



# YORKSHIRE GARDENS TRUST

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[www.yorkshiregardenstrust.org.uk](http://www.yorkshiregardenstrust.org.uk)

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20th January 2024

Dear Mr Booth-Robinson

**19/00480/STPLF Residential Development for 64 dwellings comprising the conversion of the existing buildings for 61 dwellings and the erection of an extension to the front elevation to provide 3 dwellings to include the demolition of ancillary buildings. Thwaite Hall Thwaite Street Cottingham East Riding Of Yorkshire, HU16 4RE (AMENDED PLANS AND DESCRIPTION)**

Thank you for reconsulting The Gardens Trust (GT) in its role as Statutory Consultee with regard to any proposed development affecting a site included by Historic England (HE) on their Register of Parks & Gardens – Thwaite Hall, Registered at Grade II. The Yorkshire Gardens Trust (YGT) is a member organisation of the GT and works in partnership with it in respect of the protection and conservation of registered sites and is authorised by the GT to respond on GT's behalf in respect of such consultations.

Our previous letters of 19<sup>th</sup> March 2019, 30<sup>th</sup> June 2021, our e-mail to Ms Jennifer Downs of 16<sup>th</sup> August 2021 and our letter of 24<sup>th</sup> August 2023 gave an assessment of the significance of the heritage assets and particularly the Registered Park and Garden, and our advice on the proposals. We are of the view that to ensure the heritage assets affected are preserved or enhanced in a manner appropriate to their significance, there would be no new development.

However, we note this amendment which removes the proposed 'wings' of new housing to the east and west of the existing mid-20<sup>th</sup> century extension to the university halls of residence. By this reduction of development and ancillary parking, more of the gardens can be sympathetically enhanced and the development's impact on the wider designed landscape much reduced. The three new dwellings (12,13,14) form an extension to the existing south-east range. All these changes are a welcome improvement.

Thwaite Hall is important as a rare survival of an impressive 19<sup>th</sup> century villa garden in an urban setting and this amended scheme should allow for a sympathetic restoration scheme that will benefit the setting of the buildings, the conservation of the registered historic designed landscape and be a significant 'green' heritage asset for the residents and the wider community at Cottingham.

We would like to make the following comments:

As we noted in our letter of 24<sup>th</sup> August 2023 re: the car parking we would prefer to see a 'greener' solution (mesh surfacing) that would support biodiversity and be an ameliorating surface for the future where climate change will be a major issue. We agree with the advice from Historic England about the additional movements and 'urbanisation' which needs to be carefully controlled and managed to ensure the significance of the heritage assets is preserved and where possible enhanced. In terms of the setting of the buildings and their immediate gardens we have concerns about the bin stores, their accessibility for the residents and importantly how they will be accessed by the refuse lorries. Similarly, we have concerns about access for fire engines. (Highway Development Management Consultee Comment uploaded 11<sup>th</sup> Jan 2024.) There also needs to be hedges/shrub planting to screen the car parking and reduce vehicular impact on the landscape.

In our letter of 19<sup>th</sup> March 2019 and our e-mail of 16<sup>th</sup> August 2021 we advised that there should be a formally adopted Conservation Management Plan (CMP), produced by a heritage professional familiar with this type of historic garden. The expertise of the Friends of Thwaite Gardens and the University of Hull should be consulted.

We have noted the comments from Land Studio dated 19.09.23 points 17, 19, 22, but we remain of the opinion that a Conservation Management Plan (CMP) will address many of the outstanding issues mentioned by the most recent submissions to yourselves. E.g. Historic England and East Riding of Yorkshire Council's:- Lead Local Flood Authority; Highway Development Management; Land Drainage and Conservation Teams.

The Conservation Team make clear their opinions regarding the benefit or otherwise of the development for the Registered Grade II Historic Park and Garden and we second their comments of 6/10/2023 (ii) Hard and Soft Landscaping and (iii) **Future Management of Registered Park and Garden** particularly noting points 2-4 concerning accountability and a "monitorable timetable for their implementation".

Once the CMP has been agreed, Thwaite Hall Limited will be able to use the document to provide yourselves (East Riding of Yorkshire Council Planning) with detailed information concerning timetabling and design. E.g. the surface treatments (around Thwaite Hall the new build and within the Grade II landscape, surface water drainage, access routes and turning circles for service vehicles, access for major landscape works such as the dredging of the lake and treatment/removal of the spoil and for the removal of conifers. It should provide specialist historic planting advice for the entire development in line with precedents set by the University of Hull from the C20th, the significance of the tree collection and why the landscape cannot just be allowed to evolve into native woodland, and bring forward Phase 2 via a monitorable timetable to within five years of planning permission having been obtained and, we would strongly recommend, before occupation of the site takes place.

The specific advice re Phase 2's proposed dredging of the lake is based on our knowledge of the vehicular access and land management required to first drain and then spread or remove the arisings from site. We understand that the Environment Agency requires a U11 Waste Exemption Certificate in such circumstances and due to the anaerobic condition of the silt its drainage will release unpleasant gases for months if not longer. This will affect local residents as well as new home owners and whether subsequently removed off site or spread out on the proposed meadow north of the lake, (entailing felling of self-seeded woodland area and subsequent meadow reinstatement) will require access for heavy machinery. Our advice would be to condition the dredging on site to be carried out before occupation is allowed. This could also provide for the major periodic vehicle access (locked gates with hard standing/turning area only) required for future dredging and woodland work envisaged firstly by Lathams in Jan 2019 (see Waterbody Section 3.9 p.12) and Land Studio in their July 2023 Landscape Management Plan report (p 31). We would support access from the north of the site as in our opinion this would minimise damage to the sensitive and rare Historic Grade II landscape whilst the work is being carried out.

We have noted Land Studio's Consultee Response (19.09.23) point 20: *We envisage that all private gardens areas be subject to development control on boundary types, colour and planting and the removal of permitted development rights.*

As suggested by your Conservation Teams this would be a heritage benefit as it would prevent the introduction of residential paraphernalia that would detract from the heritage qualities and special character of the historic gardens. The details for this would come from the CMP and could be included in the conditions.

We support Historic England's advice; that a condition or legal agreement could be attached to any consent granted that will ensure that the public and heritage benefits that are envisaged within the CMP/Landscape Management Plan are delivered in a timely manner. This could take the form of an occupancy condition that requires the completion of elements of restoration of the registered park and garden and non-designated Thwaite Hall before the homes are occupied. Your Authority's Landscape Team could advise on this, and we note the relevant comments from Land Studio.

Our advice seeks to address para 203 of the National Planning Policy Framework (NPPF) ie 'In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness. '

In summary we welcome the amended plans now submitted but the Gardens Trust and Yorkshire Gardens Trust's position is that there must be significant heritage benefits in the conservation and management of the Registered Park and Garden as we have advised since the outset. The ongoing management and maintenance should be a condition of any approval, and this should be overseen by a residents' management committee. If your Authority is minded to grant consent for the proposal in its current form, this should be underpinned by robust conditions or a legal agreement that will secure the delivery of the CMP/ Landscape Management Plan.

It is in everyone's interest that Thwaite's historic designed park and gardens have a sympathetic and sustainable future; for Thwaite's residents and neighbours, the Cottingham Conservation Area, Thwaite Gardens volunteers and visitors and the community in general.

Yours sincerely

Val Hepworth  
Trustee Conservation and Planning

Cc Yorkshire and the Northeast Historic England; the Gardens Trust