

<b>Application Number:</b>	2022/0680/LBC
<b>Site Address:</b>	Central Market, Sincil Street, Lincoln
<b>Target Date:</b>	22nd October 2022
<b>Agent Name:</b>	John Roberts Architects Ltd
<b>Applicant Name:</b>	Maria Clayton
<b>Proposal:</b>	Erection of an external furniture store within service yard to west of building (Listed Building Consent).

### **Background - Site Location and Description**

Application is for listed building consent for the erection of a store for the purposes of housing the outdoor seating furniture at the refurbished Central Market building.

An accompanying application for planning permission has also been submitted 2022/0679/FUL.

The Central Market is a grade II listed building and is located within the Cathedral and City Centre Conservation Area no 1.

The site lies within the Central Mixed-Use Area and the building is owned by the City of Lincoln Council, who is the applicant.

### **Site History**

Reference:	Description	Status	Decision Date:
2022/0679/FUL	Erection of an external furniture store within service yard to west of building.	Pending Decision	

### **Case Officer Site Visit**

Undertaken on 8.11.2022.

### **Policies Referred to**

- Policy LP25 The Historic Environment
- National Planning Policy Framework

### **Issues**

- Local and National Planning Policy
- Effect on the Special Architectural and Historic Interest of the Listed Building

### **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
Lincoln Civic Trust	Comments Received
Historic England	Comments Received
Environment Agency	Comments Received
Environmental Health	Comments Received

## **Public Consultation Responses**

No responses received

## **Consideration**

### Policy

The statutory requirement to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses (section 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act, 1990) must be taken into account by the City of Lincoln Council as the Local Planning authority in determining this listed building consent application.

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 its conservation (paragraph 193, NPPF). 'Any harm or loss to significance should require clear and convincing justification' (paragraph 194, NPPF).

Policy LP25 is relevant stating; "Development proposals should protect, conserve and seek opportunities to enhance the historic environment of Central Lincolnshire.

Permission to change the use of a Listed Building or to alter or extend such a building will be granted where the local planning authority is satisfied that 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.

Permission that results in substantial harm to or loss of a Listed Building will only be granted in exceptional or, for grade I and II\* Listed Buildings, wholly exceptional circumstances."

Development proposals that affect the setting of a Listed Building will be supported where they preserve or better reveal the significance of the Listed Building."

The proposed furniture store is to be located to the exterior of the west elevation. This elevation is now identified as the 'rear' elevation and functions as a service yard for the Central Market building following the approval of an associated bin store, and the electricity sub station also in this location.

### The Proposal

The proposed external furniture store is required to be able to realise the aspirations of the previously approved scheme for refurbishment of the market building and improvements to the external areas.

The Design and Access Statement identifies that "the store is required to provide the necessary storage facility to support the proposal for external tables and chairs to be sited within the public space around the Lincoln Central Market. The proposal will enable the lifespan of the external furniture to be extended beyond that which would be expected if the furniture was left exposed to the elements."

The furniture store is 3m x 2m x 2.5m high. The furniture store enclosure is constructed in GRP in a neutral grey colour proposed to match the previously agreed electricity substation.

The justification for the proposal is that the store is required to be able to support the delivery of the refurbished market building and external spaces and the overall rejuvenation of a landmark listed building within the City. The agent states that "The external furniture store is required to house tables and chairs used within City Square. Whilst it may be possible to house these in the market overnight it would not be possible to do so in the daytime outside the summer months when they would not be placed within the square".

The store is therefore a functional piece of apparatus which has been identified as required for the successful operation of the improved Central Market building.

The housing has been selected to match the adjacent substation in design and materials. The agent has identified that it is not feasible to create an additional timber fenced enclosure around the store to match the adjacent bin store however as there is insufficient room to do so and maintain access. The size of the store has however been selected to be the minimum required to accommodate the furniture.

The impact of the store should be assessed with regard to the effect on the setting of the listed building through its location, design and appearance, and the partial obscuring of views to a section of the western elevation. Given the location of the new store to the rear/ side of the building in the service yard area of the site, public views of the structure are limited. Whilst the store is rather utilitarian in appearance, given the location of the store and the justification for its requirement, the new store is considered to have less than substantial harm with regard to the special architectural character of the listed building. The furniture store is a relatively light weight structure without foundations and therefore is a reversible addition. The new structure does not physically attach to the listed building.

Given the justification for the store which is required for the successful operation of the newly refurbished building, that the works are ultimately reversible, and that the store is to be located within the rear 'service yard' away from public view, on balance the store is not

sufficiently harmful to warrant a refusal and the public benefits outweigh the limited harm of the proposal.

No objections are raised by Environmental Health or the Civic Trust. No objections are raised by the Highway Authority.

### **Central Lincolnshire Local Plan Review**

Review of the Central Lincolnshire Local Plan commenced in 2019. The 1st Consultation Draft ("Reg 18") of the Local Plan was published in June 2021, and was subject to public consultation. Following a review of the public response, the Proposed Submission Draft ("Reg 19") of the Local Plan was published in March 2022, and was subject to a further round of consultation. On 8th July 2022, the Local Plan Review was submitted to the Planning Inspectorate in order for it to commence its examination.

The Draft Plan may be a material consideration, where its policies are relevant. Applying paragraph 48 of the NPPF, the decision maker may give some weight to relevant policies within the submitted "Reg 19" Plan, with the weight to be given subject to the extent to which there may still be unresolved objections to those policies (the less significant the unresolved objections, the greater the weight that may be given).

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

Yes.

### **Financial Implications**

None.

### **Legal Implications**

None.

### **Equality Implications**

None.

### **Conclusion**

The proposed store is required to aid the successful operation of the refurbished Central Market building. The proposed store is not considered to be harmful to the special architectural or historic interest of the listed building and is in accordance with both local and national planning policy.

### **Application Determined within Target Date**

No, extension of time agreed.

### **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
0112		Elevations - Proposed	26th August 2022
0107		Layout	26th August 2022