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From: Gill Butter [REDACTED]  
Sent: 14 March 2026 15:37  
To: Licensing <licensing@westberks.gov.uk>  
Subject: Response to licence application ref. IC App 29442

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Dear licensing authority,

I write to raise some concerns as a resident of Marsh Benham in respect of the application ref. IC App 29442 that has been made by Benham Park Enterprises Ltd for 'New Premises' to supply alcohol; plays; films; live music; recorded music; performance of dance and late night refreshment at Benham Park Estate.

The application is in areas factually incorrect, misleading, contradictory and without substantive evidence that is necessary to support the stated intentions of the applicant and to enable satisfactory enforcement.

I will begin with areas of the application form where I have professional expertise as an historic environment professional and where I am able to immediately see factual error. Benham Park Estate is NOT listed. The park and gardens are included in the statutory register of historic parks and gardens at grade II and they extend beyond the area that falls within the ownership of the applicant and the area for which the licence is being applied. A registered park and garden is a heritage asset (as defined in the National Planning Policy Framework). The house, Benham Valence is included in the statutory list of buildings of special historic or architectural interest at grade II\* (grade II\* listed). The entrance gate piers and gates to the north-east of the house, adjacent to the A4 and the gate piers and gates to the north-east of the house on the A4 at Gravel Hill, originally came from Hamstead Park, when both Benham Park and Hamstead Park were in the ownership of the Craven family and when the house was originally built, replacing the older, C17 Manor House that is in the park to the south of Benham Park (grade II listed). There are other structures and garden buildings within the park and the immediate gardens of the house that fall to be considered as curtilage listed buildings or structures and that are protected, as the registered park and garden and the principal listed building are protected - not by listed building consent as is incorrectly stated in the application but by the statutory provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990. I am concerned that the applicant appears to be ignorant of their duties under the P(LBCA) Act 1990 and that there are therefore likely to be actions taken that will place the significance of the various heritage assets 'at risk'.

These are the assets which properly curated will provide the income to support the ambitions of this business. There is evidence of ignorance which is concerning given the examples of other, similar heritage assets that the applicant has cited as using in a similar manner.

If the application is so incorrect in these areas I question its veracity in every other area. Notwithstanding the issues of the protection of the buildings which has been alluded to in section of the application where the applicant has clearly misunderstood the question that is being asked, the application is evidently contradictory, and presents a striking absence of robust evidence to

support the answers that have been given and that is absolutely fundamental to the applicant being able to actually meet their stated aims and most importantly, the licensing authority being able to monitor compliance. Without such supporting evidence or substance the applicant stated intentions are simply empty words that offer no comfort to those that will be impacted and will permit the applicant to do exactly what they want with impunity.

I understand that the buildings and land have to 'earn their keep'. However they need to do so in a manner that does not adversely impact on both the heritage assets but also importantly on others, most significantly on those of us who live in Marsh Benham, Hamstead Marshall, Enborne and Stockcross all of whom will potentially be impacted by the consequence of activities, traffic and noise. The topography of the land here is such that noise travels distances and is amplified by the landform and the landscape. It is a valley. Noise from the A34 is audible. The application site lies between most neighbouring residents and the A34. Noise from the railway line to the south of Benham Park and the A4 can be clearly heard through the valley, and when there is considerable activity on the Canal such as the Westminster to Devizes Canoe Race, voices can be clearly heard in Marsh Benham. The applicant suggests that the house and grounds are 'secluded' and contained and therefore noise and the visual impact of activity will not spread beyond the immediate surroundings of the house. That is not the nature of noise and the house and grounds are clearly visible across and along the valley just as buildings in Hamstead Park are visible from Marsh Benham most particularly in evenings when lights can be clearly seen. How does the applicant intend to enforce a red line on a plan? Invisible fence as can be done for pets? How will the licensing authority enforce this line?

The recently submitted "Noise Management Plan" is at best vague. Like all the other parts of this application it makes statement of intention with no hard facts to back that up or show HOW this will actually be achieved. "Minimise the impact of noise on local residents"....HOW? The proposed hours of use including alcohol and music hours are not reasonable. Anything beyond midnight is unacceptable so 5:00am is not acceptable. The application is contradictory. Whether this is deliberate or through ignorance is not clear. Is the Council going to assess the appropriate level of noise for each event? I am not sure that local authority resources will support such process. Fundamentally the application implies that the applicant will enforce their own behaviour/activities with an entirely unclear set of measures.

The other area that impinges on public nuisance is traffic and access into and out of the park. Again the application contradicts itself. In one part it states that there will be a single point of access into and out of the site and that traffic will be managed through this access. The implication is that this would be the primary entrance to the estate which is on the A4 to the north-east of the house. However the applicant has explored with residents in the park access through the southern end of the park, past the private houses in the park where there are young children, dogs and cats as well as this being a public footpath, in part an unsurfaced track, not a road. It is not appropriate for either this access or indeed the one out to the gates at the north-western edge of the park appropriate for anything more than emergency use which would need to be clearly set out. Again the applicant makes the noises that are intended to assuage residents potential fears but which through lack of any substantive supporting evidence actually heightens those fears and concerns.

The application explains that there are approximately 60 parking spaces on the site at present. For an event attracting 600 people that means 10 people per vehicle. It does not compute. Any additional parking provision would require planning permission and the setting of the principal and curtilage listed buildings, the character and appearance of the registered historic park and the character and appearance of the designated conservation area (some overlap with the historic park and garden) would all need to be considered carefully by the local planning authority in reaching a decision on such an application. Fundamentally additional parking provision is not a given. So where would those attending events park....?? in Marsh Benham? Stockcross (probably too far). Bussing people from Newbury and taxis for such large numbers is simply unrealistic. Again a stated ambition with no tangible supporting evidence to set out HOW.

The existing accesses from Marsh Benham and Stockcross onto the A4 are at best dangerous with a high accident record including multiple fatalities. Only last week, closure of the A4 for a day due to an overturned vehicle with the consequent traffic chaos on local roads. This is not a rare event. The highways authority have consistently acted seemingly perversely in their advice to decision makers on numerous applications for development with substantial implications for traffic and road safety. A recent grant of planning permission for an activity park just to the west of Stockcross would add at least 500 to 1000 cars a day to the B4000 and narrow, rural secondary roads. Another application for a similar activity further west on the B4000 at Wickham/Welford suggests 2,000 vehicles a day. The compound impact of traffic and its potential to cause public nuisance is enormous and extremely concerning. The application has no clearly set out plan for management of traffic rather a set of vague and contradictory aspirations. The potential for public nuisance is extremely high with absolutely no redress for residents and what will inevitably be a reactive licensing authority, because that is all you will be able to do.

I am objecting to the present licensing application on the basis of an inadequate, confusing and contradictory submission with little or no evidential support for what are a series of vague aims and intentions. I request that the licensing authority seek more evidence to support the intended uses of the building and park. The present use of the building is as a single residence and any of the proposed uses which are all regarded as sui generis uses under the Town and Country Planning (Use Classes) Order (as amended ) would require an application to be made to the local planning authority for a change of use. No such application has yet been validated by the local planning authority. It would be helpful for the licensing authority to make this absolutely clear to the applicant, please?

regards

Gill Butter

██████ Marsh Benham

Sent from my iPad