner 1985; Brown 2011.
128	Hinchingbrooke	Cambridgeshire	Undated	Attribution Only	Parks and Gardens UK.
129	Holkham	Norfolk	1762	Not implemented	Stroud 1975; Turner 1985; Brown 2011.
130	Holland Park	Middlesex	Undated	Attribution Only	Parks and Gardens UK.

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	Name	County	Date	Attribution	Secondary Bibliographic References
131	Hornby Castle	Yorkshire	Undated	Attribution Only	Parks and Gardens UK.
132	Howsham	Yorkshire	1770s	Definite	Parks and Gardens UK.
133	Hunstrete House	Somerset	Undated	Attribution Only	Parks and Gardens UK.
134	Hurlingham Club	Middlesex	Undated	Attribution Only	Parks and Gardens UK.
135	Hyde Park	Middlesex	Undated	Attribution Only	Parks and Gardens UK.
136	Ickworth	Suffolk	1769-76	Definite	Stroud 1975; Turner 1985; Brown 2011.
137	Ingestre	Staffordshire	1756	Definite	Stroud 1975; Turner 1985; Brown 2011.
138	Ingress Abbey	Kent	1760-72	Not implemented	Turner 1985.
139	Kelstone	Somerset	1767	Definite	Stroud 1975; Turner 1985; Brown 2011.
140	Kiddington	Oxfordshire	1740	Attribution Only	Stroud 1975; Turner 1985; Brown 2011.
141	Kimberley	Norfolk	1763	Definite	Stroud 1975; Turner 1985; Brown 2011.
142	Kimbolton Castle	Cambridgeshire	Undated	Attribution Only	Parks and Gardens UK.
143	Kings Weston, Gloucs	Gloucestershire	Undated	Definite	Stroud 1975; Turner 1985; Mowl 2002.
144	Kirkharle	Northumberland	1732	Definite	Stroud 1975; Turner 1985.

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	Name	County	Date	Attribution	Secondary Bibliographic References
145	Kirtlington	Oxfordshire	1751-7	Definite	Stroud 1975; Turner 1985; Brown 2011.
146	Knowsley	Lancashire	1775-6	Definite	Stroud 1975; Turner 1985; Mowl 2007; Brown 2011.
147	Kyre	Worcestershire	1750s	Attribution Only	Parks and Gardens UK.
148	Lacock	Wiltshire	1755-6	Definite	Turner 1985.
149	Laleham	Middlesex	post 1763	Definite	Stroud 1975; Turner 1985.
150	Langley	Norfolk	1765	Definite	Stroud 1975; Turner 1985; Brown 2011.
151	Langley	Buckinghamshire	1760s	Definite	Stroud 1975; Turner 1985; Brown 2011.
152	Latimers	Buckinghamshire	Undated	Attribution Only	Stroud 1975; Turner 1985; Brown 2011.
153	Leeds Castle	Kent	1771-2	Definite	Stroud 1975; Turner 1985.
154	Little Grove, East Barnet	Hertfordshire	1768	Definite	Stroud 1975; Turner 1985.
155	Lleweni	Denbighshire	1781	Definite	Stroud 1975; Turner 1985; Brown 2011.
156	Longford	Wiltshire	1778-8	Definite	Stroud 1975; Turner 1985; Mowl 2004; Brown 2011.
157	Longleat	Wiltshire	1757	Definite	Stroud 1975; Turner 1985; Mowl 2004; Brown 2011.

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	Name	County	Date	Attribution	Secondary Bibliographic References
158	Lowther Castle	Westmorland	1763-81	Definite	Stroud 1975; Turner 1985.
159	Luton Hoo	Bedfordshire	1764	Definite	Stroud 1975; Turner 1985; Brown 2011.
160	Madingley	Cambridgeshire	1756	Definite	Stroud 1975; Turner 1985; Brown 2011.
161	Maiden Earley	Berkshire	Undated	Not implemented	Stroud 1975; Turner 1985.
162	Mamhead	Devon	1772-3	Definite	Stroud 1975; Turner 1985; Brown 2011.
163	Melton Constable	Norfolk	1763-4	Definite	Stroud 1975; Turner 1985; Brown 2011.
164	Milton Abbey	Dorset	1763	Definite	Stroud 1975; Turner 1985; Mowl 2003.
165	Moccas	Shropshire	1778	Definite	Stroud 1975; Turner 1985; Brown 2011.
166	Moor Park	Hertfordshire	1753	Definite	Stroud 1975; Turner 1985; Brown 2011.
167	Mount Clare, Roehampton	Surrey	1772	Definite	Stroud 1975; Turner 1985.
168	Navestock	Essex	1763-73	Definite	Stroud 1975; Turner 1985; Brown 2011.
169	Newnham Paddox	Warwickshire	1745-1753	Definite	Stroud 1975; Turner 1985; Brown 2011; Mowl 2011.
170	Newton Park	Somerset	1761	Attribution Only	Stroud 1975; Turner 1985.
171	North Cray Place	Kent	1781	Definite	Stroud 1975; Turner 1985.

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	Name	County	Date	Attribution	Secondary Bibliographic References
172	North Stoneham	Hampshire	1775-8	Definite	Stroud 1975; Turner 1985.
173	Nuneham	Oxfordshire	1778	Definite	Stroud 1975; Turner 1985; Mowl 2007; Brown 2011.
174	Oakly Park	Shropshire	1772	Not implemented	Stroud 1975; Turner 1985; Brown 2011.
175	Packington	Warwickshire	1750-1	Definite	Stroud 1975; Turner 1985; Brown 2011.
176	Park Place	Oxfordshire	Undated	Attribution Only	Parks and Gardens UK
177	Patshull	Staffordshire	Undated	Definite	Stroud 1975; Turner 1985; Brown 2011.
178	Paultons	Hampshire	1772-4	Definite	Stroud 1975; Turner 1985; Brown 2011.
179	Peper Harrow	Surrey	1757-8	Definite	Stroud 1975; Turner 1985; Brown 2011.
180	Peterborough House	Middlesex	1774	Definite	Stroud 1975; Turner 1985.
181	Petworth	Sussex	1751	Definite	Stroud 1975; Turner 1985; Brown 2011.
182	Pirton	Worcestershire	1764	Attribution Only	Brown 2011
183	Pishiobury	Hertfordshire	Undated	Attribution Only	Stroud 1975; Turner 1985.
184	Porters, Shenley	Hertfordshire	1773	Not implemented	Brown 2011
185	Prior Park	Somerset	1760	Definite	Stroud 1975; Turner 1985; Brown 2011.

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	Name	County	Date	Attribution	Secondary Bibliographic References
186	Pulls Court	Worcestershire	Undated	Attribution Only	Turner 1985.
187	Pusey House	Oxfordshire	Undated	Attribution Only	Parks and Gardens UK
188	Putney Heath	Surrey	1774	Not implemented	Stroud 1975; Turner 1985.
189	Radley, Oxon	Oxfordshire	1770-1	Definite	Stroud 1975; Turner 1985.
190	Ragley	Warwickshire	pre 1758	Attribution Only	Stroud 1975; Turner 1985; Mowl 2011.
191	Ranelagh House	Middlesex	1774	Definite	Stroud 1975; Turner 1985.
192	Redgrave Hall	Suffolk	1763-8	Definite	Stroud 1975; Turner 1985; Brown 2011.
193	Revesby Abbey	Lincolnshire	Undated	Attribution Only	Parks and Gardens UK
194	Richmond and Kew	Surrey	1764-83	Definite	Stroud 1975; Turner 1985.
195	Richmond Hill	Surrey	1770	Definite	Stroud 1975; Turner 1985.
196	Ripley Castle	Yorkshire	Undated	Attribution Only	Stroud 1975; Turner 1985; Brown 2011.
197	Rise	Yorkshire	1775	Definite	Stroud 1975; Turner 1985.
198	Rothley	Yorkshire	1765	Definite	Stroud 1975; Turner 1985; Brown 2011.
199	Rycote	Oxfordshire	1770	Definite	Stroud 1975; Turner 1985.

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	Name	County	Date	Attribution	Secondary Bibliographic References
200	Sandbecks (Roche Abbey)	Yorkshire	1765-6	Definite	Stroud 1975; Turner 1985; Brown 2011.
201	Sandleford	Berkshire	1781	Definite	Stroud 1975; Turner 1985; Brown 2011.
202	Scampston	Yorkshire	1772	Definite	Stroud 1975; Turner 1985; Brown 2011.
203	Scrivelsby Court	Lincolnshire	Undated	Attribution Only	Parks and Gardens UK
204	Shardeloes	Buckinghamshire	Undated	Attribution Only	Parks and Gardens UK
205	Sharpham	Devon	Undated	Attribution Only	Stroud 1975; Turner 1985; Brown 2011.
206	Sheffield Place	Sussex	1776	Definite	Stroud 1975; Turner 1985.
207	Sherborne Castle	Dorset	1753 and 1774	Definite	Stroud 1975; Turner 1985; Mowl 2003; Brown 2011.
208	Shortgrove	Essex	1758	Definite	Stroud 1975; Turner 1985; Brown 2011.
209	Shugborough	Staffordshire	Undated	Attribution Only	Parks and Gardens UK
210	Sion Hill	Middlesex	pre 1758	Definite	Stroud 1975; Turner 1985; Brown 2011.
211	Sledmere	Yorkshire	1777	Definite	Stroud 1975; Turner 1985; Brown 2011.
212	South Audley Street	Middlesex	1770	Definite	Stroud 1975; Turner 1985.
213	South Stoneham	Hampshire	1772-80	Definite	Stroud 1975; Turner 1985.

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	Name	County	Date	Attribution	Secondary Bibliographic References
214	Southill	Bedfordshire	1777	Definite	Stroud 1975; Turner 1985; Brown 2011.
215	Springhill	Worcestershire	1760	Definite	Stroud 1975; Turner 1985; Brown 2011.
216	St John's College	Cambridgeshire	1772	Not implemented	Stroud 1975; Turner 1985; Brown 2011.
217	Stansted Park	Sussex	1781	Definite	Stroud 1975; Turner 1985.
218	Stapleford	Leicestershire	1770s	Attribution Only	Parks and Gardens UK
219	Stoke House	Buckinghamshire	1750	Definite	Stroud 1975; Turner 1985; Brown 2011.
220	Stoke Park	Buckinghamshire	1765-7	Definite	Stroud 1975; Turner 1985; Brown 2011.
221	Stowe	Buckinghamshire	1741-51	Definite	Stroud 1975; Turner 1985; Brown 2011.
222	Stratfield Saye	Hampshire	1756-7	Definite	Turner 1985
223	Swynnerton	Yorkshire	Undated	Attribution Only	Stroud 1975; Turner 1985; Brown 2011.
224	Syon House	Middlesex	1754	Definite	Brown 2011
225	Talacre	Flintshire	Undated	Attribution Only	Brown 2011.
226	Taplow Court	Buckinghamshire	1776	Definite	Stroud 1975; Turner 1985.
227	Tatton Park	Staffordshire	Undated	Attribution Only	Parks and Gardens UK

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	Name	County	Date	Attribution	Secondary Bibliographic References
228	Temple Newsam	Yorkshire	1762	Definite	Stroud 1975; Turner 1985; Brown 2011.
229	Testwood	Hampshire	1764	Definite	Stroud 1975; Turner 1985; Brown 2011.
230	Thame	Oxfordshire	1758-9	Definite	Turner 1985
231	The Backs	Cambridgeshire	1776-8	Not implemented	Stroud 1975; Turner 1985.
232	The Hoo	Hertfordshire	1758	Definite	Stroud 1975; Turner 1985.
233	Thoresby	Nottinghamshire	Undated	Attribution Only	Stroud 1975; Turner 1985.
234	Thorndon	Essex	1766-72	Definite	Stroud 1975; Turner 1985.
235	Tixall	Staffordshire	1773	Definite	Stroud 1975; Turner 1985; Brown 2011.
236	Tong Castle	Shropshire	1765	Definite	Stroud 1975; Turner 1985; Brown 2011.
237	Tottenham	Wiltshire	1763	Definite	Stroud 1975; Turner 1985; Mowl 2006; Brown 2011.
238	Trentham	Staffordshire	1759	Definite	Stroud 1975; Turner 1985; Brown 2011.
239	Tusmore House	Oxfordshire	Undated	Attribution Only	Parks and Gardens UK
240	Ugbrooke	Devon	1761	Definite	Stroud 1975; Turner 1985; Brown 2011.
241	Uppark	Sussex	1750	Attribution Only	Parks and Gardens UK

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	Name	County	Date	Attribution	Secondary Bibliographic References
242	Valence	Kent	Undated	Attribution Only	Parks and Gardens UK
243	Wakefield Lodge	Buckinghamshire	1748-55	Definite	Stroud 1975; Brown 2011.
244	Wallington	Northumberland	1765	Attribution Only	Stroud 1975; Turner 1985; Brown 2011.
245	Wardour Castle	Wiltshire	1773	Not implemented	Stroud 1975; Turner 1985; Brown 2011.
246	Warnford	Hampshire	Undated	Definite	Stroud 1975; Turner 1985.
247	Warwick Castle	Warwickshire	1749-50	Definite	Stroud 1975; Turner 1985; Mowl 2011; Brown 2011
248	Wentworth Castle	Yorkshire	Undated	Attribution Only	Parks and Gardens UK
249	West Hill, Putney	Surrey	pre 1787	Attribution Only	Stroud 1975; Turner 1985.
250	Weston	Staffordshire	1765	Definite	Stroud 1975; Turner 1985; Brown 2011.
251	Whitley Beaumont, Yorks	Yorkshire	1779	Not implemented	Stroud 1975; Turner 1985; Brown 2011.
252	Widdicombe	Devon	1750s	Definite	Stroud 1975; Turner 1985.
253	Wilton	Wiltshire	1779	Definite	Stroud 1975; Turner 1985; Brown 2011.
254	Wimbledon House	Surrey	1767	Definite	Stroud 1975; Turner 1985.
255	Wimbledon Park	Surrey	1764	Definite	Stroud 1975; Turner 1985; Brown 2011.

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	Name	County	Date	Attribution	Secondary Bibliographic References
256	Wimpole	Cambridgeshire	1767	Definite	Stroud 1975; Turner 1985; Brown 2011.
257	Woburn Abbey	Bedfordshire	Undated	Attribution Only	Parks and Gardens UK
258	Wolterton	Norfolk	Undated	Attribution Only	Parks and Gardens UK
259	Woodchester	Gloucestershire	1782	Not implemented	Stroud 1975; Turner 1985; Brown 2011.
260	Woodsome Hall	Yorkshire	Undated	Attribution Only	Parks and Gardens UK
261	Worksop Manor	Derbyshire	Undated	Attribution Only	Parks and Gardens UK
262	Wotton	Buckinghamshire	1742-6	Definite	Stroud 1975; Turner 1985; Brown 2011.
263	Wrest Park	Bedfordshire	1758	Definite	Stroud 1975; Turner 1985; Brown 2011.
264	Wrotham	Middlesex	1765	Definite	Stroud 1975; Turner 1985.
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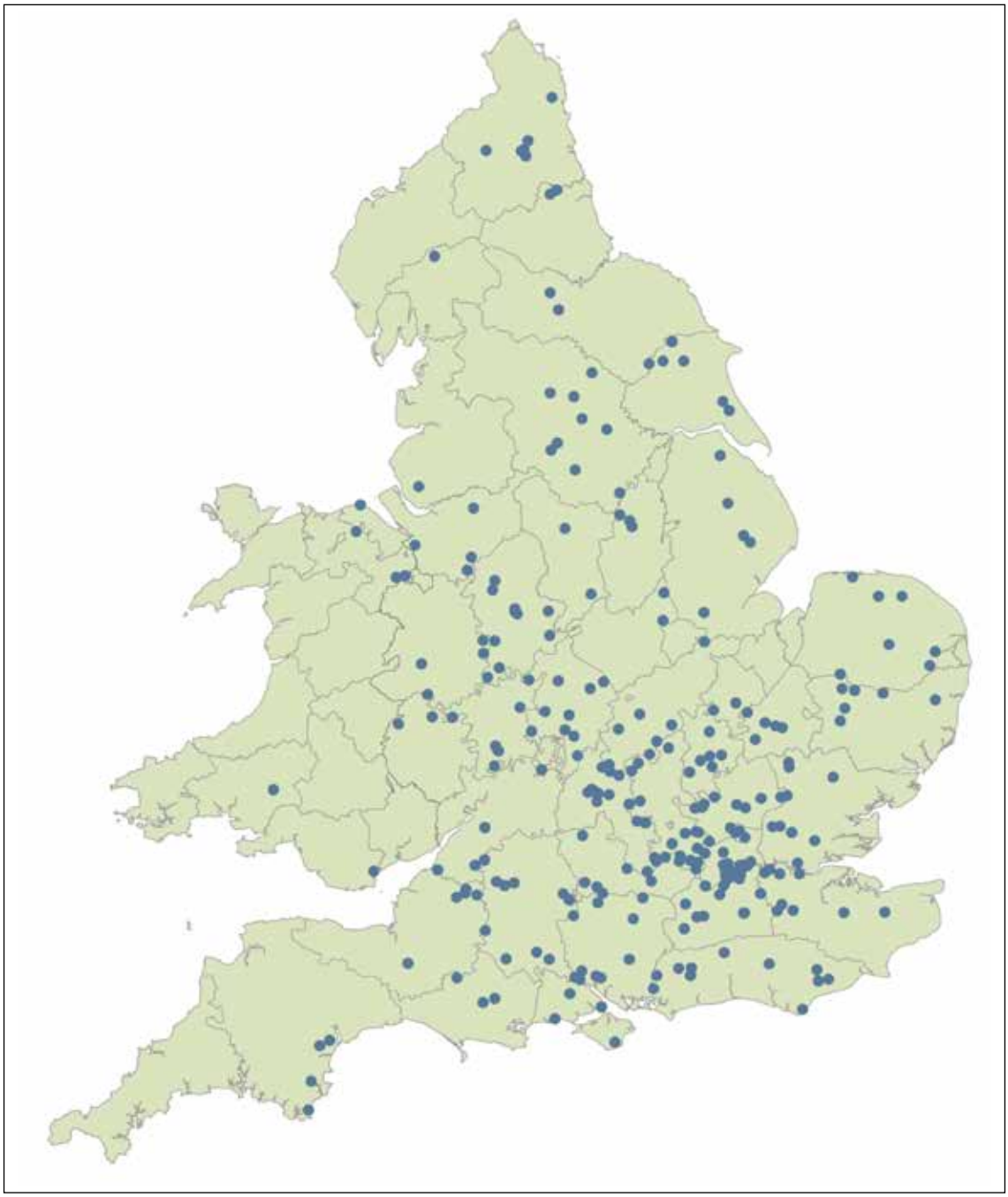
MAP 1



Map 1: Distribution of all sites attributed to Lancelot Brown – all are listed in the gazetteer. The county boundaries shown on this map are as they were in 1851.

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Appendix 6

Barnwell Decision

Neutral Citation Number: [2014] EWCA Civ 137

Case No: C1/2013/0843

IN THE COURT OF APPEAL (CIVIL DIVISION)
ON APPEAL FROM THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION
ADMINISTRATIVE COURT
THE HON. MRS JUSTICE LANG
CO/4231/2012

Royal Courts of Justice
Strand, London, WC2A 2LL

Date: 18/02/2014

Before:

LORD JUSTICE MAURICE KAY
VICE PRESIDENT OF THE COURT OF APPEAL, CIVIL DIVISION
LORD JUSTICE SULLIVAN
and
LADY JUSTICE RAFFERTY

- -

Between:

BARNWELL MANOR WIND ENERGY LIMITED	**Appellant**
- and -	
(1) EAST NORTHAMPTONSHIRE DISTRICT COUNCIL **(2) ENGLISH HERITAGE** **(3) NATIONAL TRUST** **(4) THE SECRETARY OF STATE FOR COMMUNITIES AND LOCAL GOVERNMENT**	**Respondents**

- -
- -

Gordon Nardell QC and **Justine Thornton** (instructed by **Eversheds LLP**) for the **Appellant**
Morag Ellis QC and **Robin Green** (instructed by **Sharpe Pritchard**) for the **First, Second and Third Respondents**
The Fourth Respondent did not appear and was not represented

Hearing date: 23rd January 2014

- -

Approved Judgment

Lord Justice Sullivan:

Introduction

1. This is an appeal against the order dated 11th March 2013 of Lang J quashing the decision dated 12th March 2012 of a Planning Inspector appointed by the Secretary of State granting planning permission for a four-turbine wind farm on land north of Catshead Woods, Sudborough, Northamptonshire. The background to the appeal is set out in Lang J's judgment: [2013] EWHC 473 (Admin).

Section 66

2. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the Listed Buildings Act") imposes a "General duty as respects listed buildings in exercise of planning functions." Subsection (1) provides:

> "In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

Planning Policy

3. When the permission was granted the Government's planning policies on the conservation of the historic environment were contained in Planning Policy Statement 5 (PPS5). In PPS5 those parts of the historic environment that have significance because of their historic, archaeological, architectural or artistic interest are called heritage assets. Listed buildings, Scheduled Ancient Monuments and Registered Parks and Gardens are called "designated heritage assets." Guidance to help practitioners implement the policies in PPS5 was contained in "PPS5 Planning for the Historic Environment: Historic Environment Planning Practice Guide" ("the Practice Guide"). For present purposes, Policies HE9 and HE10 in PPS5 are of particular relevance. Policy HE9.1 advised 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 listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, including scheduled monuments ….grade I and II* listed buildings and grade I and II* registered parks and gardens….should be wholly exceptional."

Policy HE9.4 advised that:

> "Where a proposal has a harmful impact on the significance of a designated heritage asset which is less than substantial harm, in all cases local planning authorities should:

> (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."

Policy HE10.1 advised decision-makers that when considering applications for development that do not preserve those elements of the setting of a heritage asset, they:

> "should weigh any such harm against the wider benefits of the application. The greater the negative impact on the significance of the heritage asset, the greater the benefits that will be needed to justify approval."

The Inspector's decision

4. The Inspector concluded that the wind farm would fall within and affect the setting of a wide range of heritage assets [22][1]. For the purposes of this appeal the parties' submissions largely focussed on one of the most significant of those assets: a site owned by the National Trust, Lyveden New Bield. Lyveden New Bield is covered by a range of heritage designations: Grade I listed building, inclusion in the Register of Parks and Gardens of Special Historic Interest at Grade I, and Scheduled Ancient Monument [44].

5. It was common ground between the parties at the inquiry that the group of designated heritage assets at Lyveden New Bield was probably the finest surviving example of an Elizabethan Garden, and that as a group the heritage asset at Lyveden New Bield had a cultural value of national, if not international significance. The Inspector agreed, and found that:

> "…this group of designated heritage assets has archaeological, architectural, artistic and historic significance of the highest magnitude." [45]

6. The closest turbine in the wind farm site (following the deletion of one turbine) to Lyveden New Bield was around 1.3 km from the boundary of the Registered Park and 1.7 km from the New Bield itself. The Inspector found that:

> "The wind turbines proposed would be visible from all around the site, to varying degrees, because of the presence of trees. Their visible presence would have a clear influence on the surroundings in which the heritage assets are experienced and

[1] [ ] refers to paragraph numbers in the Inspector's decision.

> as such they would fall within, and affect, the setting of the group." [46]

This conclusion led the Inspector to identify the central question, as follows:

> "Bearing in mind PPS5 Policy HE7, the central question is the extent to which that visible presence would affect the significance of the heritage assets concerned." [46]

7. The Inspector answered that question in relation to Lyveden New Bield in paragraphs 47-51 of his decision letter.

> "47. While records of Sir Thomas Tresham's intentions for the site are relatively, and unusually, copious, it is not altogether clear to what extent the gardens and the garden lodge were completed and whether the designer considered views out of the garden to be of any particular significance. As a consequence, notwithstanding planting programmes that the National Trust have undertaken in recent times, the experience of Lyveden New Bield as a place, and as a planned landscape, with earthworks, moats and buildings within it, today, requires imagination and interpretation.
>
> 48. At the times of my visits, there were limited numbers of visitors and few vehicles entering and leaving the site. I can imagine that at busy times, the situation might be somewhat different but the relative absence of man-made features in views across and out of the gardens compartments, from the prospect mounds especially, and from within the garden lodge, give the place a sense of isolation that makes the use of one's imagination to interpret Sir Thomas Tresham's design intentions somewhat easier.
>
> 49. The visible, and sometimes moving, presence of the proposed wind turbine array would introduce a man-made feature, of significant scale, into the experience of the place. The array would act as a distraction that would make it more difficult to understand the place, and the intentions underpinning its design. That would cause harm to the setting of the group of designated heritage assets within it.
>
> 50. However, while the array would be readily visible as a backdrop to the garden lodge in some directional views, from the garden lodge itself in views towards it, and from the prospect mounds, from within the moated orchard, and various other places around the site, at a separation distance of between 1 and 2 kilometres, the turbines would not be so close, or fill the field of view to the extent, that they would dominate the

> outlook from the site. Moreover, the turbine array would not intrude on any obviously intended, planned view out of the garden, or from the garden lodge (which has windows all around its cruciform perimeter). Any reasonable observer would know that the turbine array was a modern addition to the landscape, separate from the planned historic landscape, or building they were within, or considering, or interpreting.
>
> 51. On that basis, the presence of the wind turbine array would not be so distracting that it would prevent or make unduly difficult, an understanding, appreciation or interpretation of the significance of the elements that make up Lyveden New Bield and Lyveden Old Bield, or their relationship to each other. As a consequence, the effect on the setting of these designated heritage assets, while clearly detrimental, would not reach the level of substantial harm."

8. The Inspector carried out "The Balancing Exercise" in paragraphs 85 and 86 of his decision letter.

> "85. The proposal would harm the setting of a number of designated heritage assets. However, the harm would in all cases be less than substantial and reduced by its temporary nature and reversibility. The proposal would also cause harm to the landscape but this would be ameliorated by a number of factors. Read in isolation though, all this means that the proposal would fail to accord with [conservation policies in the East Midlands Regional Plan (EMRP)]. On the other hand, having regard to advice in PPS22, the benefits that would accrue from the wind farm in the 25 year period of its operation attract significant weight in favour of the proposal. The 10 MW that it could provide would contribute towards the 2020 regional target for renewable energy, as required by EMRP Policy 40 and Appendix 5, and the wider UK national requirement.
>
> 86. PPS5 Policies HE9.4 and HE10.1 require the identified harm to the setting of designated heritage assets to be balanced against the benefits that the proposal would provide. Application of the development plan as a whole would also require that harm, and the harm to the landscape, to be weighed against the benefits. Key principle (i) of PPS22 says that renewable energy developments should be capable of being accommodated throughout England in locations where the technology is viable and environmental, economic, and social impacts can be addressed satisfactorily. I take that as a clear expression that the threshold of acceptability for a proposal like

> the one at issue in this appeal is not such that all harm must be avoided. In my view, the significant benefits of the proposal in terms of the energy it would produce from a renewable source outweigh the less than substantial harm it would cause to the setting of designated heritage assets and the wider landscape."

Lang J's Judgment

9. Before Lang J the First, Second and Third Respondents ("the Respondents") challenged the Inspector's decision on three grounds. In summary, they submitted that the Inspector had failed to:

   (1) have special regard to the desirability of preserving the settings of listed buildings, including Lyveden New Bield;

   (2) correctly interpret and apply the policies in PPS5; and

   (3) give adequate reasons for his decision.

   The Secretary of State, the Fourth Respondent, had conceded prior to the hearing that the Inspector's decision should be quashed on ground (3), and took no part in the proceedings before Lang J and in this Court.

10. Lang J concluded that all three grounds of challenge were made out. [72][2] In respect of ground (1) she concluded that:

> "In order to give effect to the statutory duty under section 66(1), a decision-maker should accord considerable importance and weight to the "desirability of preserving… the setting" of listed buildings when weighing this factor in the balance with other 'material considerations' which have not been given this special statutory status. Thus, where the section 66(1) duty is in play, it is necessary to qualify Lord Hoffmann's statement in *Tesco Stores v Secretary of State for the Environment & Ors* [1995] 1 WLR 759, at 780F-H that the weight to be given to a material consideration was a question of planning judgment for the planning authority" [39]

   Applying that interpretation of section 66(1) she concluded that:

> "….the Inspector did not at any stage in the balancing exercise accord "special weight", or considerable importance to "the desirability of preserving the setting". He treated the "harm" to the setting and the wider benefit of the wind farm proposal as if those two factors were of equal importance. Indeed, he downplayed "the desirability of preserving the setting" by

[2] [ ] refers to paragraph numbers in the judgment.

> adopting key principle (i) of PPS22, as a "clear indication that the threshold of acceptability for a proposal like the one at issue in this appeal is not such that all harm must be avoided" (paragraph 86). In so doing, he applied the policy without giving effect to the section 66(1) duty, which applies to all listed buildings, whether the "harm" has been assessed as substantial or less than substantial." [46]

11. In respect of ground (2) Lang J concluded that the policy guidance in PPS5 and the Practice Guide required the Inspector to assess the contribution that the setting made to the significance of the heritage assets, including Lyveden New Bield, and the effect of the proposed wind turbines on both the significance of the heritage asset and the ability to appreciate that significance. Having analysed the Inspector's decision, she found that the Inspector's assessment had been too narrow. He had failed to assess the contribution that the setting of Lyveden New Bield made to its significance as a heritage asset and the extent to which the wind turbines would enhance or detract from that significance, and had wrongly limited his assessment to one factor: the ability of the public to understand the asset based on the ability of "the reasonable observer" to distinguish between the "modern addition" to the landscape and the "historic landscape." [55] - [65]

12. In respect of ground (3) Lang J found that the question whether Sir Thomas Tresham intended that the views from the garden and the garden lodge should be of significance was a controversial and important issue at the inquiry which the Inspector should have resolved before proceeding to assess the level of harm.[68] However, the Inspector's reasoning on this issue was unclear. Having said in paragraph 47 of his decision that it was "not altogether clear ….whether the designer considered views out of the garden to be of any significance", he had concluded in paragraph 50 that "the turbine array would not intrude on any obviously intended, planned view out of the garden, or from the garden lodge (which has windows all around its cruciform perimeter)." It was not clear whether this was a conclusion that there were no planned views (as submitted by the Appellant) or a conclusion that there were such views but the turbine array would not intrude into them. [70] – [71].

The Grounds of Appeal

13. On behalf of the Appellant, Mr. Nardell QC challenged Lang J's conclusions in respect of all three grounds. At the forefront of his appeal was the submission that Lang J had erred in concluding that section 66(1) required the Inspector, when carrying out the balancing exercise, to give "considerable weight" to the desirability of preserving the settings of the many listed buildings, including Lyveden New Bield. He submitted that section 66(1) did not require the decision-maker to give any particular weight to that factor. It required the decision-maker to ask the right question – would there be some harm to the setting of the listed building – and if the answer to that question was "yes" – to refuse planning permission unless that harm was outweighed by the advantages of the proposed development. When carrying out that balancing exercise the weight to be given to the harm to the setting of the listed

building on the one hand and the advantages of the proposal on the other was entirely a matter of planning judgment for the decision-maker.

14. Turning to the policy ground, he submitted that Lang J had erred by taking an over-rigid approach to PPS5 and the Practice Guide which were not intended to be prescriptive. Given the way in which those objecting to the proposed wind farm had put their case at the inquiry, the Inspector had been entitled to focus on the extent to which the presence of the turbines in views to and from the listed buildings, including Lyveden New Bield, would affect the ability of the public to appreciate the heritage assets.

15. In response to the reasons ground, he submitted that the question whether any significant view from the lodge or garden at Lyveden New Bield was planned or intended was a subsidiary, and not a "principal important controversial", issue. In any event, he submitted that on a natural reading of paragraph 50 of the decision letter the Inspector had simply found that the turbines would not intrude into such significant views, if any, as were obviously planned or intended, so it had been unnecessary for him to resolve the issue that he had left open in paragraph 47 of the decision.

Discussion

Ground 1

16. What was Parliament's intention in imposing both the section 66 duty and the parallel duty under section 72(1) of the Listed Buildings Act to pay "special attention ….. to the desirability of preserving or enhancing the character or appearance" of conservation areas? It is common ground that, despite the slight difference in wording, the nature of the duty is the same under both enactments. It is also common ground that "preserving" in both enactments means doing no harm: see South Lakeland District Council v Secretary of State for the Environment [1992] 2 AC 141, per Lord Bridge at page 150.

17. Was it Parliament's intention that the decision-maker should consider very carefully whether a proposed development would harm the setting of the listed building (or the character or appearance of the conservation area), and if the conclusion was that there would be some harm, then consider whether that harm was outweighed by the advantages of the proposal, giving that harm such weight as the decision-maker thought appropriate; or was it Parliament's intention that when deciding whether the harm to the setting of the listed building was outweighed by the advantages of the proposal, the decision-maker should give particular weight to the desirability of avoiding such harm?

18. Lang J analysed the authorities in paragraphs [34] – [39] of her judgment. In chronological order they are: The Bath Society v Secretary of State for the Environment [1991] 1 WLR 1303; South Lakeland (see paragraph 16 above); Heatherington (UK) Ltd. v Secretary of State for the Environment (1995) 69 P & CR 374; and Tesco Stores Ltd. v Secretary of State for the Environment [1995] 1 WLR 759. Bath and South Lakeland were concerned with (what is now) the duty under

section 72. Heatherington is the only case in which the section 66 duty was considered. Tesco was not a section 66 or section 72 case, it was concerned with the duty to have regard to "other material considerations" under section 70(2) of the Town and Country Planning Act 1990 ("the Planning Act").

19. When summarising his conclusions in Bath about the proper approach which should be adopted to an application for planning permission in a conservation area, Glidewell LJ distinguished between the general duty under (what is now) section 70(2) of the Planning Act, and the duty under (what is now) section 72(1) of the Listed Buildings Act. Within a conservation area the decision-maker has two statutory duties to perform, but the requirement in section 72(1) to pay "special attention" should be the first consideration for the decision-maker (p. 1318 F-H). Glidewell LJ continued:

> "Since, however, it is a consideration to which special attention is to be paid as a matter of statutory duty, it must be regarded as having considerable importance and weight…… As I have said, the conclusion that the development will neither enhance nor preserve will be a consideration of considerable importance and weight. This does not necessarily mean that the application for permission must be refused, but it does in my view mean that the development should only be permitted if the decision-maker concludes that it carries some advantage or benefit which outweighs the failure to satisfy the section [72(1)] test and such detriment as may inevitably follow from that."

20. In South Lakeland the issue was whether the concept of "preserving" in what is now section 72(1) meant "positively preserving" or merely doing no harm. The House of Lords concluded that the latter interpretation was correct, but at page 146E-G of his speech (with which the other members of the House agreed) Lord Bridge described the statutory intention in these terms:

> "There is no dispute that the intention of section [72(1)] is that planning decisions in respect of development proposed to be carried out in a conservation area must give a high priority to the objective of preserving or enhancing the character or appearance of the area. If any proposed development would conflict with that objective, there will be a strong presumption against the grant of planning permission, though, no doubt, in exceptional cases the presumption may be overridden in favour of development which is desirable on the ground of some other public interest. But if a development would not conflict with that objective, the special attention required to be paid to that objective will no longer stand in its way and the development will be permitted or refused in the application of ordinary planning criteria."

21. In Heatherington, the principal issue was the interrelationship between the duty imposed by section 66(1) and the newly imposed duty under section 54A of the Planning Act (since repealed and replaced by the duty under section 38(6) of the Planning and Compulsory Purchase Act 2004). However, Mr. David Keene QC (as he then was), when referring to the section 66(1) duty, applied Glidewell LJ's dicta in the Bath case (above), and said that the statutory objective "remains one to which considerable weight should be attached" (p. 383).

22. Mr. Nardell submitted, correctly, that the Inspector's error in the Bath case was that he had failed to carry out the necessary balancing exercise. In the present case the Inspector had expressly carried out the balancing exercise, and decided that the advantages of the proposed wind farm outweighed the less than substantial harm to the setting of the heritage assets. Mr. Nardell submitted that there was nothing in Glidewell LJ's judgment which supported the proposition that the Court could go behind the Inspector's conclusion. I accept that (subject to grounds 2 and 3, see paragraph 29 et seq below) the Inspector's assessment of the degree of harm to the setting of the listed building was a matter for his planning judgment, but I do not accept that he was then free to give that harm such weight as he chose when carrying out the balancing exercise. In my view, Glidewell LJ's judgment is authority for the proposition that a finding of harm to the setting of a listed building is a consideration to which the decision-maker must give "considerable importance and weight."

23. That conclusion is reinforced by the passage in the speech of Lord Bridge in South Lakeland to which I have referred (paragraph 20 above). It is true, as Mr. Nardell submits, that the ratio of that decision is that "preserve" means "do no harm". However, Lord Bridge's explanation of the statutory purpose is highly persuasive, and his observation that there will be a "strong presumption" against granting permission for development that would harm the character or appearance of a conservation area is consistent with Glidewell LJ's conclusion in Bath. There is a "strong presumption" against granting planning permission for development which would harm the character or appearance of a conservation area precisely because the desirability of preserving the character or appearance of the area is a consideration of "considerable importance and weight."

24. While I would accept Mr. Nardell's submission that Heatherington does not take the matter any further, it does not cast any doubt on the proposition that emerges from the Bath and South Lakeland cases: that Parliament in enacting section 66(1) did intend that the desirability of preserving the settings of listed buildings should not simply be given careful consideration by the decision-maker for the purpose of deciding whether there would be some harm, but should be given "considerable importance and weight" when the decision-maker carries out the balancing exercise.

25. In support of his submission that, provided he asked the right question – was the harm to the settings of the listed buildings outweighed by the advantages of the proposed development – the Inspector was free to give what weight he chose to that harm, Mr. Nardell relied on the statement in the speech of Lord Hoffmann in Tesco that the

weight to be given to a material consideration is entirely a matter for the local planning authority (or in this case, the Inspector):

> "If there is one principle of planning law more firmly settled than any other, it is that matters of planning judgment are within the exclusive province of the local planning authority or the Secretary of State." (p.780H).

26. As a general proposition, the principle is not in doubt, but Tesco was concerned with the application of section 70(2) of the Planning Act. It was not a case under section 66(1) or 72(1) of the Listed Buildings Act. The proposition that decision-makers may be required by either statute or planning policy to give particular weight to certain material considerations was not disputed by Mr. Nardell. There are many examples of planning policies, both national and local, which require decision-makers when exercising their planning judgment to give particular weight to certain material considerations. No such policies were in issue in the Tesco case, but an example can be seen in this case. In paragraph 16 of his decision letter the Inspector referred to Planning Policy Statement 22 Renewable Energy (PPS22) which says that the wider environmental and economic benefits of all proposals for renewable energy, whatever their scale, are material considerations which should be given "significant weight". In this case, the requirement to give "considerable importance and weight" to the policy objective of preserving the setting of listed buildings has been imposed by Parliament. Section 70(3) of the Planning Act provides that section 70(1), which confers the power to grant planning permission, has effect subject to, inter alia, sections 66 and 72 of the Listed Buildings Act. Section 70(2) requires the decision-maker to have regard to "material considerations" when granting planning permission, but Parliament has made the power to grant permission having regard to material considerations expressly subject to the section 66(1) duty.

27. Mr. Nardell also referred us to the decisions of Ouseley J and this Court in Garner v Elmbridge Borough Council [2011] EWCA Civ 891, but the issue in that case was whether the local planning authority had been entitled to conclude that no harm would be caused to the setting of another heritage asset of the highest significance, Hampton Court Palace. Such was the weight given to the desirability of preserving the setting of the Palace that it was common ground that it would not be acceptable to grant planning permission for a redevelopment scheme which would have harmed the setting of the Palace on the basis that such harm would be outweighed by some other planning advantage: see paragraph 14 of my judgment. Far from assisting Mr. Nardell's case, Garner is an example of the practical application of the advice in policy HE9.1: that substantial harm to designated heritage assets of the highest significance should not merely be exceptional, but "wholly exceptional".

28. It does not follow that if the harm to such heritage assets is found to be less than substantial, the balancing exercise referred to in policies HE9.4 and HE 10.1 should ignore the overarching statutory duty imposed by section 66(1), which properly understood (see Bath, South Somerset and Heatherington) requires considerable weight to be given by decision-makers to the desirability of preserving the setting of

all listed buildings, including Grade II listed buildings. That general duty applies with particular force if harm would be caused to the setting of a Grade I listed building, a designated heritage asset of the highest significance. If the harm to the setting of a Grade I listed building would be less than substantial that will plainly lessen the strength of the presumption against the grant of planning permission (so that a grant of permission would no longer have to be "wholly exceptional"), but it does not follow that the "strong presumption" against the grant of planning permission has been entirely removed.

29. For these reasons, I agree with Lang J's conclusion that Parliament's intention in enacting section 66(1) was that decision-makers should give "considerable importance and weight" to the desirability of preserving the setting of listed buildings when carrying out the balancing exercise. I also agree with her conclusion that the Inspector did not give considerable importance and weight to this factor when carrying out the balancing exercise in this decision. He appears to have treated the less than substantial harm to the setting of the listed buildings, including Lyveden New Bield, as a less than substantial objection to the grant of planning permission. The Appellant's Skeleton Argument effectively conceded as much in contending that the weight to be given to this factor was, subject only to irrationality, entirely a matter for the Inspector's planning judgment. In his oral submissions Mr. Nardell contended that the Inspector had given considerable weight to this factor, but he was unable to point to any particular passage in the decision letter which supported this contention, and there is a marked contrast between the "significant weight" which the Inspector expressly gave in paragraph 85 of the decision letter to the renewable energy considerations in favour of the proposal having regard to the policy advice in PPS22, and the manner in which he approached the section 66(1) duty. It is true that the Inspector set out the duty in paragraph 17 of the decision letter, but at no stage in the decision letter did he expressly acknowledge the need, if he found that there would be harm to the setting of the many listed buildings, to give considerable weight to the desirability of preserving the setting of those buildings. This is a fatal flaw in the decision even if grounds 2 and 3 are not made out.

Ground 2

30. Grounds 2 and 3 are interlinked. The Respondents contend that the Inspector either misapplied the relevant policy guidance, or if he correctly applied it, failed to give adequate reasons for his conclusion that the harm to the setting of the listed buildings, including Lyveden New Bield, would in all cases be less than substantial. I begin with the policy challenge in ground 2. Lang J set out the policy guidance relating to setting in PPS5 and the Practice Guide in paragraphs 62-64 of her judgment. The contribution made by the setting of Lyveden New Bield to its significance as a heritage asset was undoubtedly a "principal controversial" issue at the inquiry. In paragraph 4.5.1 of his Proof of Evidence on behalf of the Local Planning Authority Mr. Mills, its Senior Conservation Officer, said:

> "To make an assessment of the indirect impact of development or change upon an asset it is first necessary to make a judgment about the contribution made by its setting."

Having carried out a detailed assessment of that contribution he concluded in paragraph 4.5.17:

> "In summary, what Tresham created at the site was a designed experience that was intimately linked to the surrounding landscape. The presence of the four prospect mounts along with the raised terrace provide a clear indication of the relationship of the site with the surrounding landscape."

Only then did he assess the impact of the proposed development on the setting by way of "a discussion as to the impact of the proposal on how the site is accessed and experienced by visitors."

31. In its written representations to the inquiry English Heritage said of the significance and setting of Lyveden New Bield:

> "The aesthetic value of the Lyveden Heritage Assets partly derives from the extraordinary symbolism and quality of the New Bield and the theatrical design of the park and garden. However, it also derives from their visual association with each other and with their setting. The New Bield is a striking presence when viewed on the skyline from a distance. The New Bield and Lyveden park and garden are wonderfully complemented by their undeveloped setting of woodland, pasture and arable land."

In paragraph 8.23 English Heritage said:

> "The New Bield and Lyveden park and garden were designed to be prominent and admired in their rural setting, isolated from competing structures. The character and setting of the Lyveden Heritage Assets makes a crucial contribution to their significance individually and as a group."

32. In its written representations to the inquiry the National Trust said that each arm of the cruciform New Bield "was intended to offer extensive views in *all directions* over the surrounding parks and the Tresham estate beyond" (paragraph 11). The National Trust's evidence was that "one if not *the* **Principal designed** *view from* within the lodge was from the withdrawing rooms which linked to the important Great Chamber and Great Hall on the upper two levels of the west arm of the lodge" (paragraph 12). The Trust contended that this vista survived today, and was directly aligned with the proposed wind farm site (emphasis in both paragraphs as in the original).

33. In his proof of evidence, the planning witness for the Stop Barnwell Manor Wind Farm Group said that:

> "….the views of Lyveden New Bield from the east, south-east and south, both as an individual structure and as a group with its adjoining historic garden and listed cottage, are views of a very high order. The proposed turbines, by virtue of their monumental scale, modern mechanical appearance, and motion of the blades, would be wholly alien in this scene and would draw the eye away from the New Bield, destroying its dominating presence in the landscape."

34. This evidence was disputed by the Appellant's conservation witness, and the Appellant rightly contends that a section 288 appeal is not an opportunity to re-argue the planning merits. I have set out these extracts from the objectors' evidence at the inquiry because they demonstrate that the objectors were contending that the undeveloped setting of Lyveden New Bield made a crucial contribution to its significance as a heritage asset; that the New Bield (the lodge) had been designed to be a striking and dominant presence when viewed in its rural setting; and that the lodge had been designed so as to afford extensive views in all directions over that rural setting. Did the Inspector resolve these issues in his decision, and if so, how?

35. I endorse Lang J's conclusion that the Inspector did not assess the contribution made by the setting of Lyveden New Bield, by virtue of its being undeveloped, to the significance of Lyveden New Bield as a heritage asset. The Inspector did not grapple with (or if he did consider it, gave no reasons for rejecting) the objectors' case that the setting of Lyveden New Bield was of crucial importance to its significance as a heritage asset because Lyveden New Bield was designed to have a dominating presence in the surrounding rural landscape, and to afford extensive views in all directions over that landscape; and that these qualities would be seriously harmed by the visual impact of a modern man-made feature of significant scale in that setting.

36. The Inspector's reason for concluding in paragraph 51 of the decision that the presence of the wind turbine array, while clearly having a detrimental effect on the setting of Lyveden New Bield, would not reach the level of substantial harm, was that it would not be so distracting that it would not prevent, or make unduly difficult, an understanding, appreciation or interpretation of the significance of the elements that make up Lyveden New Bield or Lyveden Old Bield or their relationship to each other.

37. That is, at best, only a partial answer to the objectors' case. As the Practice Guide makes clear, the ability of the public to appreciate a heritage asset is one, but by no means the only, factor to be considered when assessing the contribution that setting makes to the significance of a heritage asset. The contribution that setting makes does not depend on there being an ability to access or experience the setting: see in particular paragraphs 117 and 122 of the Practice Guide, cited in paragraph 64 of Lang J's judgment.

Ground 3

38. The Inspector said that his conclusion in paragraph 51 of the decision letter that the presence of the wind turbine array would not be so distracting that it would prevent or make unduly difficult, an understanding, appreciation or interpretation of the significance of the elements that make up Lyveden New Bield had been reached on the basis of his conclusions in paragraph 50. In that paragraph, having said that the wind turbine array "would be readily visible as a backdrop to the garden lodge in some directional views, from the garden lodge itself in views towards it, and from the prospect mounds, from within the orchard, and various other places around the site, at a separation distance of between 1 and 2 kilometres", the Inspector gave three reasons which formed the basis of his conclusion in paragraph 51.

39. Those three reasons were:

(a) The turbines would not be so close, or fill the field of view to the extent, that they would dominate the outlook from the site.

(b) The turbine array would not intrude on any obviously intended, planned view out of the garden or the garden lodge (which has windows all around its cruciform perimeter).

(c) Any reasonable observer would know that the turbine array was a modern addition to the landscape, separate from the planned historic landscape, or building they were within, or considering, or interpreting.

40. Taking those reasons in turn, reason (a) does not engage with the objectors' contention that the setting of Lyveden New Bield made a crucial contribution to its significance as a heritage asset because Lyveden New Bield was designed to be the dominant feature in the surrounding rural landscape. A finding that the "readily visible" turbine array would not dominate the outlook from the site puts the boot on the wrong foot. If this aspect of the objectors' case was not rejected (and there is no reasoned conclusion to that effect) the question was not whether the turbine array would dominate the outlook from Lyveden New Bield, but whether Lyveden New Bield would continue to be dominant within its rural setting.

41. Mr. Nardell's submission to this Court was not that the Inspector had found that there were no planned views (cf. the submission recorded in paragraph 70 of Lang J's judgment), but that the Inspector had concluded that the turbine array would not intrude into obviously intended or planned views <u>if any</u>. That submission is difficult to understand given the Inspector's conclusion that the turbine array would be "readily visible" from the garden lodge, from the prospect mounds, and from various other places around the site. Unless the Inspector had concluded that there were <u>no</u> intended or planned views from the garden or the garden lodge, and he did not reach that conclusion (see paragraph 47 of the decision letter), it is difficult to see how he could have reached the conclusion that the "readily visible" turbine array would not "intrude" on any obviously intended or planned views from the garden lodge. I am inclined to agree with Mr. Nardell's alternative submission that the Inspector's conclusion that while "readily visible" from the garden lodge, the turbine array would not "intrude" on any obviously intended or planned view from it, is best understood

by reference to his third conclusion in paragraph 50. While visible in views from the garden lodge the turbine array would not intrude upon, in the sense of doing substantial harm to, those views, for the reasons given in the last sentence of paragraph 50.

42. I confess that, notwithstanding Mr. Nardell's assistance, I found some difficulty, not in understanding the final sentence of paragraph 50 – plainly any reasonable observer would know that the turbine array was a modern addition to the landscape and was separate from the planned historic landscape at Lyveden New Bield – but in understanding how it could rationally justify the conclusion that the detrimental effect of the turbine array on the setting of Lyveden New Bield would not reach the level of substantial harm. The Inspector's application of the "reasonable observer" test was not confined to the effect of the turbine array on the setting of Lyveden New Bield. As Lang J pointed out in paragraph 57 of her judgment, in other paragraphs of his decision letter the Inspector emphasised one particular factor, namely the ability of members of the public to understand and distinguish between a modern wind turbine array and a heritage asset, as his reason for concluding either that the proposed wind turbines would have no impact on the settings of other heritage assets of national significance [28] – [31]; or a harmful impact that was "much less than substantial" on the setting of a Grade 1 listed church in a conservation area [36].

43. Matters of planning judgment are, of course, for the Inspector. No one would quarrel with his conclusion that "any reasonable observer" would understand the differing functions of a wind turbine and a church and a country house or a settlement [30]; would not be confused about the origins or purpose of a settlement and a church and a wind turbine array [36]; and would know that a wind turbine array was a modern addition to the landscape [50]; but no matter how non-prescriptive the approach to the policy guidance in PPS5 and the Practice Guide, that guidance nowhere suggests that the question whether the harm to the setting of a designated heritage asset is substantial can be answered simply by applying the "reasonable observer" test adopted by the Inspector in this decision.

44. If that test was to be the principal basis for deciding whether harm to the setting of a designated heritage asset was substantial, it is difficult to envisage any circumstances, other than those cases where the proposed turbine array would be in the immediate vicinity of the heritage asset, in which it could be said that any harm to the setting of a heritage asset would be substantial: the reasonable observer would always be able to understand the differing functions of the heritage asset and the turbine array, and would always know that the latter was a modern addition to the landscape. Indeed, applying the Inspector's approach, the more obviously modern, large scale and functional the imposition on the landscape forming part of the setting of a heritage asset, the less harm there would be to that setting because the "reasonable observer" would be less likely to be confused about the origins and purpose of the new and the old. If the "reasonable observer" test was the decisive factor in the Inspector's reasoning, as it appears to have been, he was not properly applying the policy approach set out in PPS5 and the Practice Guide. If it was not the decisive factor in the Inspector's reasoning, then he did not give adequate reasons for his conclusion

that the harm to the setting of Lyveden New Bield would not be substantial. Since his conclusion that the harm to the setting of the designated heritage assets would in all cases be less than substantial was fed into the balancing exercise in paragraphs 85 and 86, the decision letter would have been fatally flawed on grounds 2 and 3 even if the Inspector had given proper effect to the section 66(1) duty.

Conclusion

45. For the reasons set out above, which largely echo those given by Lang J in her judgment, I would dismiss this appeal.

Lady Justice Rafferty:

46. I agree.

The Vice President:

47. I also agree.

Appendix 7

Montagu Evans Discussion on Barnwell

Recent Court of Appeal Decisions

1.1 We are aware of the latest Court of Appeal decision on setting of heritage assets – the 'Barnwell' decision (**Appendix 6.0**). We confirm that we have taken account of the contribution of setting to the significance of the potentially affected heritage assets. Our assessment and analysis gives great weight to the preservation of the assets.

1.2 From that perspective we understand Barnwell in the following manner.

1.3 The great weight which Parliament, through the Planning (Listed Buildings and Conservation Areas) Act 1990, attaches to the preservation of the special interest of listed buildings and their settings is a matter that needs to be considered separate from any planning balance. Thus the statutory objective is not merely another planning consideration.

1.4 It is down to planning judgment to take a proportional view of just what great weight means on the facts of any particular case. Thus, it must be something different, when dealing with development in the setting of Hampton Court Palace, than it does when dealing with development in the setting even of another Grade I listed building (St Nicholas' Church) not to mention Grade II buildings.

1.5 The judgment confirms that the 'great weight provision' applies equally to conservation areas even though setting is not expressly mentioned in section 72. Again, the concept must be applied in a well informed and precise way because assets vary in their sensitivity, even within the same designation category. Some conservation areas, for example, will be more sensitive than others.

Appendix 8

Views from Guy’s Tower, Warwick Castle

Viewpoint 8 - From Public Right of Way south-east of the Asps, looking north-northwest towards the Site

Viewpoint 9 - From Warwick Castle tower, looking south-east towards the Site

Hallam Land Management

Gallows Hill,
Warwick

REPRESENTATIVE VIEWPOINTS
PHOTOVIEWPOINT

KMS

March 2013

Figure 10

FPCR Environment and Design Ltd, Lockington Hall, Lockington, Derby, DE74 2RH ■ t: 01509 672772 ■ f: 01509 674565 ■ e: mail@fpcr.co.uk ■ w: www.fpcr.co.uk
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8. SUSTAINABILITY CONSIDERATIONS

8.1 Paragraph 49 of the Framework requires that housing applications should be considered in the context of sustainable development. Paragraph 14 then requires that where the development plan is out of date, as is the case in this instance, planning permission should be granted unless *"any adverse impacts of doing so would* ***significantly*** *and* ***demonstrably*** *outweigh the benefits"* when assessed against the policies in the Framework or specific policies indicate development should be restricted (my emphasis). This section therefore summarises the sustainable nature of the development. In so doing, it draws upon the description and analysis set out in the earlier sections.

8.2 Warwick is a large settlement with an extensive range of services and facilities that is able to provide its residents with their daily, and weekly, needs. The settlement has excellent transport links to the surrounding area, including to major cities such as London and Birmingham, which make the town a vibrant and attractive place to live. On the basis of the above, it is considered that Warwick is a sustainable location for housing growth, and this is reflected in both adopted and emerging planning policy as explained throughout this Planning Statement.

8.3 Paragraph 7 of the Framework explains that there are three dimensions to sustainable development: economic, social and environmental. These have been considered below and, where appropriate, have had regard to the various technical reports which accompany the application.

The Economic Role

8.4 It has been shown in Section 5 above that there is a significant shortfall in the land available for housing within the District. The provision of up to 250 dwellings for both market and affordable housing on a site adjacent Warwick, and in close proximity to the town centre, will make

a positive contribution to the provision of housing land of the right type, in the right places at the right time to support Warwick's role in the sub region.

8.6 Notwithstanding the additional market and affordable housing, this scheme will also provide economic benefits for the local economy. During the construction of the development a number of jobs will be created for local trades' people and the increase in population will ultimately lead to an increase in spending power for the local area as additional money is invested in the local economy. It is estimated that the development will lead to a net increase of local spending in the order of £3.72m per annum based on per capita expenditure at 2026.

8.7 It is also predicted by the applicants that there will be 375 full time workers on site during the construction period. This will equate to approximately 1,875 person years' worth of jobs (375 x 5 years of construction). There will also be an increase in other jobs from the indirect and induced effects of the construction activity. This will arise from services and suppliers to the construction process. Further, the proposed development will also increase the local labour supply potentially attracting new investors to the local area.

8.8 In addition, there will be economic benefits directly for Warwick District Council through increased council tax revenues and the New Homes Bonus which would reflect the development of 250 new dwellings.

The Social Role

8.9 The proposed development will meet the need for additional homes both now and in the future, whilst making a positive contribution to the vitality of the local community, not least by the increased demand for services and facilities required by the new residents who will live within walking and cycling distance of Warwick town centre where a range of these are located.

8.10 Paragraph 7 of the Framework goes on to explain that achieving the social role of sustainable development is achieved by "*creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being"*.

8.11 The above issues have been addressed in the following accompanying technical and supporting documentation.

- **Design and Access Statement**

  The high quality built environment is addressed through the Design and Access Statement and the principal issues considered therein, namely:

  - The context of the site and the surrounding area in terms of its principal characteristics and the wider context of Warwick;
  - The opportunities and constraints the development presents; and
  - The amount, use, layout, scale, landscape and appearance of the development.

  The Parameters Plan, which accompanies the application, identifies the parts of the site to be developed for up to 250 new homes and their relationship with the public open space and landscaping. In so doing, it establishes the design and development principles all of which are described in detail within the Design and Access Statement.

- **Transport**

  Accessibility and related issues are addressed in the Transport Statement which demonstrates the impact of the proposed development on the local highway network and, where impacts

have been identified, suitable mitigation measures. The aim of the Transport Statement is to ensure that sustainable transport is promoted and utilised as part of the development.

Details of the access from Gallows Hill form part of the application. It is proposed to access the site via a new signalised junction. Further, details for the access are set out in the accompanying Transport Statement.

The site is in close proximity to the centre of the town making its services and facilities accessible. Consequently, local journeys could be undertaken on foot or by cycle; the former enabling easy connections to be made to the bus services operating in the local area. There are two bus stops located close to the site, one within Warwick Technology Park, approximately 30 metres from the site access. Further bus stops are located along Gallows Hill with the 68 service operating every thirty minutes, Monday to Saturday. This route serves Warwick and stops at Warwick Parkway train station, which has direct services to London and Birmingham.

The assessment by Brookbanks demonstrates that the traffic associated with the development would not have a severe impact on the highway and states *"the results of the traffic modelling indicated that the local road network would largely not be materially affected by the proposals. A contribution to support improvements at the Myton Road junction with Banbury Road is recommended"*. Therefore, it is concluded that *"the proposed development should be supported from a transportation background"* and is in accordance with parameters outlined in the Framework.

Environmental Role

8.12 The environmental dimension to sustainable development is concerned with the contribution to be made to the protection and enhancement of

the natural, built and physical environment, and as part of this helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

8.13 As part of the proposed development green infrastructure is to be provided that will secure the assimilation of the site into the landscape setting of Warwick in a sensitive manner. The linkages between the development and the town centre will ensure that Warwick's important role in the region will be sustained and, in so doing, its built and historic environment will be maintained and enhanced.

8.14 The issues set out in paragraph 7 of the Framework relating to the environmental strand of sustainable development have been addressed in the following supporting documentation:

- **Ecological Appraisal**

  An Ecological Appraisal, included as part chapter 6 of the Environmental Statement, was undertaken to explore the potential for any ecological issues that may arise from the residential development of the site. Having done so, it concluded that there were no statutory designated sites present within or in close proximity to the site. Several non-statutory 'Ecosites' can be found within 0.5km, situated at Castle Park, Turnball Gardens, Tach Brook and around Warwick Technology Park, however, these would not significantly adversely affect the nature conservation value of these sites.

  In terms of habitats, the majority of the site is arable land of negligible conservation value. Areas with some ecological value such as hedgerows, marginal mature trees and grassland margins are to be largely retained.

  As a result of the Ecological Appraisal, it is considered the development will not result in the loss or deterioration of

irreplaceable habitats; neither is the site the subject of a national designation, as set out within paragraph 115 of the Framework; or a Site of Scientific Interest.

- **Flood Risk Assessment**

  Brookbanks has prepared a Flood Risk Assessment which forms part of suite of technical documents supporting this planning application. The Assessment has found that the site is located within Flood Zone 1 and the risk of flooding at the site or elsewhere from various sources is considered to be *"low"*.

  A drainage strategy has also been produced demonstrating how the development will be drained and the impact of the proposals on the existing drainage infrastructure has been identified. As part of the development a Sustainable Urban Drainage system will be implemented to ensure peak discharges from the developed land are lower than the apprised baseline rates, paragraph 4.41 of the Flood Risk Assessment Refers.

  A strategy for foul drainage has been developed following discussions with Severn Trent Water which will utilise existing capacity within the foul network and Longbridge Sewage Treatment Works. More detail on these proposals are contained within the Flood Risk Assessment.

- **Landscape and Visual Assessment**

  A Landscape and Visual Assessment has been prepared by FPCR and this is contained within Chapter 5 of the Environmental Statement. This provides an assessment of the landscape and visual issues associated with the development. Specific design considerations were identified as part of the assessment and have informed the development of the Parameters Plan, these include:

- The inclusion of areas of open space which are connected by green links and corridors;
- A proposed woodland buffer to create a clear division between the proposed residential area and existing agricultural land further to the south east;
- A carefully considered layout that integrates the development into the existing landscape setting;
- Retention of existing hedgerow and hedgerow trees; and
- Provision of a high quality internal environment with an attractive streetscape.

- **Geo-Environmental Assessment**

  A Geo-Environmental Phase I Desk Study has been prepared by Brookbanks; however, this has not identified any former land uses that are potentially contaminative or likely to be prohibitive to the planned development. Therefore, the contaminative risk at the site is considered to be low.

8.15 The development of the site in the manner proposed will contribute to the achievement of sustainable development not least by:

- Increasing the demand for services and facilities within Warwick and Leamington Spa and thereby their viability;
- Mitigation and enhancement measures of benefit to biodiversity whilst maintaining ecological connectivity; and
- Providing a choice of homes and recreational opportunities in a high quality built environment.

8.16 The assessment and analysis undertaken of the land at Gallows Hill confirms the economic, social and environmental suitability of the site for new housing, as well as the acceptability of the proposed

development in technical terms. It therefore accords with paragraph 187 of the Framework which states that "*applications for sustainable development should be approved where possible"*.

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Person ID:
Rep ID:

This consultation stage is a formal process and represents the last opportunity to comment on the Council's Local Plan and accompanying Sustainability Appraisal (SA) before it is submitted to the Secretary of State. All comments made at this stage of the process are required to follow certain guidelines as set out in the **Representation Form Guidance Notes** available separately. In particular the notes explain what is meant by legal compliance and the 'tests of soundness'.

This form has two parts:

- **Part A – Personal Details**
- **Part B – Your Representations**

If you are commenting on multiple sections of the document, you will need to complete a separate Part B of this form for each representation on each policy.

This form may be photocopied or alternatively extra forms can be obtained from the Council's offices or places where the plan has been made available (see the table below). You can also respond online using the Council's e-Consultation System, visit: **www.warwickdc.gov.uk/newlocalplan**

Please provide your contact details so that we can get in touch with you regarding your representation(s) during the examination period. Your comments (including contact details) cannot be treated as confidential because the Council is required to make them available for public inspection. If your address details change, please inform us in writing. You may withdraw your objection at any time by writing to Warwick District Council, address below.

All forms should be received by **4.45pm on Friday 27 June 2014**

To return this form, please deliver by hand or post to: **Development Policy Manager, Development Services, Warwick District Council, Riverside House, Milverton Hill, Leamington Spa, CV32 5QH**
or email: newlocalplan@warwickdc.gov.uk

Where to see copies of the Plan

Copies of the Plan are available for inspection on the Council's web site at **www.warwickdc.gov.uk/newlocalplan** and at the following locations:

Warwick District Council Offices, Riverside House, Milverton Hill, Royal Leamington Spa
Leamington Town Hall, Parade, Royal Leamington Spa
Warwickshire Direct Whitnash, Whitnash Library, Franklin Road, Whitnash
Leamington Spa Library, The Pump Rooms, Parade, Royal Leamington Spa
Warwickshire Direct Warwick, Shire Hall, Market Square, Warwick
Warwickshire Direct Kenilworth, Kenilworth Library, Smalley Place, Kenilworth
Warwickshire Direct Lillington, Lillington Library, Valley Road, Royal Leamington Spa
Brunswick Healthy Living Centre, 98-100 Shrubland Street, Royal Leamington Spa
Finham Community Library, Finham Green Rd, Finham, Coventry

Where possible, information can be made available in other formats, including large print, CD and other languages if required. To obtain one of these alternatives, please contact 01926 410410.

Part A - Personal Details

	1. Personal Details*	**2. Agent's Details** (if applicable)
	* If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in section 2.	
Title		Mrs
First Name		Jane
Last Name		Gardner
Job Title (where relevant)		Director of Planning
Organisation (where relevant)	William Davis Limited and Hallam Land Management	Marrons Planning
Address Line 1		1 Meridian South
Address Line 2		Meridian Business Park
Address Line 3		Leicester
Address Line 4		
Postcode		LE19 1WY
Telephone number		0116 281 6949
Email address		jane.gardner@marrons-planning.co.uk

3. Notification of subsequent stages of the Local Plan

Please specify whether you wish to be notified of any of the following:

The submission of the Local Plan for independent examination	Yes ✓	No
Publication of the recommendations of any person appointed to carry out an independent examination of the Local Plan	Yes ✓	No
The adoption of the Local Plan.	Yes ✓	No

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Part B - Your Representations

Please note: this section will need to be completed for each representation you make on each separate policy.

4. To which part of the Local Plan or Sustainability Appraisal (SA) does this representation relate?

Local Plan or SA:	Local Plan
Paragraph Number:	
Policy Number:	DS11 Omission of Land South of Gallows Hill, Warwick
Policies Map Number:	

5. Do you consider the Local Plan is :

5.1 Legally Compliant?	Yes		No	✓
5.2 Complies with the Duty to Co-operate?	Yes		No	✓
5.3 Sound?	Yes		No	✓

6. If you answered no to question 5.3, do you consider the Local Plan and/or SA unsound because it is not: (please tick that apply):

Positively Prepared:	✓
Justified:	✓
Effective:	✓
Consistent with National Policy:	✓

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7. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

This representation relates to the omission from Policy DS11 of the site, on land south of Gallows Hill from the list of sites allocated in the policy for residential development.

The site is referenced in the SHLAA 2014 as W10 Land South of Gallows Hill, extending to 13.77 ha. The site has a capacity to provide up to 250 dwellings. It adjoins a separate parcel of land to the east, also south of Gallows Hill and referenced W26 in the SHLAA extending to 21.5 ha.

Planning History

Warwick District Local Plan 1996 - 2011

The site is shown on the Local Plan proposals map, Part 2, Leamington and Warwick Urban Inset within an area where rural policies apply (Policies RAP1 - RAP16). Policy RAP1 directs development in the rural area to previously developed land in the Limited Growth Villages. Other exceptions outside the villages were for the provision of affordable housing, housing for rural workers, the conversion of appropriate rural buildings (subject to certain qualifying criteria) or is a replacement dwelling.

cont'd on separate sheet

8. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at 7. above where this relates to soundness. (Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It is considered that Policy DS11 should be modified to include a housing land allocation at Gallows Hill as follows.

Greenfield Sites Edge of Warwick, Whitnash and Leamington

H01A. Land south of Gallows Hill 700 dwellings

The effect of this proposed modification to the plan is to “reinstate” the allocation as described in the RDS without the option for employment land.

The allocation of land to the south of Gallows Hill is required to “replace” the Green Belt land allocation at Kenilworth, to which my clients object and which, in their view, is an unsound allocation not supported by an appropriate level of evidence. The allocation is also required in order to secure sufficient land to meet the objectively assessed need for housing to be met in the District.

It is further considered that the proposed allocation represents a suitable site for housing that would not cause any material harm to the setting of Warwick Castle Park or to the wider experience of other historic assets within the Warwick Conservation Area. Any potential harm, as may arise from the development, can be overcome by suitable mitigation measures.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

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Response to Q7 continued

Land to the north of Gallows Hill, excluding the Technology Park, is further defined as an Area of Restraint (DAP2) in which no development would be permitted.

The Castle Park, to the west of Banbury Road, is shown as a Park/Garden of Special Historic Interest. Policy DAP11 seeks to protect the park/garden from development that would harm its character.

Local Plan Preferred Options 2012 (May)

Policy DO4, Distribution of Sites for Housing, included land south of Gallows Hill/West of Europa Way, Warwick with a potential capacity to accommodate 1,600 dwellings. The land in which Hallam/Wm Davis have an interest falls within this area, as does the land to the east and up to Europa Way controlled by Gallagher Estates.

The Preferred Options were supported by a SHLAA (also published in May 2012) in which the entry for the site controlled by our clients, is described as:

> *"… … potentially suitable subject to mitigation of impact on Warwick Castle Park and on open countryside in an area of high landscape value."*

The land to the east of the Hallam/Wm Davis interest (W26) (Gallagher Estates) was similarly described.

The land to the south (the Asps) (W27) was also described in similar terms.

Revised Development Strategy (2013) (RDS)

Map 3, sites South of Warwick and Whitnash, shows the land to the south of Gallows Hill, but excluding the Asps, allocated for development but also including 7 – 8 ha of employment land as a possible employment option (one of two). Effectively, the allocated land comprises the Hallam Land/Wm Davis interest (250 dwellings) and the Gallagher Estates interest (450 dwellings). Because of the uncertainty attached to the employment option, the allocation is described as having a capacity between 430 and 630 dwellings.

Planning Application W/13/1434

Following publication of the revised Development Strategy, Hallam Land/Wm Davis prepared and submitted an outline planning application for the development of their land interests for up to 250 dwellings. The application was submitted on 3 October 2013 and referenced W/13/1434. The application was submitted against the background of an ongoing series of meetings between agents for the landowners/developers of the strategic sites south of Warwick and Whitnash and officers of the Council to resolve issues surrounding the programmed delivery of infrastructure and services to meet the demands arising from the new housing.

On 18 November 2013 our clients and their consultant advisers held a meeting with officers of the Council to discuss the consultation responses to the application and the emerging Heritage Assessment of the proposed allocations in the RDS. The applicants were advised that in the forthcoming report to the Planning Committee meeting on 17 December 2013, the application would be refused, solely for reasons relating to:

a. The observations of English Heritage.
b. The emerging findings of the Heritage Assessment.

The Council's main concern was the impact of the development proposals on the setting of the Castle park and Gardens and the Warwick Conservation Area. These concerns were related to the applicants notwithstanding the ongoing inclusion of the site in the two iterations of the plan and a further plan of 4 October 2013 showing individual development sites for various land uses within the area south of Warwick/Leamington Spa/Whitnash.

It was acknowledged by the Council that this decision would have ramifications for the local Plan Publication Draft.

The application was withdrawn on 5 December 2013.

SHLAA 2014

The 2014 SHLAA is published as part of the evidence base for the Publication Draft Local Plan. The site is now described (as to its overall suitability for housing) in the following terms:

> *"Not suitable – study on the Setting of Heritage Assets" (Feb 2014) concludes that the site should not be developed as the impact upon the setting of the highly significant assets, although less than substantial harm, could not be fully mitigated such that harm would still be apparent to significant historic assets."*

A similar assessment applies to sites W26 and W27.

Comment

Application W/13/1434 was prepared and submitted on the basis of the Council's clear indication in the RDS of 2013 that the site formed an integral and necessary component of the strategic development proposals south of Warwick, Leamington Spa and Whitnash. On-going discussions with the Council, as referred to in the submissions, encouraged the parties to those meetings that the delivery of homes from these sites was necessary in order to meet the objectively assessed needs for new housing. The opportunity to contribute to a series of new garden suburbs was encouraged and pursued by the landowners and developers of the identified sites.

The land to the south of Gallows Hill no longer forms a part of the proposals set out in the Publication Draft Plan. The reasons for the "exclusion" of the previously allocated sites is set out in the SHLAA.

Our clients have addressed those reasons. They have instructed Montagu Evans to review the withdrawn application proposals and to provide heritage advice in relation to the site and to make appropriate representations in response to the Publication Draft Local Plan.

This work has been undertaken in order to address the principle reason for the "exclusion" of the site from the plan. A copy of the report compiled by Montagu Evans is attached to this submission. In summary, Montagu Evans question the findings of the analysis and evaluation which underpins the Council's report on the *Setting of Heritage Assets* (Feb 2014). They do not consider it is based on any robust historical evidence or reasoning and,

consequently, makes assertions which are not supported. In so doing, it draws conclusions which are contrary to national policy, namely to consider the particular significance of a heritage asset in a manner proportionate to its interest, and thereafter to consider whether setting makes a positive, negative or neutral contribution to an appreciation of that significance.

Sustainability

The submitted outline planning application was accompanied by a Planning Statement. Chapter 8 set out a number of sustainability considerations in order to demonstrate that the development proposals and the location of the site would represent a sustainable form of development consistent with the advice in the NPPF.

The application was also accompanied by an Environmental Assessment and other technical documents, as referred to in the Planning Statement Chapter 8.

None of the matters presented to the Council in the Planning Statement, other than the Heritage issues noted above, gave rise to any concerns on the Council's part.

Our clients conclude that subject to the heritage concerns being "resolved" there are no technical or other sustainable development reasons that would inhibit the allocation of this site in the Local Plan.

A copy of Chapter 8 from the Planning Statement to application W/13/1434 is attached.

All the submitted documents are accessible on the Council's website and provide further supporting evidence for the sites allocation.

9. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination ☐

Yes, I wish to participate at the oral examination ✓

10. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

This and other separate comments indicate that Hallam Land Management and William Davis Limited find that a number of the policies and proposals for the development of new homes and in relation to heritage matters are unsound. They also have concerns regarding the overall level of housing provision and the distribution of new homes as reflected in the strategic proposals. They therefore would wish to participate at the oral part of the examination in order to elaborate on their concerns and the necessary changes to the plan that flow from that.

Please note: This written representation carries the same weight and will be subject to the same scrutiny as oral representations. The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

11. Declaration

I understand that all comments submitted will be considered in line with this consultation, and that my comments will be made publicly available and may be identifiable to my name/organisation.

Signed: Jane Gardner

Date : 25 June 2014

Copies of all the objections and supporting representations will be made available for others to see at the Council's offices at Riverside House and online via the Council's e-consultation system. Please note that all comments on the Local Plan are in the public domain and the Council cannot accept confidential objections. The information will be held on a database and used to assist with the preparation of the new Local Plan and with consideration of planning applications in accordance with the Data Protection Act 1998.

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