

As part of the proposed development, the applicant proposes to upgrade the existing unused and vandalised wooded area to the north of the application site known as the 'Goose Run' to form a communal garden facility.

The Goose Run, formerly part of the wooded garden of the original Whitburn Hall, is isolated and as a result has become subject to vandalism with severe amounts of litter, cans and fires spread across it which are indicated in the photographs. High levels of anti-social behaviour, drinking and solvent misuse also take place within the woodland area currently. Existing protected trees have also been damaged and dead tree trunks pushed over which were used by nesting woodpeckers (see attached photos). Although the village generally is considered to be of high communal value, the proposed development site does not currently make a positive contribution to the character of the Conservation Area and at present is in stark contrast to the rest of the village.

The rejuvenated, landscaped wooded garden would form a communal garden for the 5 properties and each would contribute to its management, maintenance and upkeep. Part of the proposal (as well as rebuilding the historic decorative wall and repairing the historic tithe barn wall) would be to reintroduce a 'woodland walk' route around the Goose Run similar to what would have been on the site historically.

The upgrade of this inaccessible and abandoned woodland area will help to secure the long term retention of the heritage asset and enhance both the setting of nearby listed buildings and significance of the Conservation Area. This is only viable if the proposed development of 5 dwellings is constructed and the resident's contribute financially to a management strategy that helps maintain the communal garden area.

As well as the Goose Run, the existing stone pillars from the former Whitburn Hall gardens, the decorative historic wall and the tithe barn wall with its triangular vents and former doorway are all under threat from destruction through continual vandalism. The condition of the walls and pillars is in a state of ongoing deterioration which harms both the historic asset and the Conservation area and this threat only be reversed through development and investment. The Heritage Statement submitted with this application together with the specific method of repair also submitted with this application sets out how the repair and reinstatement will be achieved.

The statutory requirement to have special regard to the desirability of preserving or enhancing the character or appearance of Conservation Areas (section 72, Planning (Listed Building and Conservation Areas) Act 1990) must be taken into account by the local authority when making its decision. This is reflected in the National Planning Policy Framework (NPPF) which requires local planning authorities to look for opportunities to enhance or better reveal the significance of conservation areas (paragraph 137) and for great weight to be given to their conservation (paragraph 132). Repair and reinstatement of the boundary walls is also an objective of the Whitburn Conservation Area Management Plan 2007 (SPD 12)

The National Planning Policy Framework (paragraph 7) also identifies that public benefits may include heritage benefits, such as:

- sustaining or enhancing the significance of a heritage asset and the contribution of its setting
- reducing or removing risks to a heritage asset
- securing the optimum viable use of a heritage asset in support of its long term conservation

In summary, it is considered that the bring the garden back into managed use will remove the anti social behaviour from this part of the Conservation Area and make a positive contribution to enhancing the Conservation Area, in line with policy. The applicant would welcome a planning condition to secure these improvements as part of this planning application. Furthermore, a planning condition for the future management and maintenance of the Goose Run would also be welcomed.



Proposed Goose Run and communal garden illustration