

Item Number: 13
Application No: 15/01250/FUL
Parish: Nunnington Parish Council
Appn. Type: Full Application
Applicant: The National Trust (Mr Edward Wood)
Proposal: Erection of detached outbuilding for storage of gardeners' equipment.
Location: Nunnington Hall The Avenue Nunnington North Yorkshire YO62 5UY

Registration Date:
8/13 Wk Expiry Date: 22 December 2015
Overall Expiry Date: 5 January 2016
Case Officer: Niamh Bonner **Ext:** Ext 329

CONSULTATIONS:

Tree & Landscape Officer	No objections
Parish Council	Object
Building Conservation Officer	No objection
Historic England	Do not wish to comment in detail
Land Use Planning	No comments to make
Sustainable Places Team (Yorkshire Area)	No objections
Howardian Hills AONB JC	No observations to make on this proposal

Neighbour responses:

SITE:

Nunnington Hall is located adjacent to the north-eastern edge of Nunnington Village, falling within the village's Conservation Area and the Howardian Hills Area of Outstanding Natural Beauty (AONB). It is a Grade I Listed Hall dating from the 16th Century, constructed of coursed rubble and dressed limestone with a stone slate roof.

The grounds of Nunnington Hall are designated as a Grade II registered Historic Park and Garden, however the application location to the North of the River Rye falls just outside this designation.

PROPOSAL:

The application seeks planning permission for a the erection of a Gardener's workstation on the northern boundary of the site, north of the River Rye for the storage of Gardener's equipment and welfare facilities.

POLICIES:

SP8: Tourism
SP9: The Land Based and Rural Economy
SP12: Heritage
SP16: Design
SP19: Presumption in Favour of Sustainable Development
SP20: Generic Development Management Issues

HISTORY:

The following applications are considered relevant to this applications:

15/01309/FUL - Planning permission is sought for the erection of a false stone chimney to conceal a dual flue from the 2no. biomass boilers within the garage outbuilding. (Approval granted 18.12.15)

15/01310/LBC - External and internal alterations to the garage outbuilding, to allow the installation of a biomass heating system and wood pellet fuel store. This proposal includes the erection of a false stone chimney to conceal a dual flue, 2 no. stainless steel air grilles, ancillary systems and buried pipework and cabling across the courtyard to the main house. (Approval granted 18.12.15)

15/00240/PREAPP - Gardener's workstation to store equipment and provide relaxation area for gardening team

APPRAISAL:

The application seeks planning permission for a Gardener's workstation on the northern boundary of the Nunnington Hall site, located c.30 metres north of the River Rye. This application is linked to the above referenced applications (Ref: 15/01309/FUL and 15/01310/LBC) which were granted permission in December 2015, for the installation of two wood pellet biomass boilers in the existing garage outbuilding, that currently houses the gardening team and equipment.

It has been highlighted within the Design and Access Statement that this proposal will address two "key issues on site; a lack of appropriate facilities for the gardening team and to facilitate the installation of a new sustainable biomass heating system that will use areas currently occupied by the Garden team's equipment. In addition, the scheme will make a positive impact on the mansions courtyard by collating gardening equipment into a more appropriate space away from the listed mansion and allowing the removal of the existing oil tanks, (by enabling the biomass project.)"

The main considerations to be taken into account are:

- i) Character, Form and Design
- ii) Impact upon the Grade I Listed Building, Grade II Registered Gardens and Conservation Area
- iii) Impact upon Area of Outstanding Natural Beauty
- iv) Flood Risk
- vi) Other issues, including consultation responses.

i) Character, Form and Design

The proposed design is a structure measuring 14m in length, with a gable width of 6.6m constructed of horizontal elm boards and a profiled metal insulated roof, in colour 'lead grey.' The roof extends 4m to the ridge and 2.7m to the eaves. The proposed Gardener's Shed will provide an entrance lobby, a mess room, office, shower and WC, with a workshop attached. The structure will be accessed via a ramped pedestrian entrance on the southern elevation and on the western elevation a roller door is proposed to facilitate the movement of gardening equipment into the workshop. An adjoining area of hard-standing is proposed on the western elevation, adjacent to the roller shutter door, measuring 5x6m to be linked to the existing gravel track through a rolled gravel path over flood bank.

A pre-application enquiry (Ref: 15/00240/PREAPP) was submitted to explore the principle of erecting a Gardener's workstation in this location in March 2015, with the a similar proposed footprint of 14 x 7m and adjoining area of hard-standing of 5x6m. During the pre-application process, the Planning Case Officer noted that "potential locations are limited" and "while it is acknowledged the development needs to be functional, it is considered that the submitted scheme will appear quite large and dominant within its surrounding" advising that a smaller, timber structure would be more likely favorably considered at application stage.

While the applicant did not greatly alter the scale of the development, it is considered that the proposed materials are more sympathetic within the context of the local AONB landscape. The use of timber cladding, green roller doors and metal sheet roofing are welcomed as appropriate materials.

ii) Impact upon the Grade I Listed Building, Grade II Registered Gardens and Conservation Area

The design and access statement notes the challenges implicit in finding a suitable location within the curtilage of the grounds for the new Gardener's workshop.

The setting of the Grade I Listed Hall and Grade II Listed Park and Gardens present significant constraints as any new development has the potential to impact on the historic fabric of the building and its landscape context.

A number of possible locations to site the workshop have been explored by the National Trust and during the pre-application process it was acknowledged by the Case Officer that "potential locations are limited." The principle of the proposal was supported by the Officer, noting "it is considered that in this case, the harm of the setting of the listed building could be outweighed by public benefit." However, the Council's Building Conservation officer expressed concerns with regard to the principle of a Gardener's work station in this location "as considerable weight needs to be given to preserve the setting of a listed building."

The National Planning Policy Framework notes that the degree of harm caused to a heritage asset must be identified as substantial harm or less than substantial to the setting of the Listed Building and character of the Conservation Area.

Where this is the case Section 11 of the NPPF states:

134. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Following review of the submitted full application, the Council's Building Conservation Officer noted " I am of the opinion that any views of the structure that may be possible, will be mitigated by distance, position, screening, low height and well coloured materials that the impact on the setting of the listed building will be very much less than less than substantial harm and be negligible in terms of its impact on the significance of the hall. I am of the opinion that the public benefits which include, the biomass boiler, consolidation of the service yard and improved gardening infrastructure, outweigh the negligible harm to the setting of the listed building."

In my opinion the primary significance of garden therefore relates to the more formal areas which will not be affected by this application. In my opinion any views of the structure that may be possible both looking from and looking towards the Registered Garden will be mitigated by distance, position, screening, low height and well coloured materials that the impact on the setting of the Registered garden will be very much less than less than substantial harm and be negligible in terms of its impact on the significance of the garden. I am of the opinion that the public benefits which include, the biomass boiler, consolidation of the service yard and improved gardening infrastructure, outweigh the negligible harm to the setting of the garden.

The boundary to the Nunnington conservation area follows the north side of the river c. 30m from the proposed development at its closest point. The significance of the conservation area is of a traditional Ryedale vernacular village set within a rural landscape. The conservation area boundary includes the Hall and its grounds and it is this element of the conservation area to which the application most relates. Views into the conservation area when looking from the north are well screened by vegetation and this magnifies its rural setting. In my opinion any views of the structure in juxtaposition with the conservation area that may be possible from public areas will be mitigated by distance, position, screening, low height and well coloured materials that the impact on the setting of the conservation area will be very much less than less than substantial harm and be negligible in terms of its impact on the significance of the conservation area. I am of the opinion that the public benefits which include,

the biomass boiler, consolidation of the service yard and improved gardening infrastructure, outweigh the negligible harm to the setting of the conservation area."

Therefore it is considered that whilst there are some concerns with regard to the principle of a Gardener's Shed in this location and associated potential for harm to the significance of a Conservation Area, Grade I Listed Building and Grade II Listed Gardens, that overall, due to the location, design and screening, the harm to the significance of Nunnington Hall would be less than substantial and outweighed by significant public benefits arising from the development.

It was highlighted during the pre-application process that "the public benefit includes the investment by the National Trust, which has enabled this heritage asset to be sustained and used as a visitor attraction for the benefit of the public." The safe storage of gardening equipment is a key issue for the facilities team and providing adequate welfare facilities for a large number of volunteers is also an important consideration

iii) Impact upon Area of Outstanding Natural Beauty

The proposed location for the Gardeners' Shed is located in an area of currently undeveloped land to the North of the River Rye within the Area of Outstanding Natural Beauty (AONB)

The NPPF (section 115) notes "*Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.*"

The Ryedale Local Plan Strategy SP13, Landscapes notes in reference to AONBs:

Proposals will be supported where they:

- Do not detract from the natural beauty and special qualities of these nationally protected landscapes or their settings
- Are considered appropriate for the economic, social and environmental well-being of the area or are desirable to support the understanding and enjoyment of the area

As this area is in close proximity to the substantial existing hardstanding car park facilities, it is Officer's opinion that the proposal should be read in context with this provision. It is considered preferable to locate this development at a point which anchors it close to the existing car parking area.

Additionally, due to the screening provided by the existing mature tree coverage in the area, it is considered that the proposal would not be visually intrusive within the protected landscape area. Furthermore, while the development is of a significant footprint, the sympathetically considered materials are sensitive to the character of the location.

The Howardian Hills Area of Outstanding Natural Beauty Manager noted no objection and "no observations to make on this proposal."

Following consideration of the points highlighted above, it is the Officer's opinion that there would be no significant adverse impact on the natural beauty and special qualities of the AONB. It is considered that the proposal would support the growth and promotion of tourism within the AONB and Ryedale district, rendering the proposal in accordance with SP13, Landscapes of the Ryedale Local Plan, Local Plan Strategy and the National Planning Policy Framework.

iv) Flood Risk

The proposal site is located within a flood plain designated within Flood Zone 2 and in close proximity (c.30m) from the River Rye.

Section 100 of the National Planning Policy Framework notes that;

"Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. Local Plans should be supported by Strategic Flood Risk Assessment and develop policies to manage flood risk from all sources, taking account of advice from the Environment Agency and other relevant flood risk management bodies, such as lead local flood authorities and internal drainage boards. Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property and manage any residual risk, taking account of the impacts of climate change, by:

- applying the Sequential Test;
- if necessary, applying the Exception Test;
- safeguarding land from development that is required for current and future flood management;
- using opportunities offered by new development to reduce the causes and impacts of flooding; and
- where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to facilitate the relocation of development, including housing, to more sustainable locations."

In accordance with this guidance, a sequential test to seek identify various location options for the proposed facility was undertaken. However other potential options were extremely limited and the proposed site was found to be most viable for this project.

A response from the Environment Agency noted that "We have no objections to this application. The applicant is aware of the need for main river consent due to the development's proximity to the defences and has already contacting our consenting team to discuss this."

Additionally Yorkshire Water also noted "No objection" to the proposal.

The National Trust have responded to the Parish Council's consultation response, which highlighted their concerns regarding development within the flood plain to the north of the River Rye and development in a flood plain;

"We are aware of the flood risk in the proposed development area and have accordingly proposed a building design that is 'allowed to flood' without unduly damaging the building infrastructure or presenting risk to personnel. The proposed development location is in a Flood Zone 2 (between 1 in 100 and 1 in 1000 year probability of flooding). We recognise that the floods in 2000 and 2005 indicate the possibility of a higher flood probability and that there is a Flood Zone 3 to the north of the site however the proposed location is offered a degree of shelter by the nearby flood bank and surrounding woodland reducing the potential impact from high flow in times of flood. When the proposed area has previously flooded our experience has been a widespread but relatively shallow level of water with limited flow.

With these conditions in mind the building has been designed to allow such flood waters to occur without significantly damaging the structure, its services or its contents. The building and its materials can be easily cleaned, dry out and returned to operating condition after a flood recedes. The buildings floors will be solid finish (no carpet) and wipe clean, the timber frame and insulation panels are designed to accept water contact. Internal services (electrical and communications) are to be raised off the ground to window sill level to protect them and shelving will be fitted to store consumables above anticipated flood levels. Drainage of foul water is via a sealed pressurised pump system that feeds back to the main sewerage drains on site. This building is also very much an operational/storage space for the Gardeners and as such does not include extensive internal furnishings or equipment that would be damaged by flooding.

The footprint of the building is small and is not anticipated to substantially affect natural drainage of the flood plain area and as a structure that will allow flood water to enter it this will not impact the

flood plains ability to store water. The National Trust is very aware of the risk of flooding and after the floods in 2000 we commissioned a report on potential flood risk at the Hall and acted on recommendations to improve flow in the main river channel to the south of the flood defence. The proposed development and associated services have been located and designed accordingly (see the later note on revised designs for bridge service crossing) so as not to increase obstructions to the main river channel.

Consequently, it is Officer's opinion that this proposal location site has been selected following careful consideration of all other viable options, as highlighted within the design and access statement. It is also apparent that the design has been carefully considered in order to withstand damage from potential flooding events.

Therefore it is considered that this proposal is in accordance with the Ryedale Local Plan, Local Plan Strategy Policies SP19: Presumption in Favour of Sustainable Development and SP20: Generic Development Management Issues. It is also considered to be in accordance with the National Planning Policy Framework.

v) Other issues, including consultation responses.

Support:

Historic England has no objection to the proposal, stating "We do not wish to comment in detail, but offer the following general observations."

"Historic England (previously known as English Heritage) provided pre-application advice on a previous proposal for a new gardeners equipment store in an email dated 30 July 2014. The previous proposal was to re-use a previous structure in the corner of the walled garden. The current proposal is for new structure outside the Conservation Area and the Registered Park and Garden. The location is well screened and would not adversely affect any important views to or from the Hall. We are therefore content to defer to the Conservation Officer on matters relating to form, height, materials and colours etc."

The Council's Tree and Landscape Officer noted no objection to the proposal, asserting that *"The trees within the development site have been comprehensively assessed in accordance with the recommendations in BSSB37:3012 Trees in relation to demolition design and construction."* The Officer proceeded to recommend that *"In order to implement the development there will be a requirement to remove seven trees. These trees are all considered to be insignificant trees having limited useful life in the local landscape and are categorised as grade 'C' within the tree survey."*

Yorkshire Water raised no objection to the proposal.

A response from the Environment Agency noted that "We have no objections to this application. The applicant is aware of the need for main river consent due to the development's proximity to the defences and has already contacting our consenting team to discuss this."

Ryedale District Council's Building Conservation Officer has noted no objection to the proposal, stating *"This application has been submitted with a very thoughtful and well considered Design and Access Statement which incorporates a full heritage assessment."*

The Officer Continues *" This application lies on the north side of the river Rye outside the boundary of the designated Garden and the conservation area. Due regard, however should be given to the setting of these designated heritage assets in the consideration of this application. In addition, any impact the development may have on the setting of the Grade I listed building, should be understood. The Planning (Listed Building and Conservation Areas) Act 1990 requires that special regard to the preservation of the setting of listed buildings should be given. In addition, the same act requires that Local Planning Authorities should have special regard to the preservation or enhancement of*

conservation areas. The NPPF requires that public benefit is balanced against any harm identified and great weight should be given to an assets conservation.

The location of the proposed development is on the periphery of the existing car park c. 60m to the north of the hall. The car park is well screened by trees and hedging and the banks of the river Rye would lie between the Hall and the proposed structure. These banks provide vegetative screening therefore views both from and to the hall are well screened. In addition, the location of the proposed structure to the north of the hall predominantly gives views from and to the existing service yard which is a working area with visible machinery/bins/sheds etc. It is therefore neither a designed view or a manicured part of the grounds. The application states that in conjunction with a related application for a bio-mass boiler (15/1310/LBC) that the aspects of the estate service yard will be consolidated and made more tidy.

The proposed structure itself measures c. 4m to ridge, c. 2.7m to eaves and is c. 14m long with a gable width of c. 6.6m. The walling material is proposed to be horizontal elm boards with a proposed roofing material of profiled metal sheet colour 'lead grey'.

I am of the opinion that any views of the structure that may be possible, will be mitigated by distance, position, screening, low height and well coloured materials that the impact on the setting of the listed building will be very much less than less than substantial harm and be negligible in terms of its impact on the significance of the hall. I am of the opinion that the public benefits which include, the biomass boiler, consolidation of the service yard and improved gardening infrastructure, outweigh the negligible harm to the setting of the listed building.

The boundary to the Registered Garden follows the southern banks of the River Rye c 45m from the proposed structure and is mainly focused on the more formal grounds to the south of the Hall. The Register summary of the garden states 'Walled Gardens of the late 17th or early 18th century which are divided into compartments and have raised lawns and a terrace walk'. In my opinion the primary significance of garden therefore relates to the more formal areas which will not be affected by this application. In my opinion any views of the structure that may be possible both looking from and looking towards the Registered Garden will be mitigated by distance, position, screening, low height and well coloured materials that the impact on the setting of the Registered garden will be very much less than less than substantial harm and be negligible in terms of its impact on the significance of the garden. I am of the opinion that the public benefits which include, the biomass boiler, consolidation of the service yard and improved gardening infrastructure, outweigh the negligible harm to the setting of the garden.

The boundary to the Nunnington conservation area follows the north side of the river c. 30m from the proposed development at its closest point. The significance of the conservation area is of a traditional Ryedale vernacular village set within a rural landscape. The conservation area boundary includes the Hall and its grounds and it is this element of the conservation area to which the application most relates. Views into the conservation area when looking from the north are well screened by vegetation and this magnifies its rural setting. In my opinion any views of the structure in juxtaposition with the conservation area that may be possible from public areas will be mitigated by distance, position, screening, low height and well coloured materials that the impact on the setting of the conservation area will be very much less than less than substantial harm and be negligible in terms of its impact on the significance of the conservation area. I am of the opinion that the public benefits which include, the biomass boiler, consolidation of the service yard and improved gardening infrastructure, outweigh the negligible harm to the setting of the conservation area."

The Howardian Hills Area of Outstanding Natural Beauty Manager noted no objection and "no observations to make on this proposal."

Objection:

The Parish Council raised an objection to the proposal based on a number of points. These objections include;

- 1: Potential of flooding and previous flooding events,
- 2: The pumping of sewage over the river,
- 3: The storage of petrol and oil vehicles,
- 4: The scale of the building and colour of the roof
- 5: The principle of development north of the river in a flood bank
- 6: The necessity of the facility,
- 7: The use of mains electricity, rather than the biomass boiler.

Of these highlighted issues, the principle of a building to address the lack appropriate facilities for the gardening team and to provide secure storage of equipment has been extensively and effectively justified. Additionally this proposal will facilitate the installation of the Nunnington Hall renewable biomass energy system, which has been granted permission within an outbuilding that currently houses the gardening team and equipment.

The scale of the building is relatively modest and the building design and materials are fitting in the context of the sensitive Area of Outstanding Natural Beauty landscape area and the Grade I Listed Building and Grade II Registered Park and Gardens.

The potential of risk associated with flooding and the principle of development north of the river in a flood bank has been considered within section iv) Flood Risk. Additionally, within this section, excerpts of the National Trust's correspondence to the Parish Council, addressing their identified concerns in terms of flood risk are noted. A sequential test to identify the most suitable location for the Gardener's Shed was carried out throughout the National Trust grounds and adjoining privately owned land and the proposed site was found to be the most viable location. Details of the sequential test are available within the applicant's Design and Access Statement. The Environment Agency and Yorkshire Water found both had no objection to the principle of development in this location.

The objection to the storage of petrol and oil vehicles, the supply of power via mains electricity and the pumping of sewage over the river and into an existing drainage system are not material planning considerations and can not be considered relevant to the decision making process.

Conclusion

The proposed location was considered to be the least visually intrusive option, falling outside the Grade II Listed Park and Garden, with sufficient distance and screening from the Grade I Listed building.

Additionally it is considered that the sympathetic design and materials proposed have mitigated potential harm that may be associated with a new erection in a sensitive area, as the site is located close to the Nunnington Conservation Area and within the Howardian Hills Area of Outstanding Natural Beauty.

It is considered that the public benefits of providing much needed staff/volunteer facilities and gardening equipment storage will be of great value in supporting the continued growth and development of Nunnington Hall, which is an important heritage asset and tourism location in Ryedale.

The proposal is considered to be in keeping with the principles of Policies SP8 (Tourism) SP12 (Heritage) SP13 (Landscapes) SP19 (Presumption in Favour of Sustainable Development) SP20 (Generic Development Management Issues) of the Ryedale Plan - Local Plan Strategy. It is also considered that the proposal is in keeping with Section 10 (Meeting the challenge of climate change, flooding and coastal change) and Section 12 (Conserving and enhancing the historic environment) of the National Planning Policy Framework.

RECOMMENDATION: **Approval**

1 The development hereby permitted shall be begun on or before .

Reason:- To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004

2 The development hereby permitted shall be carried out in accordance with the following approved plans:

(2444LP1) Location Plan (1:1250)
(2444SP2) Site Plan as Proposed (1:500)
(2444BP2) Block Plan as Proposed (1:1200)
(2495-1A) Topographical Survey (1:200)
(2444012) Floor Plan as Proposed (1:50)
(2444032) East and West Elevations as Proposed (1:50)
(2444022) North and South Elevations as Proposed (1:50)

Reason: For the avoidance of doubt and in the interests of proper planning.

Background Papers:

Adopted Ryedale Local Plan 2002
Local Plan Strategy 2013
National Planning Policy Framework
Responses from consultees and interested parties