

**Planning Committee:** 21 September 2005

**Item Number:** 26

**Application No:** W 05 / 1333

**Registration Date:** 04/08/05

**Town/Parish Council:** Kenilworth

**Expiry Date:** 29/09/05

**Case Officer:** Penny Butler

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**Kenilworth Castle, Castle Green, Kenilworth, CV8 1NE**

Erection of a new retail and admissions building, removal of existing ticket office, railings and gates, new railings, gates and associated landscaping FOR English Heritage

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**SUMMARY OF REPRESENTATIONS**

**Town Council:** "Members had no objection to the building design but expressed CONCERN that by consolidating access to the Brays the application created safety concerns due to the lack of pathways for pedestrians approaching that entrance to the Castle site".

**Neighbours:** Thirteen letters received, including one from the Lord Kenilworth, objecting on the following grounds: Existing facilities are adequate and the need for the proposal doubted; improvements should be made elsewhere to the Castle; other sites would be less intrusive; important view of the Castle will be ruined; the building is a poor design and likened to a chicken shed; the secluded site would be at risk from vandalism and arson; the Tilt Yard would be enclosed and foot path blocked; inadequate foot path and disabled access; floor risk; harm to archaeology. A similar project was recently rejected at Stonehenge, and the proposal is contrary to Local Plan Policies DP1, DP3, DP4, DP6, DP10, DP13, DAP6, and DAP10.

**WCC Ecology:** No comments received to date.

**WCC Archaeology:** No comments received to date.

**English Heritage:** The scheme is acceptable and should be approved.

**CAAF:** "Concern was expressed at the location of this building on the approach to the Castle which is a prime view to one of England's finest Castles. It was suggested that the building should be located on the Brays not within a visible location. It was pointed out that the existing ticket office, although old, was not visible from many angles within the Castle. It was also expressed that by channelling all visitors through the new ticket facility, the alternative route from Castle Green would be closed and it would still be necessary to monitor any access at Mortimer's Tower.

In terms of the design of the building, this was also felt to be inappropriate. It was considered there are not any other gabled buildings in the location. It was also pointed out that the building would be visible from the meadow and

the adjacent Green Belt. There was no support for the design or location of the building in its present form. The proposed gates were also considered to be inappropriate in their prominent location.”

**Environment Agency:** No comments.

**Kenilworth Society:** No comments received to date.

**Warwickshire Gardens Trust:** No comments received to date.

**Kenilworth History & Archaeology Society:** Object. The building would obstruct attractive views of the Castle from the Tilt Yard and Brays car park, the site would be vulnerable to vandalism and necessitate an additional building for staff within the Castle to check tickets, and the building would impinge on the integrity of the remains of the Gallery Tower and Tilt Yard, reputedly the last late medieval British example remaining. The ambitious plans are applauded but the siting should be reconsidered.

**CPRE:** Object. The site is unsuitable, unrelated to the Castle or car park and the most conspicuous site possible. The building does not blend with the castle or surroundings, is not an excellent modern design and is likened to a public toilet or chicken shed.

**Crackley Residents' Association:** Object as the building is out of keeping and will ruin views of the Castle and Tilt Yard. The proposed building is grotesque and not what would have been seen on the site historically.

## **RELEVANT POLICIES**

(DW) ENV12 - Protection of the Setting of Listed Buildings (Warwick District Local Plan 1995)

(DW) ENV21 - Development Associated with Ancient Monuments (Warwick District Local Plan 1995)

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)

(DW) ENV8 - New Development within Conservation Areas (Warwick District Local Plan 1995)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DP4 - Archaeology (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DAP6 - Protection of Listed Buildings (Warwick District 1996 - 2011 First Deposit Version)

DAP10 - Protection of Conservation Areas (Warwick District 1996 - 2011 First Deposit Version)

## **PLANNING HISTORY**

There is no planning history for this area of the Castle grounds.

## **KEY ISSUES**

### **The Site and its Location**

There are two application sites, one for the new admissions building, and the other where the existing ticket office is to be removed with alterations to the railings, gates and landscaping. The site of the existing flat roof timber ticket office is located in the south-east corner of the Outer Bailey of the Castle. Mortimer's Tower is located to the south-east of this where currently there are railings projecting forwards into the north-west end of the Tilt Yard, enclosing an open area.

The site for the proposed admissions building is located at the south-east end of the Tilt Yard at the site of the remains of the Gallery Tower, between the concrete and timber pedestrian bridges. The Brays car park is to the south-east.

### **Details of the Development**

The new admissions building would be located at the south end of the Tilt Yard, on the site of the Gallery Tower. The new building would measure 6 metres by 18.5 metres, and would house the shop, ticket office, a small staff office and WC. The building is sited on the west side of the access path, with the remaining wall of the Gallery Tower to the east. This remaining wall is a similar height to the walls of the new building, to help recreate a sense of enclosure in the yard that once existed. The east wall of the new building will sit upon the existing foundations of the Gallery Tower, with the remaining walls sitting on rubble stone clad concrete columns, resting on a concrete raft foundation above the level of the surviving archaeology. This lower level between the columns will be enclosed with copper mesh screens to prevent access beneath. The building itself is a long green oak framed structure with projecting central copper covered lantern running the length of the building. The walls would be oak boarded with an oak shingle roof, bronze casement windows with external oak louvres for security and copper rainwater goods. The existing timber bridge will be removed and ground levels banked to form a causeway over the archaeological remains.

The existing ticket office located at the Outer Bailey would be removed, and the shop relocated from the Lord Leicester's Stables. The existing railings and gates around Mortimer's Tower will be removed and repositioned, set back on the line of the original gateway to Mortimer's Tower with flanking railings filling the gaps in the masonry.

### **Assessment**

The main issue to consider is the siting and design of the proposals and the impact this will have on Kenilworth Castle and archaeological remains (Grade One Listed Building and Scheduled Ancient Monument).

The applicants, English Heritage, carried out an options appraisal for the relocation of ticket points, as they state that the two existing entrance points 'present operational and presentational inefficiencies, clutter up the Outer Bailey, give a poor impression of the site, compromise the setting of the monument, and the removal of the shop from the Stables would allow better appreciation of the space'.

The new building would impinge on important long distance views of the Castle from the south, which are currently uninterrupted, however, English Heritage point out that the 'classic' view of the Castle is from slightly further to the west where trees on the Tilt Yard do not impinge on the view. Although the new building would obscure a large proportion of the Castle when approaching the site, once visitors have passed the new building, complete views of the Castle would open out and be kept clear. Alterations to the bridge and surfacing would ensure this new entry point would be accessible to all.

The alterations to the railings at Mortimer's Tower would be an improvement over the existing railings and be more in keeping with the historic Castle layout.

The building is a high quality contemporary interpretation of a medieval pitched roof timber building that is likely to have once been on the site, using natural materials that will age attractively over time to blend well with the surroundings. The height and scale of the building relates well to the remaining structure of the Gallery Tower and would achieve the sense of enclosure that is desired. The mesh panels enclosing the undercroft and external window shutters will address security issues.

A pre-application archaeological evaluation was carried out and the preliminary results demonstrate significant archaeological remains. However, the proposed concrete raft foundation would be constructed over the archaeological remains so as not to disturb them, and more substantial disturbance for the service trench would be located within the area already excavated for the evaluation. English Heritage do not object to the scheme, or foresee any problems with gaining the required Class VI consent, subject to an appropriate archaeological mitigation strategy. On this basis there are no grounds for refusal based on harm to archaeological remains.

### **REASON FOR RECOMMENDATION**

The proposal is considered to comply with the policies listed above.

### **RECOMMENDATION**

GRANT subject to the following conditions :

- 1 The development hereby permitted must be begun not later than the expiration of five years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990.
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) (no's. 394A/P02; 03; 04; 05; 06; 07; 08; 09; 10; 12.), and specification contained therein, submitted on 4 August 2005 unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3.
- 3 Samples of all external facing materials to be used for the construction of the development hereby permitted, shall be submitted to and approved by the District Planning Authority before any constructional works are commenced. Development shall be carried out in accordance with the approved details. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.
- 4 No work of any kind shall be begun on the site until the protective fence(s) around the trees identified as being retained on the approved plans, have been erected and the fencing has been confirmed in writing to be acceptable by the District Planning Authority. Within the approved fenced area(s) there shall be no scaffolding, no stockpiling of any materials or soil, no machinery or other equipment parked or operated, no traffic over the root system, no changes to the soil level, no site huts, no fires lit and no excavation of trenches for drains, service runs or for any other reason. **REASON** : To protect and enhance the amenities of the area, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.

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