

## North York Moors National Park Authority

<b>Ryedale District</b> <b>Parish: Thornton Le Dale</b>	<b>App No. NYM/2018/0094/FL</b>
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**Proposal:** proposed sculpture in the form of a Nissen Hut with associated access paths

**Location:** land west of Adderstone Field Car Park

**Applicant:** Forestry Commission, fao: Mrs Petra Young, Yorkshire Forest District, Forestry Commission, Outgang Road, Pickering, YO18 7EL

**Date for Decision:** 24 April 2018

**Grid Ref:** SE 485676 487111

### Director of Planning's Recommendation

**Approval** subject to the following conditions:

1.	TIME01	Standard Three Year Commencement Date
2.	PLAN01	Strict Accordance With the Documentation Submitted or Minor Variations – Document No's Specified
3.	GACS00	No external lighting shall be installed in the development hereby permitted.

### Consultations

**Parish** – Object for the following reasons:-

- Large increase in foot traffic.
- Excess of vehicular traffic to residential areas.
- Combining objections 1 & 2, an increase in possible accidents to the public and residents.
- Not in keeping with the buildings in the immediate vicinity.
- It is inappropriately sited.

**Forestry Commission** – in relation to trees – We provide standing advice in place of individual responses to planning consultations on or near Ancient Woodland

**Julian Rudd, Head of Economy and External Partnerships, Ryedale District Council** –

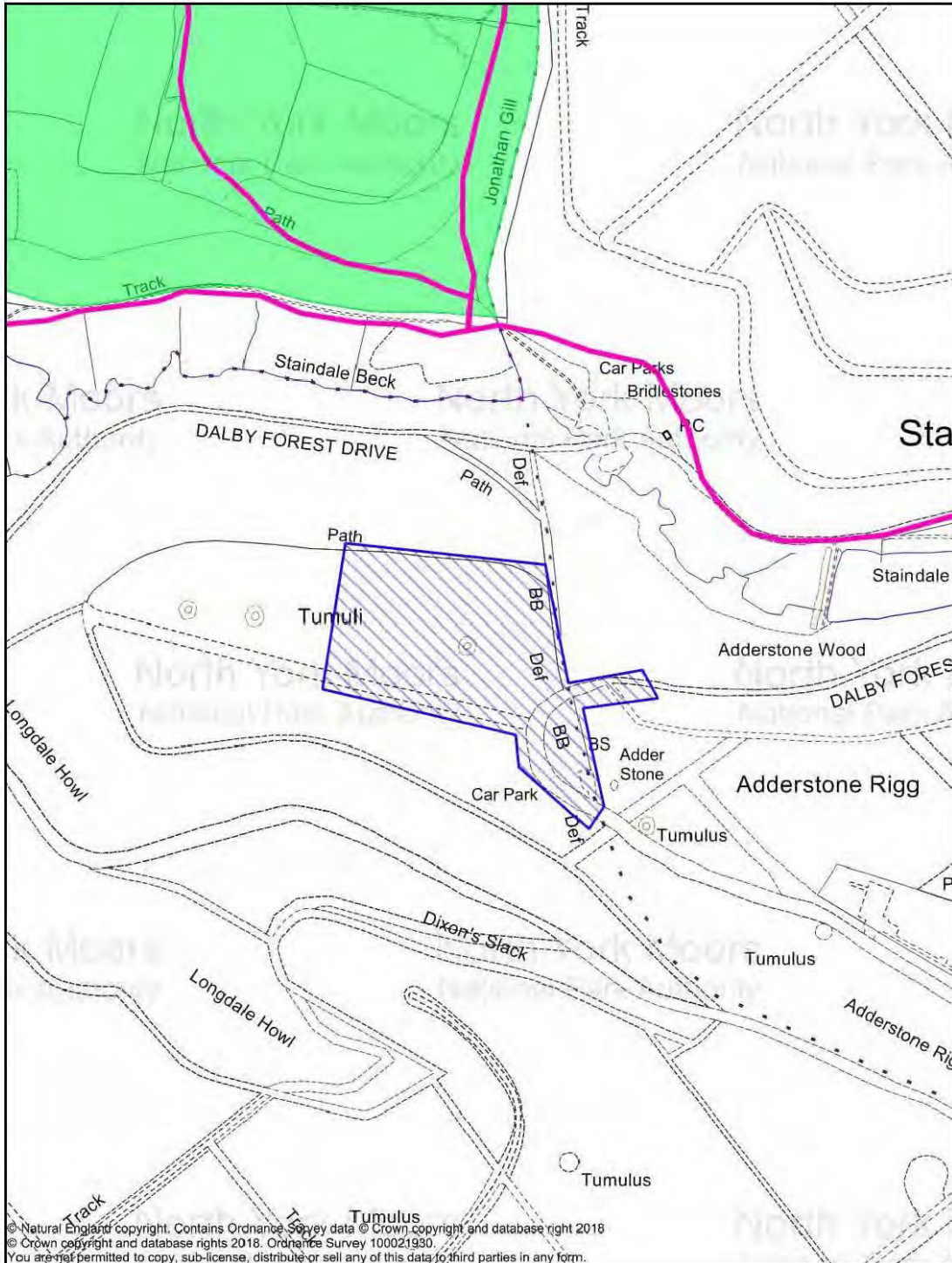
Support this important proposal. Dalby is a Forest Artworks site, part of a national Memorandum of Understanding between the Forestry Commission and the Arts Council. The Dalby Artworks initiative is identified as a priority in the Economic Action Plan 2016-20 for Ryedale District in recognition of its benefits for the visitor and cultural economies. The proposed artwork is part of a long-term strategy to develop arts audiences in the area.



North York Moors National Park  
 Authority  
 The Old Vicarage  
 Bondgate  
 Helmsley YO62 5BP  
 01439 772700

Application Number: NYM/2018/0094/FL

Scale: 1:5000



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## Consultations continued

The quality of the proposed artwork makes it of national, even international, note; commissioned by “14-18NOW” as a national representation of the beginning of the Forestry Commission and the end of the First World War. It has direct relevance to the heritage of Dalby and the Forestry Commission itself. It is the first time an artist with Ms Whiteread’s standing will have worked on a site in Ryedale and the first time that communities will have access to this kind of work without having to travel significant distances.

The site has been well-chosen as it is both historically important and occupies the part of the original encampment which is furthest from the houses. The paths have been designed to provide full accessibility including for wheelchair users and those with limited mobility, which is particularly important in this instance because of the international standing of the artist and the immediacy of the connection to the history of the site.

Forest Commission is working with residents to ensure their concerns are taken into account and implementing a number of measures to address them, including how paths are sited, how the forestry around the site is managed and how the sculpture is signed. I also understand that the area will be managed through Continuous Cover Forestry (CCF) rather than the Clear Felling system, which will ensure forest cover at all times – this will help to protect the privacy of residents of Low Dalby.

**Site Notice Expiry Date – 4 April 2018**

**Others** – The following people have objected for some or all of the following reasons:-

**Mr Alex Abbott, 7 Low Dalby**

**Elke Blommaert, 6 Low Dalby**

**Mr Richard Creaser, 6 Low Dalby**

**Dr John Allan and Mrs V Allan, 9 Low Dalby**

**Mrs Amanda Welburn-Smith, 8 Low Dalby**

**Mrs Nicky Wearmouth, 4 Low Dalby**

**M.L and E Rowing, 5 Low Dalby**

**Matthew and Jenneke Fitzgerald, 10 Low Dalby**

**Peter and Cheryl Booth, Upper Dalby Wood, Low Dalby**

**Pat and Louise Fitzgerald, 27A Oakdale Glen, Harrogate**

**Andrew Morgan, Chapel Hill, Wootton, Woodstock**

**Dr Phil Bennett, Low Dalby House, Low Dalby**

**Jon and Claire Gascoyne, Dalby Beck**



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**Others continued****Further letter signed by 21 residents of Low Dalby from 1, 5, 6, 7, 8, 9 and 10 Low Dalby and Low Wood, Low Dalby and Dalby Beck Low Dalby**

- Wrong location – as proposed it would add to an already congested part of the forest. Dalby Forest is over 8,000 acres so why even consider the proposed development right next to the village.
- Detrimental impact to the amenities of local residents due to increased activity levels.
- Many other places within the forest where it could be located which would allow people to view the sculpture and better absorb the large number of visitors.
- The Forestry Commission could be more considerate in their approach to development
- Further intrusion by visitors into the village.
- Would be better sited nearer the Visitor Centre and Go Ape or up at Adderstone Field, near the maze that is being built.
- More visitors will park in the residents only car parking, which has increased significantly since the opening of the Ellerburn Trail, visitors also park on the grass verges in front of our garages and the FC are not doing anything about this.
- Significant reduction in privacy and increase in noise for residents as access tracks very close to properties.
- At present the public generally keep moving along but this will encourage people to hang around near the houses.
- The sculpture will attract litter, graffiti, urination, dog poo bags and the like – not a way to “interpret and celebrate” Dalby’s history.
- The revised details have addressed some of the concerns in that the applicant has relocated the access path to be further from the village houses and has undertaken to block the track that would otherwise lead from the sculpture along the back of nos. 5-10. However, it fails to address the most serious concerns about additional visitor numbers, car parking and traffic safety, none of which have been properly assessed by the applicant, plus the fact that the applicant has not assessed possible alternative locations for the sculpture which, we contend, is totally out of character with the appearance of the village as it now stands.
- The site would need to be maintained daily.
- The area around the hut is due to be felled in 2022 and the Nissan Hut is an ugly building which will stick out, even if bushes planted around it.
- This little patch a haven for wildlife but there is no environmental report.
- Will result in large numbers of visitors to the side and rear of our property.
- Have already suffered a significant loss of privacy at the front of our properties due to the Ellerburn Trail.
- Increase security risk for residential properties.
- No reason for it to be located so close to the properties in the village who already suffer significant inconvenience, noise and privacy loss from the crowds of visitors along the Trail which is used for many attractions particularly for children with the Gruffalo Trail, the Highway Rat, Park Run etc.
- Main concern is impact that the use of the path at the back of the houses will have as this is elevated about the houses ground level.
- The water tanks are located at the back of the houses and concerned that these may be tampered with.

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**Others continued**

- Residents are already made to feel that they are an inconvenience to the tourists.
- The site is nowhere near the Nissen Hut camp, that camp became the village itself and have houses there.
- A commemorative plaque would be more appropriate.
- Assume that the site has been chosen as I believe the concrete bases of some of the work camp huts remain here; however, this is too near residential properties
- Some years ago the FC had a stated aim of keeping the village and FC operations and development separate but recent developments have begun to encroach onto the village.
- Would refer you to your own NYMNPAs publication which emphasises the importance of tranquillity and acknowledges that Dalby is particularly vulnerable.
- Low Dalby is more than just another part of the forest – it is a village and a home where people live.
- Contrary to Core Policy A of the NYMLDP which seeks to ensure development doesn't have a detrimental impact on the wider landscape or the quieter enjoyment, peace and tranquillity of the Park and to provide development of a scale appropriate to the character of a settlement.
- At busy times the Ellerburn Trail already exceeds safe capacity, as visitors with small children have to mix with fast moving mountain bikes and residents cars.
- There will be a culture clash between young visitors of the Gruffalo trail and the sculpture.
- The applicant should be required to submit a comprehensive list of all possible sites giving an objective assessment of each site.
- This large concrete structure would be out of scale and character with the local area.
- There appears to be no guidance of policy on art work but given that it is a direct copy of a building, it should be considered as one.
- The FC have turned this part of the Park into more of a theme park, they are not "conserving or enhancing" the character of the area.
- The proposal is contrary to Development Policy 14 as it will have a detrimental impact on the quality of life of residents.
- Surely to be appreciated in full, this sculpture should be in a quiet and isolated location, not adjacent a trail with lost so activity, noise and children.
- Social cohesion of the community at Low Dalby is in danger of being lost because the influx of visitors has meant that residents no longer spend time in their front gardens.

**Revised plans**

- More acceptable than the original plans and address some local concerns. However, planning condition should clearly state that the existing track should be blocked up before the sculpture is opened to the public.
- However, the applicants have done nothing to acknowledge or mitigate against the impact of ever increasing visitor numbers through the residential area of Low Dalby which is a direct result of their continued drive to develop and promote this part of the forest.
- Residents took part in a people count on 5 April 2018, between 10am and 5pm and we counted 1545 people passing through the village – the trail and village have reached capacity.
- If the FC were to remove current and future promoted activities along the trail and return it to a normal multi-user trail, this would reduce the number of existing visitors and the proposed development would then be much more acceptable.
- **Dr John and Mrs Victoria Allan – 9 Low Dalby – No objections to revised plans.**

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**Others continued**

**Additional comments - Matthew and Jenneke Fitzgerald**, 10 Low Dalby - In support of our argument that Low Dalby has reached its capacity in terms of visitor numbers at peak times, this bank holiday weekend was a case in point. By 12.30pm today visitors' cars were queuing on the forest drive down the hill to Low Dalby in order to access the car parks which had reached capacity. Some visitors' cars were directed through Low Dalby village to park in the area by the workshops on Housedale. We counted 62 cars at the workshops, 58 along both sides of the forest drive/ verge parallel to the main car park and in the bus stop. Another 34 were parked on the forest drive and verge between Go Ape and the overflow car park where signs advise there is no parking on the verge, causing difficulty for vehicles to pass one another. Opposite the overflow car park there were another 25 or so parked on the grass area. The main car park, overflow car park and Go Ape car park were full; a group of motorcyclists parked in the picnic/ seating area between the main car park and the courtyard.

Adderstone field and the World Cup Car Park at Dixon's Hollow while much busier than I have seen before, had sufficient space to accommodate many more cars.

I would like the committee members to take this into consideration before approving an application aimed at increasing visitor numbers to Low Dalby village, when there is so much more forest available for developing visitor attractions more sustainably. Surely spreading the visitor pressure across a wider area would benefit tranquillity, visitor experience, and residents' amenity alike, and be more appropriate for a National Park, conserving its special qualities.

**Support - Dr Joanna Sperryn-Jones** SFHEA, Lecturer in Sculpture, School of Art, Design and Computer Science York St John University –

Artwork in Dalby Forest rather than a gallery will enable a broader range of people to encounter the artwork. Rachael Whiteread is a significant international artist who has been commissioned to work on sensitive public art such as the holocaust memorial in Vienna. Her work is thought provoking, quiet and haunting with the aim of encouraging the viewer to think of the environment around them. The work is specific to the particular site of the old settlement and aims to encourage reflection on the past in that space. Experientially it needs to be sited within that location.

Understand residents being concerned but it seems that sensible measures of planting and planned paths are being put in place. It would be an absolute shame for Yorkshire not to have such a significant artwork for children and adults to encounter in a natural and informal setting.

### **Background**

This application was deferred by the Planning Committee at its meeting in May in order to seek revisions to the location of this proposal.

The application considered by members at the May meeting sought full planning permission for the siting of a sculpture on the eastern edge of the site of a former Forestry work camp which comprised a large number of Nissen Huts and was in operation between the first and second world wars. The site proposed was located approximately 140m to the south of the residential properties in Low Dalby Village, Dalby Forest.

It was proposed that the sculpture be placed on an existing platform on the side of the bank on the eastern side of the Ellerburn Trail, within the trees, accessed via a zig-zag path from

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**Background continued**

the Trail. The path would allow wheelchair access and be DDA compliant, using the specification for rural/working landscapes which allows 5 % (1:20) gradient for 19m, followed by a 1.5m level landing.)

At the May Planning Committee, Members were of the view that the siting adjacent the residential properties at Low Dalby would be unacceptable, and requested the applicants consider an alternative location which would not have an impact on residential properties as a result of increased activity levels.

Consequently, the applicants have re-considered the proposed location and have submitted revised plans which proposed the location of the Nissen Hut to be located off the first section of the existing Adderstone Rigg yellow trail, currently used as a popular signed walking and running route.

The circular DDA loop would start at the existing Adderstone car park and follow the existing yellow trail route. The path would divert into the trees to view the Nissen hut which would be sited in an existing clearing. The trail would then continue and loop back to the Adderstone carpark along an existing forest road. It is proposed to create the loop to follow the trail and road routes to reduce the need for tree felling. The sculpture site would be tucked away within the clearing to limit its visibility from the existing trail.

In terms of traffic and car parking visitors would be encouraged to use the existing car park at Adderstone Field which has the capacity for large numbers of vehicles, as already utilised for large scale events. The smaller car park at Adderstone would be upgraded to accommodate a number of designated disabled car parking bays and would link to the trail.

Visitors would cross the forest drive from the car parks. As a traffic calming measure for visitor safety signs and rumble strips would be installed on the forest drive approaches.

Currently, at the forest drive crossing point there is an existing layby. This will be removed through landscaping to avoid user conflict.

The new path and sculpture base construction would require the removal of some lower shrub vegetation, but the sculpture would be located in an existing clearing within an area of mixed broadleaves and conifer. This area, under the approved design plan, will be managed as part of continuous cover forestry (CCF) silvicultural system rather than a clear fell system. Under this system, the rate of change is managed more slowly through a combination of selective thinning and small-scale group felling. This will allow enough light to reach the forest floor to allow existing trees to develop and allow new regeneration, coppice regrowth or replanting to become established. Through this style of management the majority of the site will have tree cover at all times and across a range of tree heights and ages.

The proposed sculpture would comprise a concrete structure made of concrete corrugated panels, created in the shape of a Nissen Hut. It would be constructed with a number of individual cast panels which would be bolted together to create a hollow sculptural form. The finished form would have a fully sealed surface, preventing internal access. It would measure 5.2m wide x 11.2m long with a maximum height of 3.1m.

The sculptor is Turner prize winner, Rachael Whiteread and the purpose of the sculpture is to interpret and celebrate the history of the site. The sculpture is to represent the end of WWI and the establishment of the Forestry Commission in 1919 and the work camps that were sited there.



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**Background continued**

The history of the work camp is that during the 1930s, unemployed men were set to work in Dalby Forest, breaking ground, building tracks and undertaking other heavy labour. The men lived in a work camp at Low Dalby, which was one of a number of so-called Instructional Centre's run by the Ministry of Labour in order to provide work for young men who had been out of work for some time. By 1938, the Ministry was operating 35 Instructional Centre's across Britain with a total capacity of over 6,000 places. More than 200,000 unemployed men were sent to the camps between 1929 and 1939 in a Government drive to reduce the dole queues during the Depression.

By 1939, unemployment was declining in the face of impending war and the Ministry closed down its work camps. Much of Dalby village has been built on the area of the old Instructional Centre.

In support of the proposals, the applicant has provided the following background information:-

In 2019, the Forestry Commission celebrates its centenary. It was founded in 1919 to replenish the nation's strategic timber reserve after the First World War.

To mark this major milestone, the Forestry Commission have partnered with 14-18 NOW to commission leading British artist Rachel Whiteread to create a new public sculpture; a sealed cast of the interior of a Nissen hut made in glass reinforced concrete. 14-18 NOW is the UK's arts programme for the First World War centenary, commissioning new work and extraordinary experiences connecting people with the First World War.

As the Forestry Commission was created in response to the impact of the First World War on our national landscape, our partnership and this commission by Rachel Whiteread reflects on this history. Dalby Forest was one of the first sites to be acquired for forest planting after the formation of the Commission. Labour camps were created at many sites across the country, including Dalby, to create much needed employment after WW1 and to plant the forests.

Nissen Huts were distinctive, pre-fabricated, multipurpose structures invented during the First World War. They were used in Dalby Forest's labour camp, erected in the 1930s, to support the mass tree planting across the site and the wider area. The camps were also later used as prisoner of war camps, during the Second World War in this and other forests across the country.

The proposed Nissen Hut sculpture will create a haunting and lasting testament to the war's impact on every part of the British landscape. It will offer space for quiet reflection on the history of the surrounding landscape and the origins of the forest.

Whiteread's is known for her public projects, including *House* 1993, a concrete cast of the inside of a Victorian terraced house in London's East End; a translucent resin cast, *Water Tower* 1998, in New York; a concrete inverted library, *Holocaust Memorial* 2000, in Vienna; and *Monument* 2001, which stood on the empty fourth plinth in London's Trafalgar Square.

Nissen Hut will be the latest in the artist's more recent series of *Shy Sculptures* – huts or sheds cast in concrete and situated in remote locations such as by a fjord in Gran in Norway, on a hill on Governor's Island, New York and in the Mojave desert in California. As with these works, the location of Nissen Hut is a vital element of its

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**Background continued**

concept and, with the proposal to situate the work on the very site where once stood the first labour camps that housed those who worked in the first of the Forestry Commission sites, it will offer an opportunity to contemplate that history through a physical connection with it.

**Main Issues****Policy Context**

The site is located in the open countryside where development is strictly controlled. Core Policy A of the NYM Local Development Framework seeks to ensure that new development conserves and enhances the Park's special qualities; with priority being given to ensuring development does not detract from the wider landscape or the quiet enjoyment, peace and tranquillity of the Park, or detract from the quality of life of local residents or the experience of visitors.

Development Policy 3 seeks to maintain and enhance the distinctive character of the National Park by ensuring that the siting, layout and density of development preserves or enhances views into and out of the site; that the scale, height, massing and design are compatible with surrounding buildings and that the standards of design are high.

Development Policy 14 seeks to ensure that new tourism development and the expansion or diversification of existing tourism businesses will be supported where the proposal will provide opportunities for visitors to increase their understanding, awareness and enjoyment of the special qualities of the National Park; where the development can be satisfactorily accessed from the road network (by classified roads) or by other sustainable modes of transport including public transport, walking, cycling or horse riding; where the development will not generate an increased level of activity; and where it will make use of existing buildings.

The Development Plan has no policies specifically in relation to outdoor sculptures or public art and there are no National planning policies relating to this subject area.

**Material Considerations**

The proposed development has been specifically designed in order to provide visitors with an understanding of some of the inter-war history of Dalby Forest and to provide an opportunity of reflection in relation to the reasons that the Forestry Commission was created after the First World War. It forms parts of a UK Arts Programme.

The original siting of the sculpture would have been located adjacent a public footpath and close to the group of residential properties which comprise Low Dalby. Members considered in that location the benefits of the development which would lead to a greater understanding of the history of the area needs were outweighed by the harm caused to those residents living in Low Dalby, caused by additional activity on the footpath.

**Proximity of Access Path to Neighbouring Properties and Increase in Activity Levels**

Concerns regarding impact on neighbouring properties with the original scheme were that the existing public footpath runs along the front of a number of properties in Low Dalby and the proposal would generate significant interest and bring in a large number of new visitors, impacting on residential amenity. The revised scheme has taken the proposal away from any residential properties and consequently this issue is considered to have been overcome.

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**Landscape Impact and long Term Tree Cover**

Whilst the new path and pad area construction will require the removal of some lower shrub vegetation, the sculpture would be located within an area of mixed broadleaves which will be managed as part of continuous cover forestry (CCF) silvicultural system rather than a clear fell system. Under this system, the rate of change is managed more slowly and gradual through a combination of selective thinning and small-scale group felling. This will allow enough light to reach the forest floor to allow existing trees to develop and allow new regeneration, coppice regrowth or replanting to become established. Through this style of management the majority of the site will have tree cover at all times and across a range of tree heights and ages.

Consequently, the existing tree cover, will remain to provide screening of the sculpture.

**Traffic and Parking**

The proposed development would be served by the existing large car park at Adderstone Field and also a smaller car park closer to the site which can provide disabled parking spaces. This car park is located adjacent the forest drive which is the designated tourist route through the forest and it is not considered that any increase in vehicular traffic along the forest drive would have a detrimental impact on the character of the area, which is already a busy route through the forest.

**Tranquillity**

Whilst located in a quieter part of the Forest than the area near the visitor centre, the sculpture is proposed to be located along an existing well used waymarked and publicised trail within the forest which is accessed from the large Adderstone Field car park. It is also in close proximity to the stone maize which is currently under construction and also the outdoor centre just to the east. Consequently, it is not considered that the proposed location would have a detrimental impact on tranquillity.

**Conclusion**

It is considered that the proposed sculpture in this revised location would not have an unacceptable detrimental impact on the landscape character of the National Park or on residential amenity. It is considered that the proposal has a public benefit, and would be in accordance with the Management Plan objectives. There is a historical link between the sculpture and Dalby Forest and the sculpture itself is part of a national arts scheme. This could be beneficial in terms of attracting people to walk in the forest, and enjoy the special qualities of the National Park. It would therefore help to meet the public enjoyment purpose of the National Park and could have significant educational potential.

In view of the above, approval is recommended on the basis that the development would be in accordance with Core Policy A and Development Policy 14 of the NYM Local Development Framework.

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**Contribution to Management Plan Objectives**

The North York Moors Management Plan states in its vision “that the National Park should be a place where visitors are welcome and cultural and recreational opportunities and experiences are accessible”. Policy C5 of the Management Plan states that “the interpretation of the landscape and cultural heritage of the North York Moors will be encouraged.”

**Explanation of how the Authority has Worked Positively with the Applicant/Agent**

The Authority’s Officers have appraised the scheme against the Development Plan and other material considerations and recommended changes to the location of the proposal to a part of the forest that is away from residential properties, so as to deliver sustainable development.