

**Nonsuch Park Mansion, Nonsuch Park, Ewell Road, Cheam, Surrey, SM3 8AL**  
Erection of shelter.

<b>Ward:</b>	<b>Nonsuch</b>
<b>Contact Officer:</b>	<b>James Udall</b>

**1 Plans**

- 1.1 The Council now holds this information electronically. Please click on the following link to access the plans and representations relating to the originally permitted application via the Council's website, which is provided by way of background information to the report.

**Link:** <http://eplanning.epsom-ewell.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OC3W69GYM0T00>

**2 Summary**

- 2.1 The wider application site comprises about 91ha of land that is set in the middle of the Nonsuch Park and consists of a Grade II\* listed building with currently a mixture of museum, educational and catering uses designed by Sir Jeffry Wyattville in 1802 for Mr. Samuel Farmer. The building was previously extended in 1845. To the west of the building lies, a walled kitchen garden divided from it by the northern end of the Fir Walk. The southern part of the gardens is shown on the Tithe map of 1839, the northern section post-dating this survey.
- 2.2 The proposed shelter would be situated within the walled garden. The shelter would be a Palram Arcadia 5000, constructed of powder-coated Aluminium structure, supporting galvanised steel arches and joints, galvanised steel 80x80 mm poles and twin-wall polycarbonate roofing. It would have a depth of 5.02m a width of 3.62m and a maximum height 2.42m. It would not be readily visible from the public domain and would be secured to paving slabs by bolts, which will enable it to be dismantled, or moved in the future if necessary.
- 2.3 The site forms part of the Metropolitan Green Belt and the application is referred to Committee for determination because it involves Council owned land.
- 2.4 The application is recommended for APPROVAL as it involves a policy compliant use in Strategic Open Space and there are no visual, heritage or amenity concerns relating to the proposal.

### **3 Site description**

- 3.1 The application site occupies land owned by Epsom and Ewell Borough Council and comprises of Grade II\* listed building with currently a mixture of museum, educational and catering uses designed by Sir Jeffry Wyattville in 1802 for Mr. Samuel Farmer. The building was previous extended in 1845. To the west of the building lies, a walled kitchen garden divided from it by the northern end of the Fir Walk. The southern part of the gardens is shown on the Tithe map of 1839, the northern section post-dating this survey.
- 3.2 Parking is provided to the north of the kitchen garden as well to on the southern side of the park.

### **4 Proposal**

- 4.1 The application seeks permission for the erection of a shelter situated within the walled garden. The shelter would a Palram Arcadia 5000, constructed of powder-coated Aluminium structure, supporting galvanised steel arches and joints, galvanised steel 80x80 mm poles and twin-wall polycarbonate roofing.
- 4.2 It would have a depth of 5.02m a width of 3.62m and a maximum height 2.42m. It would not be readily visible from the public domain and would be secured to paving slabs by bolts, which will enable it to be dismantled, or moved in the future if necessary.
- 4.3 Comments from third parties
- 4.4 The application was advertised by means of letters of notification to the 3 nearest residential properties and a site notice was displayed. To date (24.08.2017) no letters of objection have been received.

### **5 Consultations**

- 5.1 Historic England – “On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant”.
- 5.2 Conservation Officer – “The proposed structure is concealed within a Walled Garden at Nonsuch Park. It is a free standing element with little visual presence and it can be easily deconstructed and removed. Its use indirectly contributes to the sustainability of the adjacent Grade II\* Nonsuch Park House, the Grade II listed Park and Garden, and the Grade II listed wall, while causing no harm to their significance.
- 5.3 The importance of sustaining and enhancing the significance of heritage assets, while keeping them in viable and appropriate uses, is emphasised throughout section 12 of the NPPF and para. 132 requires great weight to be given to their conservation.
- 5.4 The proposal is a reversible intervention which causes no harm to the significance of the designated heritage assets and there is no objection in terms of Policy DM8”.

5.5 London Borough Of Sutton – No objections received

## **6 Relevant planning history**

<b>Reference number</b>	<b>Proposal</b>	<b>Decision</b>	<b>Decision date</b>
03/01405/FUL	Conversion of garage into museum.	Application Permitted	12 May 2004
03/01433/LBA	Conversion of a Garage into a museum and external alterations.	Application Permitted	12 May 2004
09/00817/LBA	Installation of extract duct from ground-floor kitchen, through first-floor window and terminating on first-floor flat roof behind parapet. Removal of lower half of sash window and replacement with metal panel at exit point of duct	Application Permitted	11 February 2010
12/00385/LBA	Restoration and rebuilding facade of bothy and reprovision of seat	Application Permitted	30 August 2012

## **7 Planning Policy**

### National Policy Planning Framework (NPPF) 2012

Chapter 12: Paragraphs 126-141 Conserving and enhancing the historic environment

### Core Strategy 2007

CS6 Strategic Open Space

### Development Management Policies 2015

DM8 Heritage Assets  
Policy DM10 Design Requirements for New Developments

## **8 Planning considerations**

### Impact on Strategic Open Space

- 8.1 The application site lies within Nonsuch Park, which is designated as Strategic Open Space. Policy CS4 of the Epsom & Ewell Borough Council Core Strategy 2007 states that “Development which results in a deficit of open space provision will not be permitted”.
- 8.2 The proposed shelter would be sited within a walled garden and would not be readily visible from outside the garden. The proposed structure would have a depth of 5.02m a width of 3.62m and a maximum height 2.42m. Due to its siting, scale and design the proposed shelter would not create a deficit of open space provision.

Impact on the Visual Appearance of Listed building and Character of the Area

- 8.3 Paragraph 129 of the Planning policy Framework states that “Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset’s conservation and any aspect of the proposal”.
- 8.4 Policy DM8 of the Development Management Document 2015 states that Epsom & Ewell Borough Council “will resist the loss of our Heritage Assets and every opportunity to conserve and enhance them should be taken by new development”.
- 8.5 The Conservation Officer has assessed the proposal and advised that the proposed structure would be concealed within a Walled Garden at Nonsuch Park. It would be a freestanding element with little visual presence and it could be easily deconstructed and removed. Its use indirectly contributes to the sustainability of the adjacent Grade II\* Nonsuch Park House, the Grade II listed Park and Garden, and the Grade II listed wall, while causing no harm to their significance. It is therefore considered that the proposal would comply with Policy DM8.

Residential Amenity

- 8.6 Due to its size, scale, design and siting the proposal would have no impact on any nearby residential dwellings. It is therefore considered that there would be no impact on residential amenity in terms of noise and disturbance.

**9 Conclusion**

- 9.1 The application proposal would not have an adverse impact on the Strategic Open Space, heritage assets, the character of the area or neighbouring occupants.

**10 Recommendation**

- 10.1 Planning permission granted subject to the following conditions:

**Conditions:**

- (1) **The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

**Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.**

- (2) The development hereby permitted shall be carried out in accordance with the following approved plans and documents: Drawing Numbers NLNSP-002 REV A and NLNSP-003 REV A.

**Reason:** For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans to comply with Policy CS5 of the Core Strategy (2007).

- (3) Prior to the commencement of development, details shall be submitted to and approved in writing by the local planning authority of the materials to be used for the external surfaces of the development including all making good works, demonstrating that the finishing materials match those of the existing building/structure in size, colour, texture, profile, finish, bonding and pointing. The development shall be carried out in accordance with the approved details.

**Reason:** To safeguard the special architectural and historic interest of the listed building / In the interest of the character and appearance of the conservation area \*\*\*\* in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM8, DM9 and DM10 of the Development Management Policies 2015.

**Informatives:**

- (1) The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.