

Application Number:	2019/0305/RG3
Site Address:	Usher Art Gallery, Lindum Road, Lincoln
Target Date:	7th June 2019
Agent Name:	None
Applicant Name:	Mr Simon Lawson
Proposal:	Addition of metal gates to garden shelter to protect building.

Background - Site Location and Description

The application relates to the shelter to the south east corner of Temple Gardens, situated on Lindum Hill on the eastern side of the city centre.

The application building is Grade II listed by virtue of its curtilage relationship with the Usher Art Gallery and located within Conservation Area No. 1 'Cathedral and City Centre'.

There is a separate but related application for listed building consent for the proposed works (2019/0306/LBC).

Site History

Reference:	Description	Status	Decision Date:
2019/0306/LBC	Addition of metal gates to garden shelter to protect building and associated repairs. (Listed Building Consent) (Revised Description)	Pending Decision	

Case Officer Site Visit

Undertaken on 17th April 2019.

Policies Referred to

- Policy LP1 A Presumption in Favour of Sustainable Development
- Policy LP25 The Historic Environment
- Policy LP29 Protecting Lincoln's Setting and Character
- National Planning Policy Framework

Issues

- National and local planning policy
- Potential impact on the significance of heritage assets

Consultations

Consultations were carried out in accordance with the Statement of Community Involvement, adopted May 2014.

Statutory Consultation Responses

Consultee	Comment
Principal Conservation Officer	Comments Received
Lincoln Civic Trust	No Response Received
Highways & Planning	Comments Received

Public Consultation Responses

No responses received.

Consideration

The application proposes the fitting of wrought iron gates to the front elevation of the shelter.

National and Local Planning Policy

The Planning (Listed Buildings and Conservation Areas) Act 1990 provides specific protection for buildings and areas of special architectural or historic interest. Any decisions relating to listed buildings and their settings and conservation areas must address the statutory considerations of the Planning (Listed Buildings and Conservation Areas) Act 1990 as well as satisfying the relevant policies within the National Planning Policy Framework (NPPF, 2019).

Paragraph 192 of the NPPF (2019) requires local planning authorities to take account of the following issues in determining applications which may affect heritage assets and their settings;

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness

Policy LP25 'Historic Environment' of the Central Lincolnshire Local Plan (2017) is permissive of alterations to Listed Buildings, provided the proposal is in the interest of the building's preservation and does not involve activities or alterations prejudicial to the special architectural or historic interest of the Listed Building or its setting.

Potential Impact on the Significance of Heritage Assets

Constructed in red brick with concrete dressings and a flat roof, the shelter has a classical composition comprising an open front with two Doric columns and flanking brick pilasters

and flanking walls with steel-framed windows. The structure derives its architectural significance from its relationship with the Grade II* Usher Art Gallery and historic value derived from its original purpose as a shelter within the pleasure gardens, reinforcing the social status of the overall site and the development of public gardens for the general public as a leisure purpose. Furthermore, it makes an important contribution to the significance of the Usher Art Gallery by enhancing its setting and reinforcing its architectural and historic values. Given its location the site is also very prominent within the conservation area with views from the public path up Lindum Hill.

The shelter has been subject to long term vandalism including localised fires and detritus from anti-social use and has become unsafe for use by the general public. The proposal seeks to provide a means of gated enclosure so that access to the shelter can be controlled and further damage avoided.

The council's Principal Conservation Officer has considered the application and commented *"Pre-application discussions have resulted in the proposed design which is considered to satisfy the requirement for a simple architectural approach, commensurate with the clean lines of the shelter. Setting the gates behind the columns and achieving the requisite permeability satisfies the objectives of preserving the original features as the most dominant elements and the legibility of the 'temple like' open facade. Furthermore, the manner of attachment would ensure no harmful impact on the historic fabric of the shelter"*

It is, therefore, considered that the proposed works are in the interests of the building's preservation and would not be prejudicial to its special architectural or historic interest, in accordance with Policy LP25 'Historic Environment' of the Central Lincolnshire Local Plan (2017) and relevant guidance contained within the National Planning Policy Framework (2019). Consequently, subject to further details to be secured by condition, the proposed development is in accordance with the duty contained within section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Lincoln Townscape Assessment

The application site is located in the Lindum Hill Character Area which is situated on the steepest part of the north escarpment on the eastern side of the city centre and contains properties that are used for a mixture of residential, civic and service functions. A large proportion of the Character Area consists of open space, the majority of which is within the public Temple Gardens (the application site). Remaining open space in the area consists of mature garden plots to the rear of houses in the northern half of the area.

Application Negotiated either at Pre-Application or During Process of Application

Yes, at pre-application (details in report).

Financial Implications

None.

Legal Implications

None.

Equality Implications

None.

Conclusion

These works will secure the future of the shelter, guarding against further damage and allowing the shelter in the future to once again fulfil its optimum viable use and preserve the setting of the Usher Art Gallery and preserve and enhance the character and appearance of the conservation area. Therefore, it is considered that the proposal is in accordance with the duty contained within section 72 (1) of the Planning (Listed Buildings and Conservation Areas Act) 1990 'In the exercise, with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area',

Application Determined within Target Date

Yes.

Recommendation

That the application is granted conditionally.

Standard 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

None.

Conditions to be discharged before use is implemented

None.

Conditions to be adhered to at all times

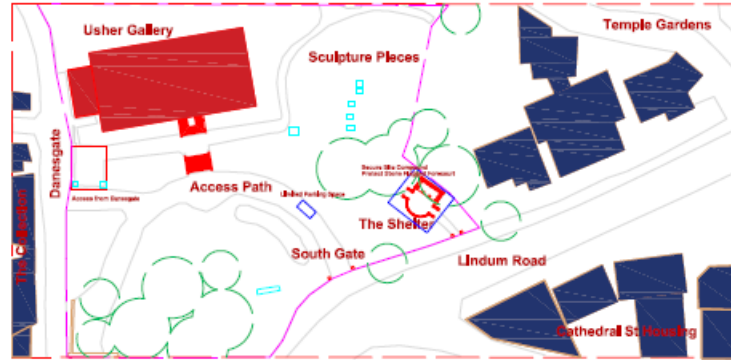
None.

Table A

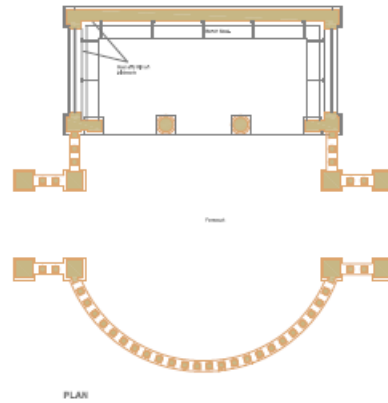
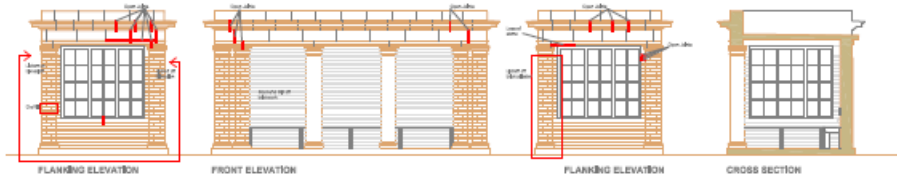
The above recommendation has been made in accordance with the submitted drawings identified below:

Drawing No.	Version	Drawing Type	Date Received
160428/015		Plans - Existing	11th April 2019
160428/017		Elevations	11th April 2019
160428/016		Plans - Proposed	11th April 2019

2019/0306/LBC – Plans and Photographs



Location Plan 1:500



PLAN

This drawing is issued for the sole and exclusive use of the named recipient. Distribution to any third party is on the strict understanding that no liability is accepted by the Engineer for any discrepancies, errors or omissions that may be present, and no guarantee is offered as to the accuracy of information shown.

CONTRACTOR'S RESPONSIBILITY
The Contractor is responsible for any errors or omissions in this drawing, which could not be detected or relieved through checking, further checks or design measures have been identified with the Design Risk Assessments which may lead to the Contractor and other third parties further during the construction / maintenance process.

NO.	DATE	DESCRIPTION	BY

Client: **Urceln City Council**

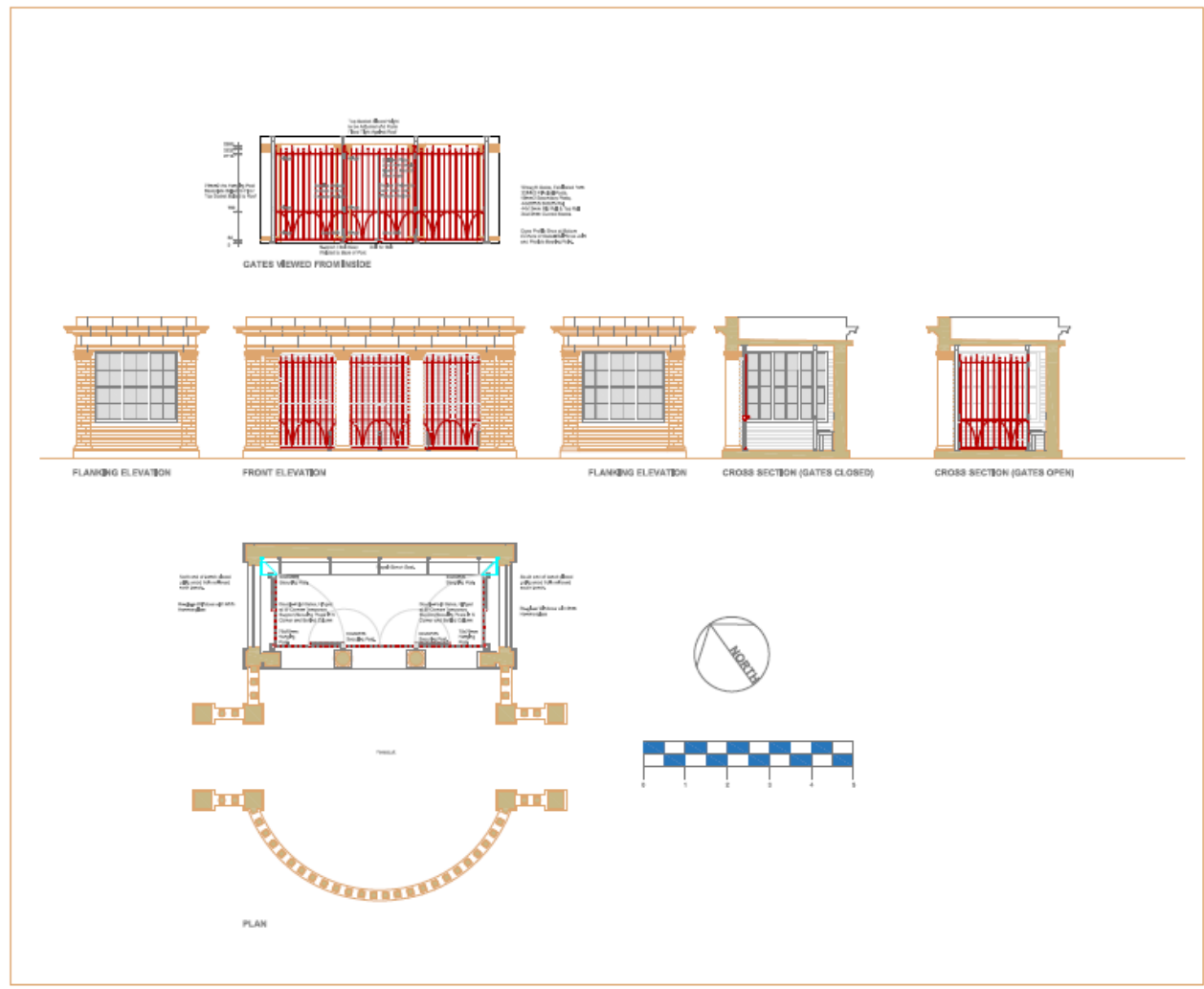
Architect:
Consulting Engineers
Project Managers
Surveyors
PICK EVERARD
330 High Holborn
London
WC1V 7PP
Phone 020 7463 3800
www.pick-everard.co.uk

Project: **ARBORETUM & TEMPLE GDNS
STAIRS & SHELTER WORKS**

Project No:	Sheet:
Shelter, Site & Access	1:500 - Plan of the Shelter
	1:500 - 02 of 11
Drawing Number:	Scale:
140428/016	A

This drawing is issued for the sole and exclusive use of the named recipient. Distribution to any third party is on the strict understanding that no liability is accepted by Pick Everard for any discrepancies, errors or omissions that may be present, and no guarantee is offered as to the accuracy of information shown.

CDM - RESIDUAL RISKS
 The drawings are considered to be complete in relation to the works, which could not be fully inspected or reviewed through design. Further construction measures have been identified with the Design Risk Assessments which may help to mitigate these and other identified risks during the construction and maintenance process.



NO.	REVISION	DATE	BY
1	ISSUED	20/02/2016	DM

Client:
Lincoln City Council

Architect:
PICK EVERARD
 Consulting Engineers
 Project Managers
 Surveyors
 333 High Street
 Lincoln
 LN1 1JY
 Phone 01522 633 300
 www.pick-everard.co.uk

Project:
**ARBORETUM & TEMPLE GONS
 STAIRS & SHELTER WORKS**

Project Name: Shelter, Proposed Gates	Sheet: 1:50 OF A1 Drawing Number: 160428/016
---	--



17/04/2019





Place Directorate
Lancaster House
36 Orchard Street
Lincoln LN1 1XX
Tel: (01522) 782070
E-Mail: highwayssudssupport@lincolnshire.gov.uk

To: Lincoln City Council

Application Ref: 2019/0305/RG3

With reference to this application dated 11 April 2019 relating to the following proposed development:

Address or location

Usher Art Gallery, Lindum Road, Lincoln

Date application referred by the LPA
26 April 2019

Type of application: Outline/Full/RM/
FUL

Description of development

Addition of metal gates to garden shelter to protect building

Notice is hereby given that the County Council as Local Highway and Lead Local Flood Authority:

Does not wish to restrict the grant of permission.

CONDITIONS (INCLUDING REASONS)

NO OBS

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development is acceptable and accordingly, does not wish to object to this planning application.

Case Officer:
Polly Smith
for Warren Peppard
Flood Risk & Development Manager

Date: 15 May 2019