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| Application Number: | 2022/0039/RG3 |
| Site Address: | Hartsholme Country Park Dam Wall , Hartsholme Park, Lincoln |
| Target Date: | 29th March 2022 |
| Agent Name: | None |
| Applicant Name: | Aaron Wilson |
| Proposal: | Raising of the concrete bridge and restoration of current brick culverts, installation of a trash screen and graded walkway ramp following removal of current concrete deck and supports. |

Background - Site Location and Description

The application site is the Hartsholme Country Park a Grade II Listed Historic Park and Garden.

The proposal relates specifically to the existing dam wall and culverts located to the north of the lake, adjacent to Skellingthorpe Road.

The application proposes works to the existing outfall culverts, concrete slab and surrounding walls to facilitate an increased capacity and improve the safety for the existing reservoir.

Site History

No relevant site history.

Case Officer Site Visit

Undertaken on 24th February 2022.

Policies Referred to

- National Planning Policy Framework
- Policy LP22 Green Wedges
- Policy LP25 The Historic Environment
- Policy LP29 Protecting Lincoln's Setting and Character

Issues

To assess the proposal with regard to:

1. Accordance with National and Local Planning Policy
2. Impact on visual amenity and the character or setting of the designated heritage asset as a Historic Park and Garden
3. Works to Trees
4. Ecological Impacts

Consultations

Consultations were carried out in accordance with the Statement of Community Involvement, adopted January 2018.

Statutory Consultation Responses

| Consultee | Comment |
|---------------------|-------------------|
| Highways & Planning | Comments Received |

Public Consultation Responses

No responses received.

Consideration

Accordance with National and Local Planning Policy

National Planning Policy

Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 200 further states that Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

Central Lincolnshire Local Plan

Hartsholme Country Park is located within the larger Green Wedge and therefore Policy LP 22 would be relevant in safeguarding the existing provision of an accessible recreational resource and conserving and enhancing local wildlife and protection of links between wildlife sites to support wildlife corridors.

The policy states that planning permission will not be granted for any form of development, including changes of use, unless it can be demonstrated that the development is not contrary or detrimental to the above functions and aims.

Policy LP25 of the Central Lincolnshire Local Plan states that development would be supported where it would protect the significance of the designated heritage asset by protecting its character and appearance.

Policy LP 29 states that proposals for development should seek to make a positive contribution to the built and natural environment and quality of life in the Lincoln area. The following key principles are relevant to this application:

- Proposals within, adjoining or affecting the setting of the 11 Conservation Areas and 3 historic parks and gardens within the built up area of Lincoln, should preserve and enhance their special character, setting, appearance and respecting their special historic and architectural context
- Protect, conserve and, where appropriate, enhance heritage assets, key landmarks and their settings and their contribution to local distinctiveness and sense of place, including through sensitive development and environmental improvements;
- Seek to improve the public realm as part of development proposals to enhance Lincoln's attractiveness;

The proposals shall therefore be considered on the above principles.

Impact on Visual Amenity and the Character or Setting of the Designated Heritage Asset

The development proposes the following works:

- Replacement and raising of existing concrete slab over culvert by lifting existing brick piers.
- Installation of graded walkway access ramp, handrails and raked screens
- Removal of existing surrounding brick columns and stonework to facilitate build-up of brick base by 420mm. Columns and stonework then replaced as existing.
- Regrading of existing embankment and walkway where necessary to facilitate raising of ground level.

The works are required to increase the capacity of the culvert from the reservoir by lifting the ground level over the existing culvert that runs under Skellingthorpe Road and towards the canalised channel within the woodland habitat to the north.

As a result of raising the ground level the existing stone columns and wall would be removed and retained to be reinstalled above a new raised footprint of engineering bricks. The existing railings and gate would be retained, providing access to the new graded walkway for any required maintenance above the entrance to the culvert.

Whilst the works would include the addition of a new walkway structure, handrail system and trash screens, they are considered to be essential to maintaining the safety of the lake. The structures would be located within the existing void with the majority of the metalwork located at ground level and above with the stonework and columns providing some screening of the views from the existing pathway.

The impact upon existing planting and greenery would be limited to some clearance of vegetation along the embankment with alterations to existing path to facilitate the raising of the ground level.

The proposals seek to retain the existing historic stonework walls and columns ensuring that the character and appearance of this section of the walkway would be preserved and protected.

Works to Trees

Due to the nature of the works and limited access to the application site there is a requirement for a compound to be located to the north of the playground within the grounds of the park. All trees on site are protected by a blanket TPO and the proposed compound is surrounded by 8 trees that would potentially require adequate root protection as per guidelines set out in BS5387:2012 Trees in Relation to Design, Demolition and Construction to Construction.

It has been suggested within the submitted report that some crown lifting may also be required to facilitate the instalment of the compound, however, these works are considered to be minor and would not result in any significant impact to amenity.

Further works are required to create adequate clearance for vehicular access to the culvert from the proposed compound. These works include crown lifting of various trees and the removal of others as it has been suggested that the clearance would result in high percentage canopy loss meaning tree retention is impractical.

It is recommended that details of the tree protection measures are conditioned to be submitted prior to the commencement of the works on site.

Ecological Impacts

A preliminary appraisal was carried out by JBA Consulting to assess the potential impact upon ecology as a result of the proposed works. The report's findings suggest that the proposed works will take place in an area of the Country Park which is of low value to wildlife and will not result in any detrimental impact on important habitat or notable species within the area.

The appraisal raises no direct concerns; however, it does conclude that it is not able to rule out the presence of bats within the culverts or brick voids that may exist within the existing structure. It is therefore recommended that an informative is included within any permission to notify of the applicants of their duty under the protection acts.

As indicated within the report, the protection of several species is covered under UK and international legislation, including the under the Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2017 (as amended) and other specific legislation.

Conclusion

The proposed works are essential to maintaining the safety of the lake, whilst preserving and protecting the character and setting of the Historic Park and Garden in accordance with policies LP22, LP25 and LP 29 of the Central Lincolnshire Local Plan and the National Planning Policy Framework.

Application Determined within Target Date

Yes.

Recommendation

That the application is granted conditionally.

Recommended Conditions

- 01) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990.

- 02) With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the drawings listed within Table A below.

The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

Reason: To ensure the development proceeds in accordance with the approved plans.

Conditions to be discharged before commencement of works

- 03) Prior to works commencing on site details of measures to protect the trees on site during construction shall be submitted to and approved by the City Council as Local Planning Authority. The approved details shall be implemented on site prior to works commencing on site and shall be retained until work has completed.

Reason: In order to protect the trees on the site from the development.

Conditions to be discharged before use is implemented

None

Conditions to be adhered to at all times

None

Table A

The above recommendation has been made in accordance with the submitted drawings identified below:

| Drawing No. | Version | Drawing Type | Date Received |
|--------------------------|---------|-----------------------|-------------------|
| GSN-JBAU-00-00-DR-C-1001 | | Elevations - Proposed | 19th January 2022 |
| GSN-JBAU-00-00-DR-C-1003 | | Elevations - Proposed | 19th January 2022 |
| GSN-JBAU-00-00-DR-C-1002 | | Plans - Proposed | 19th January 2022 |
| GSN-JBAU-00-00-DR-C-1004 | | Plans - Proposed | 19th January 2022 |

Informatives

All bat species found in the U.K. are protected under the Conservation of Species and Habitats Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended).

It is a criminal offence to kill, injure, capture or disturb a bat and to damage, destroy or obstruct access to a bat roost.

During all building renovation, demolition and extension works there is a very small risk of encountering bats which can occasionally be found roosting in unexpected locations. Contractors should be aware of the small residual risk of encountering bats and should be vigilant when working in roof spaces and removing roof tiles etc. If a bat should be discovered on site, then development works must halt, and a licensed ecologist and Natural England (0845 601 4523) contacted for advice on how to proceed. The Local Planning Authority should also be informed.