Wiltshire Council Planning Consultation Response

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Officer's Title: Planning Officer

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(South/West)

Application No: **PL/2026/01538**
Improvements and repair to garden lake along crest of the embanked western arm of the lake and remediation of sinkhole by excavating and backfilling (retrospective)
National Trust, High Street, Stourton, Warminster, BA12 6QD

Please find following comments in respect of the above application(s).

Recommendations:

	No comment
	Support in principle subject to amendments to the scheme (as set out below)
x	Support subject to conditions (as set out below)
	Object (for reasons set out below)
	No objections

Scope of comments: the following comments relate to the built historic environment.

Policy: From the point of view of the historic environment the main statutory tests are set out within the Planning (Listed Building and Conservation Areas) Act 1990. Section 66 (PP) requires that **special regard** be given to the desirability of preserving or enhancing listed buildings, their settings or any features of special architectural or historic interest which they possess.

Paragraph 58B of the Planning Act 1990 require that in considering whether to grant planning permission or permission in principle for the development of land in England which affects a registered park and garden, the LPA must have special regard to the desirability of preserving or enhancing the asset or its setting.

Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 also requires the Council to pay **special attention** to the desirability of preserving or enhancing the character or appearance of designated Conservation Areas.

The NPPF outlines government policy, including its policy in respect of the historic environment. Section 16 of the NPPF 'Conserving and enhancing the historic environment' sets out the Government's high-level policies concerning heritage and sustainable development. Paragraphs 214-16 of the NPPF require a balanced approach with any harm which would be caused being weighed against the potential public benefits which might be achieved. Paragraph 210 requires local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and of new development making a positive contribution to local character and distinctiveness.

National Planning Practice Guidance provides guidance on interpreting the NPPF.

The Council's Core Strategy Policy CP58 'Ensuring the conservation of the historic environment' requires that "designated heritage assets and their settings will be conserved, and where appropriate enhanced, in a manner appropriate to their significance."

Historic England Advice Note 2 – Making changes to Heritage Assets illustrates the application of policies set out in the NPPF in determining applications for PP and LBC.

The following points are taken from the Historic England document "The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning 3" (HE GPA3) that are considered to be particularly relevant:

HE GPA3 Part 1:
"The NPPF makes it clear that the setting of a heritage asset is the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset."

"The extent and importance of setting is often expressed by reference to visual considerations. …views of or from an asset will play an important part…"

"While setting can be mapped in the context of an individual application or proposal, it cannot be definitively and permanently described for all time as a spatially bounded area or as lying within a set distance of a heritage asset. This is because the surroundings of a heritage asset will change over time."

"The importance lies in what the setting contributes to the significance of the heritage asset or to the ability to appreciate that significance."

Site and assets considered:

Stourhead is a grade I registered park and garden, developed by Henry Hoare to complement Stourhead House (also grade I listed) during the 18th century.

The focus of the picturesque landscape is the lakes.

The area of works are on the southern side of Garden Lake, on the damn that separates it from Turner's Paddock Lake (to the south). The works will be close to the iron bridge which is a separately listed (at grade 11) structure:

'Bridge carrying footpath over west arm of Garden Lake. 1860 by Maggs and Hindley, replacing an oak bridge of 1840. Single shallow segmental arch with decorated spandrels, wooden walkway, iron stanchions holding chains. Erected for Henry Ainslie Hoare, 5th Baronet. (K. Woodbridge, The Stourhead Landscape, 1982)'.

Proposal:

Critical to this application is the fact that Stourhead Garden Lake is designated as a High Risk Large Raised Reservoir under the Reservoirs Act of 1975. As a result, they are subject to regular monitoring and specific legislation.

In 2022 sinkholes by the spillway of Turner's Paddock Lake were spotted. Surveys were subsequently undertaken and repairs made, however, in 2023, undulations and subsidence were noted on the western arm of Garden Lake.

The proposal is now for the installation of sheet piling below ground level along the western embankment of the southwestern edge of the lake to stop seepage. Following the works, the embankment will beb reinstated.

In respect of the iron bridge, as the drawing notes:

'Existing concrete footpath east of iron bridge to be broken out to enable sheet pile installation…….. '

The proposals will not impact the bridge, however, my recollection is that there will be some impact on a revetment wall leading up to the bridge. This, I assume, is the wall to which the heritage impact assessment refers (p35) and recommends:

'*In addition, it is recommended that the low masonry wall to be temporarily removed and reinstated along the western margin of Garden Lake is recorded in accordance with a Level 1 building survey (Historic England, 2016) prior to dismantle. This should include written drawn and photographic records to document its form and condition before removal'*.

Section of wall adjacent to path/lake which needs to be removed to insert the piling (engineer is indicating where the piling will be located running across the path)

Issues: Impact of the proposals on the significance of a grade I RPG and the setting of listed buildings.

Information considered/provided:

Paragraph 207 requires that applicants describe the significance of any heritage assets affected, including any contribution made by their setting. This should include sufficient information to provide a clear understanding of the significance of the heritage asset and its setting and the potential impact of any proposals on that significance.

In this case, whilst the applications are accompanied by a "Heritage Impact Assessment' which provides sufficient information to understand the impact of the proposals and is proportionate to their scope. The requirements of the NPPF are therefore met in this respect.

However, paragraph 208 also provides for the local planning authority to make its own assessment of impact and the following heritage recommendations are offered on this basis.

Significance of assets and contribution of setting:

The NPPF defines significance as the "value of a heritage asset to this and future generations because of its heritage interest. The interest may be **archaeological**, **architectural**, **artistic** or **historic**. Significance derives not only from a heritage asset's physical presence, but also from its setting." Historic England assesses significance in a similar manner, referring to evidential, historic, aesthetic and communal values of a place.

In this case the significance of Stourhead RPG is that is an internationally renowned 18th century English landscape garden, incorporating a number of separately listed garden structures, including the iron bridge. The lakes are of significance for their engineering interest as well as their aesthetic interest, and their contribution to the setting of the garden's structures.

Assessment:

The long-term impact of the proposals will be positive as they will help sustain the lake and prevent further damage and subsidence. They will also, hopefully, prevent further more significant engineering works. They will also address the statutory requirements of the Environment Agency who have issued a deadline for the completion of these works.

Summary & conclusion

The NPPF confirms 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). It makes clear that any harm to a designated heritage asset requires clear and convincing justification.

The impact of the proposals on heritage assets will be largely positive and the requirements of current conservation legislation, policy or guidance are considered to be met and there is therefore no objection to the approval of the applications.

If you are minded to approve the application, I recommend a condition in line with that recommended by their heritage consultants in relation to the wall near to the iron bridge.

I also suggest that you add an informative along the lines of

No works are proposed to the iron bridge, a separately listed grade II structure. Should any works be required that directly affect the bridge, you are advised to contact the Conservation Officer to establish whether a separate listed building application is required.