
2023/1124 – Variation of condition 2 Application

Applicant: Mrs Karen Buttery BMBC

Development: Variation of condition 2 of planning application 2021/1343 (Rebuilding of leaning garden wall. Repairs to loose and unstable stonework of plunge pool (Listed Building Consent)) to allow changes to plunge pool repairs

Address: Cannon Hall Museum, Bark House Lane Cawthorne Barnsley S75 4AT

The application is put to Members as the Council is the applicant. No letters of objection have been received from the public.

Description

Cannon Hall and associated Park is situated 1.3 km north-west of Cawthorne Village. Cawthorne lies north of the A635 between Barnsley and Penistone. Cannon Hall Museum sits in 70 acres of historic parkland looking towards the village of Cawthorne, to the west of Barnsley and within Green Belt.

The site encompasses Cannon Hall Museum (Grade II* listed) and the Country Park (grade II listed). The area is essentially divided into two broad areas: with the hall, pleasure grounds and walled garden to the north; and the former deer park to the south. A home farm complex lies immediately north of the Hall and consists of a range of buildings including stables, a coach house, cottages, and a farmhouse of late C18 date (all listed Grade II). To the northern and part of the eastern sides of the courtyard are private residential accommodation.

Cannon Hall Museum shares its immediate setting with Cannon Hall Farm, and Cannon Hall Garden Centre, both of which are privately owned businesses. The Park itself comprises of a mixture of formal landscapes, parkland, and structures that include a Grade II listed Walled Garden, a Grade II listed Deer Shelter as well as a series of cascading lakes. The Park boundaries comprise of mature trees to the northwest and south-west. The eastern boundary separates the park from Cannon Hall Farm and the southern boundary consists of meadow and small groups of mature trees. The main car park and cafe is set to the southwestern boundary, adjacent to the Garden Centre.

The earliest records of Cannon Hall are from the 13th century. In the 17th century the estate was purchased by the Spencer family, and in the late 17th century they had the hall rebuilt and had extensive works done to the land around the house. The gardens around Cannon Hall were laid out in the 1760s by Richard Woods. The Park was created during the late 18th and early 19th century.

Work begun on the creation of the kitchen garden and adjacent garden walls in April 1760. The garden wall is constructed of red brickwork with areas of stonework to the rear, and the land at the rear of the wall is raised above the garden level such that the bottom of the wall is earth retaining.

The parkland lakes, bridges and cascades were built to a design by Richard Woods between 1760 and 1764. A 'cold bath and grotto' were included in the 1760's in Richard Woods' remodelling of the park and gardens. Cold bathing was something of a fad at the time. The cold bath and grotto area now comprise the plunge pool that is the main subject of this application.

The plunge pool was investigated as part of a community archaeology project in 2018 by CFA Archaeology, who established that the base of the pool had been lined with concrete at an unknown date and that the access steps were most likely 19th Century in date. The plunge pool is a large structure measuring at its base about 4m x 6m, which widens out at the top to about 7.2m x 7.7m. The depth of the structure is around 3.3m deep. It has sloping walls of roughly laid and irregular coursed sandstone rocks and slabs of differing sizes, many of which are re-used architectural fragments. The structure is orientated west to east and there is an access bridge to the west overlooking a series of ornamental ponds and traceries windows forming an area of the garden known as 'fairyland'.

The garden wall and plunge pool are listed via the curtilage relationship with Cannon Hall and are within the grade II registered parkland. They are heritage assets of some significance. The significance rests in aesthetic value, historical value (i.e. association with the Spencer family), archaeological interest as recorded in different investigations carried out in recent years, and value to the community.

The Hall and Estate were sold to Barnsley Council in 1951 by the last member of the Spencer family, Elizabeth. Since then, the Estate has been run by the council as a tourist attraction. It opened as a museum in 1957 and now hosts important collections of glassware, ceramics, paintings, and period furniture.

Listing

The overall designation of Cannon Hall as given on the Historic England entry is as follows.

Grade II Registered Park and Garden (NHLE: 1001159); Grade II Listed East West Range Attached At 90 Degrees To South End of Former Coach House At Cannon Hall (NHLE: 1151811); Grade II Listed Gardener's Cottage in Cannon Hall Gardens (NHLE: 1287029); Grade II Listed Hot Wall, Hot House and Camellia House East of South Front of Cannon Hall (NHLE: 1151807); Grade II Archway Approximately 10 Metres West of Ornamental Pool to South East of Cannon Hall (NHLE: 1191474); Grade II Listed

Window Fragments on Wall At South End of Ornamental Pool to South East of Cannon Hall (NHLE: 1314701); Grade II Archway and Window Fragments Forming Gateway in East Wall of Cannon Hall Gardens Approximately 50 Metres North East of Ornamental Pool (NHLE: 1151809)

Proposed Development

The works proposed and approved under application 2021/1343 were essentially urgent repairs to a section of badly bowing garden wall at the northern edge of the walled garden and repairs to the western retaining wall of the plunge pool (to the east within Fairyland). The works under application 2021/1343 were described as the following:

Garden Wall – Due to defect along a length of circa 20m, the wall overhangs circa 450 to the south. The inner and out leaf are unbonded and due to pressure from a mature tree to the north, allied to a significant bank of material the wall is leaning precariously. This lean is a risk to the wider integrity of the wall but also presents a health and safety issue for visitors due to the risk of collapse. A number of options were considered to resolve the issue including buttress piers and piles to the north, but these were felt to be overly invasive (visually) and amount to short terms works

unlikely to be successful in the longer term. As a result, it is proposed to take down and rebuild the section affected, utilising original fabric and materials.

Plunge Pool – The western retaining wall of the plunge pool shows evidence of undermining and masonry loss with a number of stones having been dislodged and are out of situ. The cause of this is believed to be due to the feeder spring taking a route to the left hand of the original behind the facing masonry. This was never intended and has resulted in wash out of material and lateral displacement of the western wall by circa 500mm which is significant. The proposed works involve diverting the water using hydraulic mortar back along the intended route into the pool. Following this it is proposed to prop the wall temporarily to halt lateral movement.

As part of the approval of application 2021/1343 the following condition was imposed:

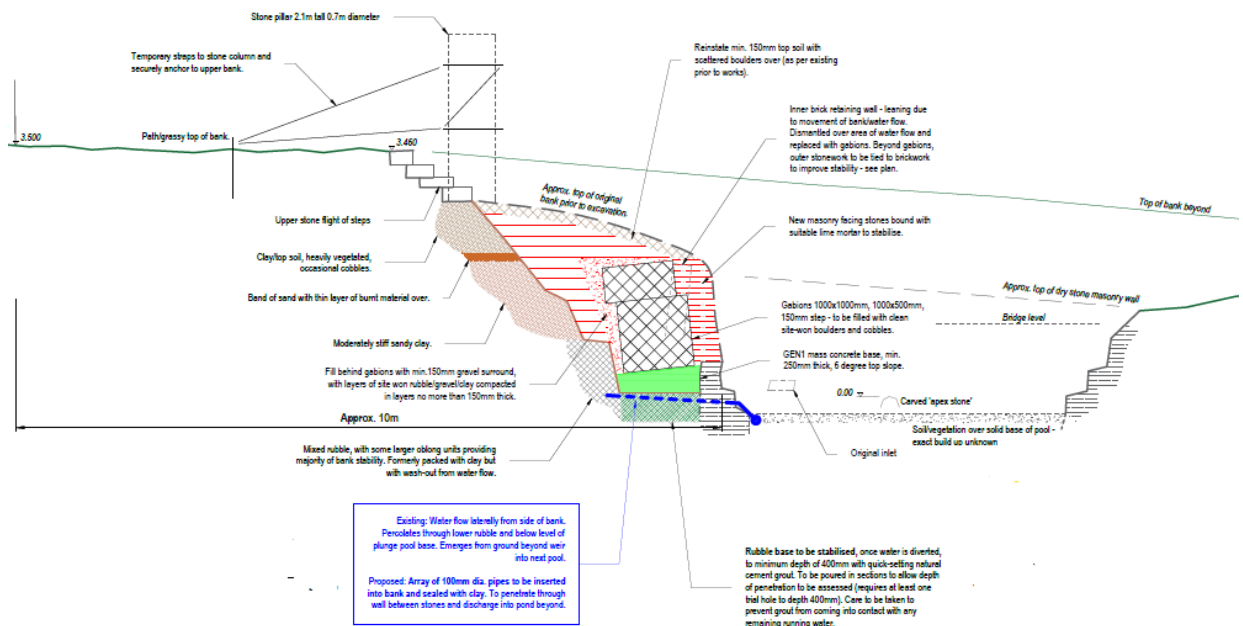
“Condition 2: The development hereby approved shall be carried out strictly in accordance with the amended plans (Nos. Location Plan 0292-PL1-ZZ-ZZ-DR-L-90-999 PO1; Historic Building Record and Watching Brief TJC2020.143 March 2020 Draft V0.1; Orchard Wall rebuild details SK01; Orchard Wall rebuild extents SK02; Plunge Pool Plans SK03; Amended 19365 - Y Cannon Hall Design, Access and Heritage Statement) and specifications as approved unless required by any other conditions in this permission.

Reason: In the interests of the visual amenities of the locality in accordance with Local Plan Policy D1 High Quality Design and Place Making.”

This current application, 2023/11124, has been submitted as during the course of the works a number of unforeseen matters have resulted in a change to the planned re-building of the retaining wall and the stone facing of the plunge pool. The changes to the plunge pool are as follows:

A discovery was made in terms of an unprecedented impact to the Georgian brick wall hidden within the bank. This wall was compromised by the water course and was impossible to retain due to the risk of failure. For this reason the wall was recorded and removed. The structure was to be replaced by gabions, backfilled then refaced with stone as stated within The Jessop Consultancy Historic Fabric Recording Document (TJC2021.67). All this structure is hidden behind salvaged and rebuilt stonework and is within the retaining bank.

A further minor variation includes the need to ensure the water is properly diverted away from the upper plunge pool due to concerns of undermining of the structure and the uncertainty over where the pool was waterproofed. During the dismantling of the stonework necessary to begin the repairs to the plunge pool, two additional water courses were discovered. The original plans were to create a hidden culvert for one water course to drain away underneath a new wall and into the lower pool. Due to the discovery of the water courses, and in consultation with the conservation officer, structural engineer and archaeologist, a new plan was developed that would use three pipes to bring the water courses together into one pipe. This pipe would then drain the water off into lower pool as originally planned. The discharge end of the pipe would be visible. So as to preserve the aesthetics of the asset, stonework and shingle will be placed over the pipe to camouflage it. This method also has the benefit of being able to make repairs to the pipe without having to remove the stonework banking should this necessary in the future. Following the works, the pipework will be hidden.



Relevant History

2012/0010 - Use of land as a children's play area including installation of play equipment - withdrawn

2012/0240 - Use of land as a children's play area including installation of play equipment (Resubmission) – Approve

2016/0633 & 2016/0758 (Listed Building Consent) - Works within grounds of Cannon Hall including formation of 6. no. parking spaces, reconfiguration of forecourt, reinstate pond, repair of growing areas and footpaths, change use of Gardener's Cottage, remove cart sheds to form access between museum and walled garden, repair works to Stable Yard Cottage to create holiday let cottages, partly restore, and repair North Range Glass House and improvements to cafe settings - Approve

2017/0213 & 2017/0239 (Listed Building Consent) - Erection of new entrance porch - Approve

2017/0766 and 2017/0771 (Listed Building Consent) - Conversion of existing outbuilding and siting of wooden clad container for use as a Pet Crematorium – Approve

2017/1571 - Minor amendments to internal layouts of gardeners and stable yard cottages, repair works and alterations of stable yard cottage, retention of cart shed, and installation of full height brick arched opening at rear (Listed Building Consent) – Approve

2019/1429 & 2019/1457 (Listed Building Consent) - Alterations within grounds of Cannon Hall to include: 1 - Partial restoration of the glazed elements of the North Range greenhouse in the Walled Garden 2 - Existing Cart shed to Kiosk conversion 3 - Change in floor surface material to the Deer Shelter 4 - A new Boat Shed close to the middle Lake of the Daking Brook Lakes complex. 5 - A new boat landing jetty/dipping platform – Approve

2020/1414 & 2020/1447 (Listed Building Consent) - Conversion of rear brick section of North Range Glass House into day training room. Installation of two steel storage containers and oil tank in Slip Garden and the installation of external lighting – Approve

2021/1155 - Change of use of buildings to Class E retail and/or exhibition space – Approve

2022/0040 & 2022/0033 (Listed Building Consent) - Application of vinyl signage to entrance to museum – Approve

2021/1343 - Rebuilding of leaning garden wall. Repairs to loose and unstable stonework of plunge pool (Listed Building Consent) - Approve

Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The Local Plan is the borough's statutory development plan which is supported by a series of adopted Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

Local Plan

The new Local Plan was adopted at the full Council meeting held 3rd January 2019 after it was found to be sound by the appointed Planning Inspector following the examination process. This means that it now takes on full weight for decision making process in planning law terms as the development plan for the Borough, superseding the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011).

Local Plan policies map designations include: -

- Green Belt
- Cannon Hall Historic Park and Garden

Other relevant Local Plan policies are as follows: -

- GD1 – General Development
- D1 – High Quality Design and Place Making
- GB1 – Protection of the Green Belt
- GB2 – Replacement, Extension and Alterations of Existing Buildings within the Green Belt
- HE1 – The Historic Environment
- HE2 – Heritage Impact Assessments and General Application Procedures
- HE3 – Developments Affecting Historic Buildings
- HE4 – Developments affecting historic areas or landscapes
- HE6 - Archaeology
- GS1 – Green Space

Supplementary Planning Documents

Heritage Impact Assessments

NPPF

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development.

In respect of this application, the policies above are considered to reflect the NPPF, which relates to high quality design and good standard of amenity for all existing and future occupants of land and buildings.

The relevant paragraphs within the NPPF in reference to this application are Chapters 13 (Protecting Green Belt Land) and 16 (Conserving and Enhancing the Historic Environment).

They also reflect the advice in paragraph 124 (general design considerations) and paragraph 130, which state that 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'. In further reference to the proposal's para 143 and 146, inappropriate development in Green Belt.

Paragraph 194/5: Identify and assess heritage significance including the setting and the effect of a proposal, para 199: Great weight given to an asset's conservation, irrespective of the degree of harm and para 200: Any harm to or loss of significance will require clear and convincing justification

Consultations

Cawthorne Parish Council – No comments

Conservation Officer – After lengthy discussions, and amended documents, there are no objections to the amended proposal subject to conditions.

Historic England – No comments

The Gardens Trust/ Yorkshire Gardens Trust – Primarily had no objections to the approved plans within application 2021/1343. Comments for the variation of condition were inclusive of some concerns:

We regret that there are no plans to make this area watertight once more. We note that the pipe is proposed to be plastic laid over the existing base and concealed within a layer of vegetation/loose masonry/shingle. We regret this offered solution as we think that it is inappropriate to the heritage asset and the pool's original purpose. The plunge pool gets filled with leaves and such a pipe is likely to be vulnerable to damage by youngsters jumping into the pool. We would regard this proposal as at most a temporary solution.

Ideally reinstatement should be as the original spring fed pool in an historic chain of ponds dating from at least the first half of the 18th Century. (Please see also Cannon Hall 2001 by Furse J, An Historic Survey with Heritage Landscape Proposals for the S.W.Fraser 1992 Settlement Trust Figs 5a and 6a between pp. 4&5 demonstrating that the plunge pool precedes Richard Wood's commission for the design of a new Park and Walled Garden in 1760.)

These concerns were addressed and satisfied by the Conservation Officer with the following comments:

"I note the Gardens Trust advise that in relation to change in the design of 2021/1343. In relation to the first point, I understand and agree that making the pool watertight and re-instatement of its original configuration and appearance is the ideal. However, I am aware that there are simply no funds available to realise this which would be a significant project in its own right. It is however something that could be explored in the future.

Regarding the need for the extra drainage pipe, I was also concerned over the lack of authenticity of this item and its possible negative impact on the setting. However, the very real need to ensure the water is transported away from the pool whose base is likely to be compromised (we think at some point it was lined in cement which has cracked) was important. In particular, water flowing back into the repaired retaining wall and undermining it needed to be avoided. To that end the pipe (which is actually very well disguised) discharges a little way down the cascade and should not necessarily be fouled. I appreciate we can't mitigate all and every person wishing to have a dip in the water but as it is usually dry and pretty muddy at the bottom of a fair incline on all sides I feel the risk to damage of the pipe is relatively minimal. Overall, whilst not a perfect solution I feel this resolves the very real issue of further undermining of the bank that could threaten the entire structure, and as a solution it represents the most minimal of harm which is justified."

Representations

The application was advertised by way of neighbour notification letters, a site notice, and a press advert.

No responses have been received following the above consultations/notifications.

Assessment

Cannon Hall is set within the Green Belt and is a Grade II* listed building within a Grade II registered landscape, with several associated buildings and structures listed at Grade II. The application therefore needs to be assessed in principle against the Local Plan Policies which accord with Government advice set out in the NPPF.

Impact upon Heritage Assets and Visual Amenity

The works are essentially urgent repairs to a section of badly bowing garden wall at the northern edge of the walled garden and repairs to the western retaining wall of the plunge pool (to the east within Fairyland). The garden wall and plunge pool are all curtilage structures to Cannon Hall (grade II*) and are within the registered parkland so have clear and evident high heritage significance.

The concerns with both the garden wall and plunge pool have been meticulously researched and assessed by various experts and it has been concluded that the works are not only urgent but a necessity to restore and preserve the heritage assets. In reference to the garden wall, it is clear that some replacement will be required, however there is an archaeological watching brief in place to ensure the wall can be repaired on a like for like basis, to further preserve the historic integrity.

The applicant is aware of the historic significance of the plunge pool and the need for sensitive repair and retention. The proposed amended works have been amended to reflect the conditions on site whilst still retaining the historical value of the setting. These actions will avoid further deterioration to the pool structure.

Based on the above assessment the amended proposals are found to be in line with Local Plan Policies HE1, HE2, HE3, HE4, HE6 and D1 in that they preserve and enhance the appearance and setting of the buildings, areas, landscapes, and listed assets in which they are located.

Green Belt

The repair works to both the garden wall and stonework of the plunge pool are not deemed to be inappropriate development in the Green Belt in that the works are intended to repair and restore established historical structures in line with Local Plan Green Belt Policies GB1 and GB2 and in accord with the relevant paragraphs within the NPPF

Residential Amenity

No dwellings are located in proximity of the plunge pool and some residential dwellings are located in proximity to the garden wall, although not adjacent to the area of works. Given the nature of the proposals, it is unlikely that the renovations will cause a negative impact on amenity currently enjoyed, and the intended purpose of the proposal is to improve the area in regards of health and safety and visual amenity in line with planning policy. To safeguard the residential amenity of the nearby residents, a condition will be added to ensure the works are not completed within anti-social hours.

Conclusion

The proposals constitute urgent necessary renovations that will help ensure the future viability of Cannon Hall Museum and its parkland as a sustainable tourist attraction. The amendments to the original proposal are necessary and justified and have been agreed and verified by the Council's Conservation Officer.

The works should have no significant impact upon the Grade II Listed Building, the setting of the Grade II* Listed Building or the Grade II registered landscape in accordance with the NPPF and Local Plan Policies. Likewise, the impact upon the Green Belt from the proposals are not determined to be inappropriate, and residential amenity is not expected to be compromised.

Recommendations:

Grant listed building consent subject to conditions.