



The Gardens Trust
70 Cowcross Street, London EC1M 6EJ
Phone: (+44/0) 207 608 2409
Email: enquiries@thegardenstrust.org
www.thegardenstrust.org

margiehoffnung@thegardenstrust.org

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Research - Conserve - Campaign

Ms Eleanor Morris
The Planning Inspectorate
Temple Quay House
2 The Square
Bristol BS1 6PN
teame1@planninginspectorate.gov.uk

Dear Ms Morris,

Ref : APP/M9496/C/ 21/3279072 - Thornbridge Hall, Baslow Road, Ashford In The Water, Derbyshire DE45 1NZ

The Gardens Trust (GT), a statutory consultee with regard to development affecting a site listed by Historic England (HE) on their Register of Parks and Gardens, have been notified by the Peak District National Park Authority (PDNPA) about the unauthorised developments which have taken place at Thornbridge Hall within the Grade II registered park and garden (RPG) and the Thornbridge Conservation Area. We appreciate being given a little more time to respond to the appeal as we were not notified about this until December 1st 2021.

We have studied the online documentation and a colleague from the Derbyshire Historic Gardens Trust has twice visited the site and taken photographs which we have been able to use when responding to this breach of the planning regulations. We have also watched a video made by the Derby Telegraph which has been helpful in getting a feel for the site. <https://www.derbytelegraph.co.uk/news/local-news/gallery/caf-owners-thornbridge-hall-been-5647358>.

The PDNPA have issued an enforcement notice which lists the various alleged breaches of planning control. These are considered below.

Thornbridge Hall is a Grade II registered park and garden (RPG), one of only four within the PDNPA, and it also lies within the Thornbridge Conservation Area. The western part of the gardens (within the parish of Ashford in the Water) were previously listed at Grade II, as were numerous garden features that lie within Great Longstone parish. Historic England's register entry for Thornbridge RPG states that '*The Hall stands on a high plateau in the north-west corner of the park, looking over its grounds which fall away to the south and east.*' It continues : '*the main area of gardens ... lie on the south and east fronts. The main terrace runs along the foot of the east front and from it are far-reaching views to the south and east out over the countryside*' and '*More steps link the southern end of the top terrace with the level lawn which lies below the south front of the Hall, while a further flight leads off the centre of this lawn, down to the croquet lawn. The terrace wall which separates garden from park offers a firm baseline for extensive views south over the park to the farmland.*' This is confirmed by the useful map which accompanies the Adopted Appraisal for the Thornbridge Conservation area (TCA map), which marks important views. Comparison of this map with the enforcement notice (EN) plans make it clear that the substantial new roadway (Driveway A on EN plans), constructed without consent, runs for

its entirety through land marked on the TCA map as 'Important Open Space'. This new two-lane road, complete with central white line and flanked by a bund of excavated soil, is considerably longer than the main drive. It cuts directly across several important designed views shown on the TCA map and crosses a public right of way. These views are SE and E from the main gardens around the Hall, N, S and E from the public right of way, and across the RPG from NW-SE almost the whole way along its route. The new approach road is extremely visible within the RPG and in our opinion, it is an alien intrusion within the landscape, and fundamentally detracts from the significance and experience of the designed landscape.

We are also concerned about the proximity of both the new approach road and the new access road (Driveway B on EN plans) to various mature parkland trees. The tarmac surface on parts of the access road comes within a few cm of the base of several tree trunks, almost inevitably causing root damage through soil compaction. The owners state that an arboricultural statement will be provided to demonstrate that the '*development is acceptable in terms of its relationship to trees*', but we have not seen this document and would recommend that an independent assessment is undertaken to ensure that their root zones have not been harmed by excavation for the roadway/bunds.

A further breach involves the construction without consent of a sizeable car park with hard surfacing, surrounded by massive bunds on two sides. These bunds, and those that flank the approach road, reach a height of about 3m at the SE corner of the car park.

Finally, the new café building with its extensive outdoor seating area, has been built without consent in what was formerly part of the working garden/orchard. It lies in close proximity to what the Register entry describes as a fountain bowl and four urns linked by a stone quatrefoil (listed grade II) set within mature fruit trees and form the foreground for a classical temple (listed grade II), brought here from Clumber. Four C19 Herms (also listed grade II) representing the Four Seasons are sited nearby. The mature fruit trees described in the register entry, though visible in recent aerial/satellite images, have now disappeared. It is unclear whether consent was granted for their removal. The settings of these listed structures have suffered substantial harm through the unauthorised development and have been further diminished by the presence of a quantity of jarring paraphernalia, some colourful, associated with the café: chairs, tables, barrels, decking etc, all within not more than 50m from the temple/fountain/urns, which substantially detract from their settings and the previously pristine landscape.

We consider these breaches to come in at the **very highest end of Less Than Substantial Harm**, consistent with s66 of the *Planning (Listed Buildings and Conservation Areas) Act (1990)*. There is no Heritage Statement (HS) or Visual Impact Assessment (VIA), both of which are crucial to assessing the degree of harm which the unauthorised development has had upon the RPG and heritage assets. We would have expected key views (as per the TCA map) to be shown and photographed. The work undertaken has in our opinion, led to a notable level of harm to the significance and setting of the numerous heritage assets, in particular the setting of the RPG. This work is in direct contravention to NPPF para 189, having harmed the setting of numerous heritage assets for future generations. The work does not comply with Para 194 (the applicant has totally failed to describe the significance of any heritage assets affected, including any contribution made by their setting). This, combined with the lack of a HS & VIA means that the PDNPA cannot adequately assess the significance of the development upon the setting (Para 195) and the unauthorised alterations do not make a positive contribution to the landscape (Para 197c). The justification provided by the applicant for the unauthorised works is insufficient in our opinion to comply with Para 200a, and as these works verge on substantial harm, we consider that Para 201d in particular, applies. The works are also in contravention of Para 176 as they neither conserve or enhance the landscape or cultural heritage of the Peak District National Park, and their scale and extent is neither limited or sensitively located or designed to avoid or minimise adverse impacts on the designated areas. They

do not comply with Para 177 as the cumulative effect of the work undertaken is extensive and major. The PDNPA also mention breaches of Core and Development Management Strategy policies which we will not repeat for brevity.

The owners of Thornbridge Hall previously applied for and were granted permission to build two tennis courts and a pavilion in 2005, on the site of the café; the current use of the site then was listed as 'garden'. The permission was renewed in 2010 and we assume never implemented. In the 2005 documentation there is a note from the landscape officer at the PDNPA suggesting that the applicant had agreed to produce a comprehensive plan for management and conservation of the site especially the gardens and wider parkland. Checking with the PDNPA the Cultural Heritage Team Manager, Anna Badcock, has confirmed that the PDNPA does not have a Conservation Management Plan or a Parkland Plan on their records, so it would seem these vital documents were never commissioned or implemented.

The excavations would appear to have been undertaken without an archaeological watching brief. Should the Inspector feel that the bunds/roadway/car park etc are inappropriate, we would suggest that all materials are carefully sifted when they are removed to ensure that if there is any surviving evidence it is preserved as far as is possible under the circumstances.

We appreciate that the owners need to find ways of making Thornbridge Hall pay for its upkeep, but the construction of a road and car park (both with bunds) plus a café with hardstanding etc, without permission, is not the way forward. The Derby Telegraph video states that the owners said that they were unable to apply for planning consent during the lockdowns as PDNPA officers were unavailable. In our experience, during the previous two years, all local authorities very quickly organised new working arrangements, and during lockdowns and subsequently we have been busier than ever, with planning officers mostly working from home extremely efficiently.

Thornbridge Hall is an RHS partner garden. We would therefore have expected any changes to have been made entirely 'by the book' in order to uphold the expected high standards that such an association implies.

The unauthorised work undertaken by the owners constitutes probably the most egregious breach of planning that the Gardens Trust has been made aware of in the last 8 years. Had these works been the subject of a planning application we would have robustly argued against their implementation.

The Gardens Trust and Derbyshire Historic Gardens Trust object in the strongest possible terms to these significant, detrimental interventions.

Yours sincerely,

Margie Hoffnung
Conservation Officer

cc. Andrew.Cook@peakdistrict.gov.uk
Erika.DiazPetersen@HistoricEngland.org.uk