

HAMBLETON
DISTRICT COUNCIL

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Providing high quality services that benefit the community



Mr G Bell
Chief Planner Development Control
Harrogate Borough Council
Knapping Mount
West Grove Road
Harrogate
HG1 2AE

Your Ref: 2/06.104.93.B.LB 03/05698/LB
My Ref: PES/DC.9
Dealt with by: Mr T J Wood
Department: Planning and Environmental Services
Direct Line No: 01609 767113
DX No: 61650 Northallerton -1
Typetalk: 0800 959598
Date: 21 January, 2004
tim.wood@hambleton.gov.uk
Planning and Environmental Health Fax: 01609 767248

For the attention of Mr R N Watson

Dear Sirs,

Listed building consent application for the erection of retaining wall abutting salmon ladder at Linton Lock, Nun Monkton.

Thank you for your letter of 18 November 2003 consulting this Authority in respect of the above proposal.

This Authority objects to the proposal.

Major concern exists that the new works will cause harm to the Listed structures due to the backwash from water passing through the new tailrace and that this would be particularly acute during flood events. It appears that the position shown on the submitted plan H20083/1/201 Rev C does not show the correct orientation of the 'retaining wall'.

Sheet piling is shown to be installed to retain the wall top at the existing bed level, no detail of research is supplied to explain the construction of the Listed fish pass and the effect that the new piling will have on the foundations of the existing Listed fish pass. There is therefore potential for harm to be caused directly to the structures as well as by the affect of water flows around the structures.

Drawing H20083/1/204 Rev A shows 'EXISTING DERELICT TRAINING WALL' it is considered that this detail may be misleading. There is no evidence to suggest that the wall is derelict or redundant and no detailed consideration appears to have been given to the disturbance that may be caused to this structure as a result of alteration to the flow of water through the weir and fish pass. The wall may still perform an important purpose in directing flows of water in the river, the wall should be protected from damage. Any alterations to the flow of water that cause the structures to be disturbed would harm the fabric of the Listed Building.



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The lack of detail and the doubts over the affect on the fabric of the Listed structures are significant and do not accord with either Government guidance or the Linton Lock – River Ouse Conservation Plan published by British Waterways Technical Services in August 1997 (Job Ref CV97/3120). In this document it is noted that "British Waterways' culture and philosophy will ensure that future maintenance and repair works will be carried out sympathetically and sensitively with a view to conserving the heritage and the environment of the site." The proposal appears to be in conflict with approach taken by British Waterways in addition to the guidance of Government and local policy.

The history of Linton Lock and associated structures is important. It is noted to be an important example of the work of John Smeaton Britain's first professional civil engineers and of special significance requiring the utmost care to avoid harm to both the structure and the character of the site.

The proposal is considered to have potential to cause significant harm to the fabric of the Listed Building and will cause a loss to the character and appearance of the structures and should be refused Listed Building Consent.

Yours sincerely



Tim Wood
Area Team Leader – South

Cc
Ian Self Ward Hadaway Sandgate House, 102 Quayside, Newcastle upon Tyne, NE1 3DX
Cllr Miss Haigh – Hambleton District Council
Linton on Ouse Parish Council

LINTON ON OUSE PARISH COUNCIL

Appendix 2

Clerk Bill Frost

62 Half Moon Street
Linton on Ouse
York
YO30 2AY

J P Fitzgerald
Director of Technical Services
Harrogate Borough Council
Knapping Mount,
West Grove Road
Harrogate HG1 2AE

13th December 2003

Listed building consent Linton Lock
6.104.93.B.LB 03/05698/LB
JR & K Throup & Sons

Dear Sir,

The Parish Council of Linton on Ouse would ask you to refuse Listed Planning consent on the above application.

The structures Grade II Listed are:

The lock
The lock house and buildings
The weir
The salmon ladder
The generation house

Why this Council believes the application should be refused:

Harrogate Borough Council Application for Listed Building Consent clearly states under the heading 'NOTE: Any object or structure fixed to a Listed Building, or forming a part of the land and within the curtilage of the building is treated as part of the Listed Building'

Background and history

Linton Lock and the associated weir and Salmon ladder were designed by John Smeaton F.B.S., the pioneering 18th Century engineer and designer of the Eddystone Lighthouse. He surveyed the Rivers Ouse and Ure in 1766 and gave evidence to Parliament in March 1767, leading to 'An Act for Making Navigable the Rive Ouse and Ure' in the same year, which also granted powers to construct and maintain the lock to the Linton Lock Commissioners. The 18 mile navigation was opened in early 1773 at a total cost of £16,000, with all the

works designed by Smeaton. Linton Lock is not only the last surviving Smeaton Lock on the Ouse and Ure Navigation, but is considered by the Smeaton Society of Civil Engineers to be the only example of John Smeaton's work on an inland navigation.

Ref. British Waterways. Linton Lock, River Ouse Navigation, Conservation Plan August 1997

The Councillors of this Parish believe that in considering the 'Proposal: Listed Building application for the erection of retaining wall abutting salmon ladder' it is not applying Harrogate Borough Council stated criteria 'forming part of the land and within the curtilage'. Under this planning legislation it appears that the whole of the Listed site as listed structures will need to be considered, not just the Salmon Ladder.

As a Council, we have stated previously, that the proposal to have a hydro-electricity plant sited along side such an important national monument as John Smeaton's classic engineering designs will utterly devalue the whole of the site, rather like building a block of flats alongside York Minster.

The Councillors still have concerns over the accuracy, position and drawing of the structure named 'existing river training wall' on the applicant's plans, this structure is part of the Listing. Our research shows that this is a RETAINING wall which held back the river bank to the Salmon fish ladder. The applicant's plans indicate that the wall stops at some point under water before it gets to the bank; we believe that it continues underwater and formed part of total retaining wall structure to the salmon ladder. If this proves to be true then applicant's drawings of the tail race will cut through this section of the Listed structure and would need further consent.

Linton on Ouse Parish Council therefore recommends that Harrogate Borough Council Planning Committee reject this application.

Yours sincerely,



Bill Frost (Clerk)

NEWTON ON OUSE PARISH COUNCIL

Appendix 3

Clerk to the Parish Council:

Mrs. Mary Varley
Ascot House
Cherry Tree Ave
Newton on Ouse
York YO30 2BN
Tel. 01347 848 688

Director of Technical Services
Harrogate Borough Council
Knapping Mount
West Grove Road
Harrogate
HG1 2AE



16th December 2003

For Attn. Of Case Officer, Mr. R.N. Watson

Dear Sir,

REF: APPLICATION 6.104.93.B.LB


APPLICATION FOR LISTED BUILDING CONSENT AT LINTON WEIR

At their meeting on 15th December my Council considered at length the above application, and wish to raise their objections to the proposed Application, as follows:

1. Under "*The Planning (Listed Buildings and Conservation Areas) Act 1990*" all Local Planning Authorities are required to have special regard to the desirability of **preserving the setting of listed buildings**. If this application for a retaining wall is granted by your Council it will enable a development to go ahead which will adversely affect not only the present Listed Buildings, but also their setting.
2. The proposed retaining wall will abut part of the Listed Salmon Ladder. The "Ladder" forms part of a development which is of historical importance. The proposed retaining wall will have a detrimental effect on the particular physical features of the Salmon Ladder.
3. This Listed Building application should be refused on the grounds that it forms part of a wider scheme and must be **submitted together** with an application for that wider scheme. (As you will be aware Local Authorities have an obligation to preserve the character and appearance of Listed Buildings and their settings. To this end, they have a duty to ensure that where applications for planning and listed building consent are required, **they should be submitted and dealt with together**. This has not been done in this case).

In conclusion, my Council wish to see the Application REFUSED for the reasons referred to above and trust you will take our comments into consideration.

Yours sincerely,



Mary Varley

Clerk to the Parish Council