

Judges Lodgings and 2 Bailgate Consultations Responses

Name

Mr Stuart Welch

Address

16 Drury Lane

Date Received:

18th July 2023

As a local resident and near neighbour to the proposed development, I wish to express my unequivocal and strong support for this imaginative scheme.

This is a once in many generations opportunity for a most welcome and major investment to transform the area from a run-down, under-utilised eyesore into a well-designed, vibrant, publicly accessible quarter which will be both attractive to visitors and useful to local residents.

May I strongly urge the Planning Officers and Committee members of the City of Lincoln Council to grant this application in full without delay.

Name

Mr Paul Watson

Address

Castle Hill Club, 4 Castle Hill,

Date Received:

21st July 2023

We have concerns about the setting of the castle if the area adjacent to the castle is opened up for what will be outside drinking and eating for the hotel/apartments. The public may be able to walk through, but I doubt they will be permitted to sit and eat on the "external seating areas" without ordering from the hotel. The generation of a food and drink area abutting the castle will change the historic setting of the castle with hospitality hard up against the walls and almost on top of the outline of the outer barbican. Keeping the screen wall, with no access through would be better. Access to the roadway to the rear of the building can still be secured with passageway through the existing arch and onto Bailgate. This would move the flow of pedestrians away from the front of the castle. The noise generated from the proposals would also adversely affect the occupants of the flat at 4 Castle Square which is directly opposite.

Name

Dr Shirley Brook

Address

St Mary Magdalene Church, Bailgate, Lincoln, LN1 3AR

Date Received:

9th August 2023

I am writing as Secretary of St Mary Magdalene Parochial Church Council on behalf of the Churchwardens' Team.

We have noted that the change of vehicular access to the White Hart Hotel car park, as proposed in planning application 2023/0469/FUL,

will mean that the lower end of Bailgate will no longer be used by hotel guests for access to the hotel car park.

We are writing to highlight that the church, which stands opposite the car park entrance, uses the bottom end of Bailgate for vehicular access.

There are daily services and activities in the church in addition to Sunday services, weddings and funerals. Therefore vehicular access is required by the church on a daily basis and at all times.

It is important that this is noted by the Planning Dept. and by Highways, to whom we are also writing, in order that any developments in the area do not lead to the closure of vehicular access to the church.

Name

Dr Samantha Stein

Address

Exchequergate Lodge, Lincoln, LN2 1PZ

Date Received:

9th August 2023

We are nearby neighbours, with interest in the local area and historic character. Thank you to consultants for putting together a very interesting DBA and Impact assessment, pulling together a wide range of maps and documentary evidence.

It is clear that the 1950/60s redevelopment of the structure did do some incredible damage to the historic fabric of the building, which absolutely needs addressing. However, I do feel that the proposed alterations only seek to replace the poor 1960s extensions, rather to improve on them within the character of the historic core of the city. This is one of the KEY views from Lincoln Castle. While the 1950/60s two story structure was once in vogue, just as the currently proposed three story replacement is in vogue, at the time, that structure also seemed to be a good idea. Replacing it with something higher and 3 story will be yet another mistake, both from within the structure, and from the views from the castle, from 2 Bailgate, and from Bedford Court and St Pauls.

Apologies if views from the castle were missed in the lengthy application, but it would be preferable to see an updated proposed scale view from the castle walls and other surrounding locations. With the current plans, I can only imagine that the new proposed structure obstructs views of the timber framed building of the visitor's centre, 2 Bailgate, as well as of St Mary's church from the castle, but I'd prefer to see this virtually rendered.

Considering the wealth of knowledge that the Heritage Impact Assessment has provided, and the developers commitment to honouring Lincoln's heritage, it would be outstanding if the proposal could speak to the archaeological and historical aspects of the original 1810 grand but only two story building. This would match the scale and height of the rooms that were originally intended with the original architect's plans. The very odd 'boxes' that protrude from the back do not fit with the character of the surrounding area, and will not present well in 10-20 years time when this is no longer in fashion. The

proposed extension stretches out much further than the original footprint of the building, and a reduction in size would mean that the views from the castle would not be impeded by modern fabrics.

From an urban architecture point of view, I have significant concern about the proposed 'kiosks' in this application. They do not have any facilities plumbed into them, so I have to assume that none of them will be serving food. If this is the case, then again I have to only assume that they will be open from 10-5, leaving a very dark and empty narrow and winding corridor for evening and night hours. In an area already attracting some regular anti-social behaviour, this would be a recipe for disaster. Alternatively, if there are late hours for these kiosks, this would mean louder and longer hours for surrounding residents. I cannot offer a solution, but I do feel that the current proposal is not a good one.

Similarly, I do not find that a bar or kiosk is an appropriate use of the space to the west of the lodgings. This small space will also invite loud or antisocial behaviour at all hours, and if secured and closed, then it is exclusionary. Considering it was mapped to be a formal garden, why not reinstate a formal garden, incorporating a Georgian sensory garden (for example), or other heritage exhibit, to be open during business hours and hotel guests at all hours?

It is also worth including that there are residents living adjacent and near to this building, and working hours should be dictated by the planning permission to regular working hours, namely only 8am-6pm Monday to Friday; this includes plant and waste delivery and collection.

I also can't help but feel that this is starting to be a bit 'Disneyland' in trying to create an all-singing all-dancing one stop shop for entertainment, when we are, in fact, in the middle of a medieval city, with an organic and lively already existing core. The area does not need to interconnect, and there does not need to be a character on every corner. The 'kiosks' in particular feel very much like they are trying to bring a modern motorway service station to a medieval city, and it does not fit with the local character.

Name

Victoria Small

Address

5 Gordon Road, Lincoln, Lincolnshire, LN1 3AJ

Date Received:

8th November 2023

I own a business on Gordon Road in the Bailgate.

I've been trying to get in touch with my local councillors with concerns about the flow of traffic down Gordon Road and the dangerous situation this is presenting to pedestrians and businesses along there. But I still have not heard back.

With the new planning application for the alterations to the carpark and flow of traffic. This is only going to cause greater concerns and problems as the access to the car park and commercial waste

disposal, etc, is down a tiny one-way cobbled lane.
Gordon Road is already dangerous, with more traffic trying to cut through, I feel this proposal to give access down st Paul's Lane will cause major issues.
Please can you advise further.

Name

Mr Paul Watson

Address

4 Castle Square

Date Received:

11th November 2023

The access through the wall that runs up to the Castle will increase noise and volume of pedestrians almost directly in front of our residential flat. In addition the proximity of the outdoor eating and dining area will add to the noise and seriously detract from the historic setting of the castle.

To the Chair of the Planning Committee, City of Lincoln Council

13 November 2023

Dear Councillor Bushell,

2a Bailgate and Judges Lodging 2023/0469/FUL

This letter is from premises' owners on Gordon Road, off St Paul's Lane. The entrances to our hairdressers, cafés, gift and fashion shops open directly on to the street. We have a close knowledge of our place and community.

We ask the Planning Committee to refuse the application until it is completely satisfied that St Paul's Lane and Gordon Road is safe for Bailgate's visitors, customers, local people and community. We think pedestrians will be at significant increased risk if the scheme goes ahead in its proposed form. We believe that St Paul's Lane is ill designed for its present use let alone the addition of a new traffic route. The reasons are set out below.

In this letter we also challenge the assertion that making St Paul's Lane at its southern end, a pedestrian route into the Judges Lodging development, will help the local economy. We think it will have little or no positive impact and has a high possibility of disrupting pedestrian movements around the area to the community's gross disadvantage.

Lastly we ask the Committee to consider the impact of significant building work on the local area, especially given that St Paul's Lane is narrow and at times, heavily used by pedestrians.

ST PAULS LANE AND GORDON ROAD

St Paul's Lane runs south from Westgate to the entrance to the Judges' Lodging site. Gordon Road is a short road linking St Paul's Lane to Bailgate.

St Paul's Lane gives access to a short stay carpark for around thirty vehicles and a private company carpark for about ten cars. There is a more or less constant flow of cars into and out of the main carpark at key times during the day. It can be a particularly congested area when parking is at capacity.

The lane also provides critically important access for delivery vans and lorries. At times, especially in the late morning, there are a significant number of related vehicle

movements. Eight or more businesses directly rely on the lane for the delivery of supplies while three or more others depend on customers arriving in private cars or taxis. There is no meaningful alternatives for these movements. The committee should note there is no dedicated turning area.

A large number of pedestrians use St Pauls Carpark as a way through to Bailgate—it is a long established route. They cross the lane at multiple points and then walk along Gordon Road. Drivers and pedestrians are largely mindful of others but the roadscape is confused and there are no demarcated routes through the carpark or across the road. The committee should note that pavements in some places are narrow (as indeed is the road)—pedestrians are forced to walk in the roadway in a way that would not be acceptable in other public places.

Pedestrians using the area include children walking to and from Westgate Academy and nearby secondary schools, the many people who live in the Burton Road and West End areas and beyond, the users of shops, hospitality and service premises, and the many visitors we welcome every year, many of whom do not know the local street layouts and need time to understand them.

Gordon Road is a narrow street believed by many to be traffic free although there is vehicle access for businesses to load and unload at any time of the day. The road is frequently misused by drivers, who see it as a convenient shortcut from Bailgate to St Paul's Lane and on occasion, the other way, despite one way signs. There is a dangerous conflict of space where in several cases shop doors are just inches away from where vehicles travel. For a good length of the street vehicles are also driven alongside where customers sit, eating and drinking, at tables. The committee should note that Gordon Road is heavily used by families and older people. Its present use is dangerous and deeply unsatisfactory.

The western end of Gordon Road is a blind junction where drivers cannot easily see vehicles travelling along St Pauls Lane without nudging on to the street.

We have seen a number of near accidents and instances of dangerous driving on both roads. It includes multiple instances of speeding and rare but worrying instances of cars reversing down Gordon Road.

We see the increase in traffic that will come from the opening up of the Judges Lodging as highly risky. The planning application states that there will be thirty three

dedicated parking spaces on the proposed site. This includes the existing carpark that is not part of the application but whose vehicles will move through the site. All vehicles will access the site by St Pauls Lane (marked as Bedford Court on a number of the applicant's plans).

The Judges' Lodgings site will be used for deliveries and collections of all sorts. The applicant's Traffic Assessment presently only lists refuse collection but we know vans and lorries will also use St Paul's Lane as access for cleaning, maintenance, provisions, shop deliveries and the other services a busy hospitality site needs in order to function efficiently. We cannot estimate the number but given the density of the site, it could be a busy flow of vehicles, particularly at the height of the season and at critical times of day, each seeking parking and sometimes in conflict for that limited space.

It is difficult to estimate the increase in traffic along St Paul's Lane because the developer gives scant information about possible use. We think though, that the level could be significant. We also note the need for any estimate to factor in informal, unauthorised parking and other ad hoc access of which there could be a lot, for example taxi drop offs.

We have all witnessed instances of bad driving up and down St Pauls Lane as it now. While most drivers are highly considerate, a few are not. If the density of traffic increases, if the scheme goes ahead, the risks will exponentially grow. The confused roadscape will add to the problems. Dangers include the risk that drivers will see the relatively empty stretch of road between the Judges' Lodgings and the Gordon Road junction as a reason to speed before reaching the St Paul's carpark area, with the attendant risk that brings. We have already seen instances of this.

Please note that the operation of Gino's restaurant on the corner of Gordon Road and St Paul's Lane depends on a store and preparation area on the other side of the lane. There is a constant movement of staff between the two buildings and at present, the store doors open outward.

Under the proposed development pedestrians will be encouraged to use St Paul's Lane as access to and from the Judges Lodging site. In other words, the lane at its southerly end and the site entrance will become a shared pedestrian and vehicle through way. The existing pavement is rudimentary and while the road and pavement

may well be upgraded in time, the confused roadscape and pattern of use will remain, with significant risk points, at the Gordon Road junction for example.

You can see our reasons for being so concerned about the impact of the proposed scheme on the safety and security of the area. We see the present state as poor but think it could get much worse. There is a longstanding case for a whole review of the area before any change takes place.

.....

Our second concern is about disruption to the existing pedestrian route from the carparks at the north side of the castle and from the Burton Road area. It relates particularly to visitor numbers, whose critical mass is necessary for Gordon Road, St Paul's Lane and Bailgate's economic well being.

At present pedestrians walk along Westgate, then either veer off through the short cut in the carparks by the edge of the castle to walk down Gordon Road or continue forward through St Paul's Churchyard. One way or another they provide footfall of major importance to the shops and hospitality venues on the route. We cannot overstate the importance of this, especially at a time of radical change in the retail economy.

The developer's proposal is to open a third route down St Paul's Lane. The impact will be both to lose a perhaps significant portion of the trade existing visitors bring, and also to create a pattern of movement that may exclude much of Bailgate all together, noting that pedestrians entering the Judges Lodging development will have the choice to turn left through the arcade or right to access Castle Hill by way of the proposed café, with its direct access to the castle. We know from the many visitors we greet every year and act as city ambassadors to, that if they are new, they need time to understand the area. The St Paul's Lane route will potentially be an incredibly partial view of our rich resources and we fear that, in the valuable and sometimes short time visitors have in Uphill Lincoln, they will not walk up Bailgate.

We ask the Committee to note that Bailgate is both a community and a visitor destination. It is in formal terms, an urban village. Its users are not just local but come from around Lincolnshire. They come for its resources, social and cultural life. They identify closely with the place. The tourist footfall added to this local use is critical to our well being. It provides a mix and level of sustainability absent from

other centres and makes it possible to maintain critical, diverse resources such as our chemist, post office and bookshop.

.....

Our third concern is about safety whilst proposed building works take place. We welcome aspects of the Judges Lodging development such as the remodelling of the main building. It will bring increased risk though. We know that the contractors have been thoughtful during the clearing back phase but ask the city planners and other agencies to put in place a rigorous traffic access plan during the construction period. It needs to take particular note of vehicle and pedestrian movements around the Gordon Road junction where the risk will be at its highest. There have been rare but significant instances of speeding traffic already, including a large lorry whose driver didn't understand the risks on St Paul's Lane. Once the true building works begin those instances will potentially radically increase.

Yours Sincerely,

Karen Giddens, Bailgate Hair and Beauty

Scott and Caroline Eversfield, Grayz Tearooms

Vicky Small, No 5 Ladieswear Boutique

Jill and Barry Hepton, Bailgate Deli

Jill and Barry Hepton, Object & line

The main contact for this letter is Barry Hepton info@objectandline.co.uk

Name

Mrs Caroline Eversfield

Address

6 Gordon Road, Lincoln, Lincolnshire, LN1 3AJ

Date Received: 14th November 2023

The entrance to St Paul's Lane is very narrow. The transport consultation has referred to occupancy of the St Paul's Lane carpark as around 50% on a weekday morning. However, it is usually full at the weekend and St Paul's Lane can be very congested and chaotic with cars and pedestrians. If you add in a further 33 cars trying to access the hotel carpark, together with additional service and delivery vehicles, St Paul's Lane will become impossible. There is only one way in and out and insufficient width for two cars at the entrance/exit.

It would be preferable to maintain the entrance to the hotel carpark from Bailgate.

Furthermore, the congestion will impact on Gordon Road. Gordon Road is an access only road, one way but we already see cars driving through (in both directions). This is likely to increase with the current proposal and will increase the likelihood of an accident. Gordon Road should be a pedestrian only road.

Name

Mr Stuart Welch

Address

16 Drury Lane, Lincoln, Lincolnshire, LN1 3BN

Date Received: 16th April 2024

Dear Madam,

I have received your two letters each dated 27 March advising that following revisions to these two applications a reconsultation period is required and that representations are to be received by 19th April.

I wish to repeat the support which I delivered to you on both original applications.

Please advise and confirm - can my original statements in support of both applications be 'transferred' over to the revised applications or do you require me to repeat them ?

With thanks and regards,
Stuart Welch

To the Chair of the Planning Committee, City of Lincoln Council

17 April 2024

Dear Councillor Bushell,

2023/0469/FUL Judges Lodging

This letter is from premises' owners on Gordon Road, off St Paul's Lane. At the time of the previous consultation in November we wrote to you with our concerns. This letter takes up the same issues but is an update on what we have seen and know.

As before, we ask that the Planning Committee refuses the application until it is satisfied that the Judges Lodging development will not unfairly impact on Bailgate. The focus is on St Paul's Lane but the changes may have a much broader effect on the area.

As before too, our interest is threefold:

1. The safety of the pedestrians who use St Paul's Lane and Gordon Road given that the locality is sometimes very crowded, the streetscape is confusing and that pedestrians and vehicles share the same spaces.
2. That the proposed new pedestrian route down Saint Paul's Lane into the Judges Lodging site could have a damaging effect on the local economy and sustainability of the area.
3. That the likely considerable movement of vehicles during the construction period needs to be very carefully managed.

In a letter to the committee on 14 November the County Council recommended that an appropriate management plan to be designed and implemented for 3. above so we have faith that it will be one of the conditions of the application.

ST PAUL'S LANE AND GORDON ROAD

In our earlier letter we gave an account of how the locality works at present; that it is sometimes very busy with cars, vans and lorries and is often an awkward place for drivers to negotiate. In particular we pointed out that, as well as the entry point to a busy carpark St Paul's Lane is an essential loading and unloading area for servicing a dozen or more local businesses. Vehicles include the private cars and taxis that bring

clients to the hairdressers and other service industries as well as larger vehicles making regular deliveries to the six hospitality venues in the immediate vicinity. In a number of cases lorries have to take up the whole road width when delivering. It should be noted there are no ready turning circles or safe ways to reverse up the road.

Many pedestrians traverse St Paul's Lane and the adjacent carpark during the day, weaving between stationary and moving vehicles. They include school children going to and from Westgate Academy, family groups, tourists and people of all ages visiting Bailgate for work, shopping or leisure; the range is wide and diverse. It includes many people with mobility issues, understanding that a large proportion of Bailgate's day time visitors are older.

Whilst this complex set of movements works reasonably well for much of the time there are periods, especially in late morning and during holidays where the risk levels are high and the streetscape is overcrowded to a worrying degree.

The opening of St Paul's Lane to traffic going to and from the Judges Lodging will add to the risk, it cannot do otherwise. We are troubled how little attention has been paid to understanding the level. Our earlier letter set out what we think will happen. We ask the Planning Committee not to go ahead with any approval until there is a Traffic Access Statement that truly describes potential traffic flow into and around the yard at the rear of the Lodging and adjacent to the proposed new shops. We see for example, that there is no mention of the impact of the carpark in the north west corner of the site, which is excluded from the planning application but will generate traffic flow through the area covered in the application as cars, vans and other vehicles enter and leave St Paul's Lane by way of a narrow opening, marked Bedford Court on the plans, an entrance to be shared with pedestrians.

We note the applicant's revised access statement that all traffic will be routed down St Paul's Lane but give no detail of what level or form that traffic flow will be. This is essential for any consideration of safe site practice. We believe that it will include a potentially large number of delivery vehicles both for the Lodging and the shops, service vehicles, private cars and taxis. We are concerned about both the formal, planned traffic flow and the unplanned and potentially much larger informal and disorganised traffic flow such as couriers and drivers new to the site or confused by a lack of signing. The committee should note that there are no dedicated turning circles within the Judge's Lodging yard or any attempt to control or demarcate traffic flow.

There is an almost complete lack of meaningful information. Pedestrians are being invited to share this space. It is against the practice of any other civic place we know.

No published consideration has been given to the length of St Paul's Lane between Gino's Restaurant and the Judges Lodging entrance. We are concerned and have seen evidence of cars and vans travelling at speed up the lane. We note the County Council's thought that the street should be reinstated to cobbles to slow traffic but it seems only to be a suggestion. Pedestrians are also being invited to share this access space.

We are pleased to report that there are now moves to make Gordon Road a pedestrian only thoroughway. We thank the county's councillors and officers who are planning what will probably be an experimental order leading to a permanent closure to vehicles. It has caused us great concern over the years as some drivers abuse the road to travel at speed and against the flow of pedestrians. We described in the earlier letter how worried we were about the increasing numbers of drivers travelling up and down the road, and how increased traffic because of the proposed Judges Lodging scheme would add to the numbers.

Finally, in this section, we note the County Council's assertion in November that opening up St Paul's Lane will lead to a 'minimal increase' in vehicle movements and will not have a 'serious impact on highway safety'. Given our concerns above, we think this should be reconsidered, seeing that there has been no meaningful review of traffic movements on St Paul's Lane for many years, let alone the changes that could come from the possible new uses of the lane.

.....

Our second concern is about the creation of a new pedestrian route into the Judge's Lodging site by way of St Paul's Lane. The applicants speak of this as the reopening of a historic route but we see it as potentially disrupting to the life of the area. They also speak in several places about 'encouraging' this access without placing it in the broader context of the best interests of Bailgate and Steep Hill.

The proposal is to route pedestrians who presently walk along Westgate or from the carparks, then on to Bailgate by way of St Paul's churchyard or Gordon Road, down the bottom half of St Paul's Lane into the Judge's lodging site, dispersing them

through the new shops or through the proposed café area to the castle entrance. One way or another these people will no longer walk through Bailgate.

The variety of pedestrians walking east on to Bailgate is very large indeed. It includes local people coming to and from Burton Road or further afield in the city, school children, workers and the many, many tourists on which Bailgate depends. The Planning Committee will be aware that the sustainability of the area is dependent on a critical mass of all these interest groups. Bailgate is unusual in this respect.

It is essential that this flow of people is maintained at as high a level as possible. It is critical to maximise the number of opportunities people have to enjoy and utilise the area, knowing that without, it will be weakened.

The entry to Bailgate by way of the nondescript bottom end of St Paul's Lane makes no sense to us. Far from it, it damages everyone's interests. We ask the Planning Committee to understand the potential impact.

.....

In conclusion, we have no criticism of the Judges Lodging scheme in principle, welcoming change and improvement where it is shown to be to the benefit of the community and the economy. We want change to be evidence led and that evidence to be substantial. At the moment, it is very, very scant and potentially damaging to all our interests.

Yours Sincerely,

Scott and Caroline Eversfield, Grayz Tearooms

Vicky Small, No 5 Ladieswear Boutique

Jill and Barry Hepton, Bailgate Deli

Jill and Barry Hepton, Object & line

Karen Giddens, Bailgate Hair and Beauty

The main contact for this letter is Barry Hepton info@objectandline.co.uk

Additional public consultation responses submitted in respect of application references 2023/0463/LBC (Judges Lodgings and adjacent land) and 2024/0465/LBC (2 Bailgate) relevant to the consideration of this application

Name

Mr Richard Standley

Address

3 Bailgate, Lincoln, LN1 3AE

Date Received:

1st August 2023

Dear Sirs, as the owners of adjacent effected property at 3 and 3a and 4 Bailgate we have several concerns with the proposed planning application:

1. The courtyard area to the rear of our property could currently be used as a 'rescue' point for fire services to access if occupiers cannot exit the front of the property in the event of a fire. Our concerns are the height and nature of the kiosks backing onto the courtyard are no higher than the existing wall and allow for emergency escape / fire service access and rescue onto a flat roof and there is an escape mechanism away from the rear of the property. An exit door/route from the rear courtyard would resolve this concern.
2. The proposed outside amenity space for flat 2a on the first floor level doesn't allow overlooking of the rear of property 3a.
3. The apartment hotel bedrooms have balconies on the first floor and we would like to ensure that there are screens or restrictions put in place to prevent overlooking and excessive noise from late night occupier use (particularly as they are designated as Apart Hotel (effectively short stay residential use ie AirBandB type occupation).
4. Concerns over Block B overlooking rear of the property and detrimental changes in view from the Grade 2* listed property.
5. Hours of operation, residential noise (in all but name) use of the apartments and pedestrian noise over and above the existing car park use.

Name

Mr Joseph Callaghan

Address

2 Lincoln, LN1 3AE

Date Received:

15th April 2024

I am registering my objection at this stage, while we are in talks with the developer over the issue, the issue has not been satisfactorily resolved and indeed may not be at all. So it feels prudent to raise the issue officially as it appears the developer is intent on bulldozing this through anyway. The terms of the lease and rights of the leaseholder are very clear and simple, access by foot and or vehicle over the ground proposed for the kiosks. The property has enjoyed these rights uninterrupted for over 20 years, this access forms a huge part of the enjoyment and ease of lifestyle in living in the property. The proposed new access comes with a great deal of issues that I won't go

into now but it will be something to be raised if this isn't resolved satisfactorily, I welcome further discussions.

Name

Mrs Sarah Callaghan

Address

2 Bailgate, Lincoln, LN1 3AE

Date Received:

15th April 2024

I object to the planning application for the kiosk because I live at 2 Bailgate and the current lease gives right of access and egress by vehicle and by foot, where the kiosk are being proposed to be built. This would violate the lease and the rights of the lease holders.

Th property has enjoyed un interrupted use of this for over 20 years and it is written in black and white on a legal document.

This would also mean that all vehicles to and from the car park would be via St Pauls and that road is simply not big enough to accommodate that much traffic.

Name

Mrs Sarah Callaghan

Address

2 Bailgate, Lincoln, Lincolnshire, LN1 3AE

Date Received:

16th April 2024

I forgot to say in my recent objection that this will also be a fire hazard for us (living at 2 Bailgate) as no fire trucks would be able to get to the back of our building and we now only have one exit at the front. We could exit over the roof at the back of the building but now that has been removed, so we could very easily be trapped because of this development.

There is also the issue if homeless people taking over this area. We already have people sleeping underneath our house here and I know the developer wants to gate the kiosk's but this will mean we then have no access to our utility area when the gates are locked and again this is against our lease

This kiosks will be so tiny that they seem pointless. As no once the counter and staff are in there, hardly anyone will be able to shop. If they end up being empty this will down grade the area.

Flying freehold -the property above is also a flying freehold which I believe means it cannot be built underneath for insurance reasons.



Historic England

Ms Marie Smyth
City of Lincoln Council
City Hall
Beaumont Fee
Lincoln
Lincolnshire
LN1 1DF

Direct Dial: 0121 625 6870

Our ref: L01563175

4 August 2023

Dear Ms Smyth,

**Arrangements for Handling Heritage Applications Direction 2021
& T&CP (Development Management Procedure) (England) Order 2015
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**JUDGES LODGINGS AND ADJACENT LAND, CASTLE HILL, LINCOLN,
LINCOLNSHIRE, LN1 3AA
Application Nos 2023/0463/LBC & 2023/0469/FUL**

Thank you for your letters of 17 July 2023 regarding the above applications for listed building consent and planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the applications.

Historic England Advice

Significance

The Judge's Lodgings, Castle Hill is listed grade II* as a building of more than special architectural and historic interest. It lies within the Cathedral and City Centre conservation area and within the setting of a number of highly graded listed buildings including Lincoln castle (listed grade I and a scheduled monument), Lincoln cathedral (listed grade I), Exchequergate (grade I), Leigh-Pemberton House (grade II*) and 6-7 Castle Hill (grade II*). It also lies within the setting of a number of grade II listed buildings.

The Judge's Lodgings lies within an area of the historic environment, including Castle Hill, Bailgate, Minster Yard and Steep hill, which is of extremely high importance nationally. It is accordingly very sensitive to change. The immediate area between the castle and cathedral has seen remarkably little modern intervention. As you are aware, Lincoln's historic environment, of which this area is the 'jewel in the crown', is of enormous benefit to Lincoln as a city, including its visitor economy and as a place to live and work.

Impact of the proposed scheme



THE FOUNDRY 82 GRANVILLE STREET BIRMINGHAM B1 2LH

Telephone 0121 625 6888
HistoricEngland.org.uk



Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any information held by the organisation can be requested for release under this legislation.



Historic England

The proposed scheme is to convert the currently vacant Judges Lodgings with further development to create a hotel and café/restaurant. The proposals include the demolition of the rear extension and construction of a three storey rear extension, under-croft car parking, internal and external alterations to the Judges Lodgings, repairs, alterations to the single storey outbuilding to form a retail/café kiosk, erection of a two/tree storey building with retail/commercial floor space, retail kiosks, a building/structures to provide plant and infrastructure, reinstatement of a shopfront at No. 2a Bailgate, and landscaping.

The information accompanying the application is very thorough. However, we advise that a site visit is necessary for us to fully understand the impact of the proposals.

Legislation, policy and guidance

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 your authority in determining these application. The statutory requirement to pay special attention to the desirability of preserving or enhancing the character or appearance of the Cathedral and City Centre conservation area (s.72 of the Planning (Listed Buildings and Conservation Areas) Act, 1990) must also be taken into account by your authority in determining these applications.

Our advice also reflects policy and guidance provided in the National Planning Policy Framework (NPPF), the NPPF Planning Practice Guidance and in good practice advice notes produced by Historic England on behalf of the Historic Environment Forum including *Managing Significance in Decision-Taking in the Historic Environment* and the *Setting of Heritage Assets*.

Historic England position

We would be grateful if you could arrange a site visit in order for us to fully understand the impact of the proposals and provide you with advice. We refer you to your expert archaeological advisor with respect to the impact of the proposed scheme on archaeology and measures to mitigate, minimise or avoid archaeological impacts.

Recommendation

Historic England has concerns regarding the applications on heritage grounds. Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.

Yours sincerely

David Walsh



THE FOUNDRY 82 GRANVILLE STREET BIRMINGHAM B1 2LH

Telephone 0121 625 6888
HistoricEngland.org.uk



Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any information held by the organisation can be requested for release under this legislation.



Historic England

David Walsh

Principal Inspector of Historic Buildings and Areas



Historic England

Ms Marie Smyth
City of Lincoln Council
City Hall
Beaumont Fee
Lincoln
Lincolnshire
LN1 1DF

Direct Dial: 0121 625 6870

Our ref: L01563175

16 February 2024

Dear Ms Smyth,

**Arrangements for Handling Heritage Applications Direction 2021
& T&CP (Development Management Procedure) (England) Order 2015
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**JUDGES LODGINGS AND ADJACENT LAND, CASTLE HILL, LINCOLN,
LINCOLNSHIRE, LN1 3AA
Application Nos 2023/0463/LBC & 2023/0469/FUL**

Thank you for your letters of 27 October 2023 regarding further information on the above applications for listed building consent and planning permission. On the basis of this information, we offer the following advice to assist your authority in determining the applications.

Historic England Advice

Significance

The Judge's Lodgings, Castle Hill is listed grade II* as a building of more than special architectural and historic interest. It lies within the Cathedral and City Centre conservation area and within the setting of a number of highly graded listed buildings including Lincoln castle (listed grade I and a scheduled monument), Lincoln cathedral (listed grade I), Exchequergate (grade I), Leigh-Pemberton House (grade II*) and 6-7 Castle Hill (grade II*). It also lies within the setting of a number of grade II listed buildings.

As is evident from the designations mentioned above, the Judge's Lodgings lies within an area of the historic environment, including Castle Hill, Bailgate, Minster Yard and Steep hill, which is of extremely high importance nationally. It is very sensitive to change. The immediate area between the castle and cathedral has seen remarkably little modern intervention. As you are aware Lincoln's historic environment, of which this area is the 'jewel in the crown', is of enormous benefit to Lincoln as a city, including its visitor economy and as a place to live and work.

The Judge's Lodgings forms an important part of this key location, sited just outside



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the east gate of the castle and between the castle and cathedral. Substantial public investment in the castle has allowed greater access to wonderful views from the castle wall across Castle Hill and Minster Yard towards Lincoln cathedral. This view is one of the most important historic views in the Midlands. The Judges Lodgings is at the forefront of this view. The historic building plots and roofscape are evident with principal buildings set at the front of plots. Views of the listed building from in and around Castle Hill are also an important part of the character and appearances of the conservation area as well as the setting and significance of the Judges Lodgings.

The Judges Lodgings itself is evidently a high status residence of the early 19th century which is an important part of its significance. Its shallow, hipped roof form is characteristic of this period. Its plan form also makes an important contribution to its significance. The mid-20th century rear block detracts from the significance of the listed building, and has a negative impact on views from the castle walls.

The plot in which the Judges Lodgings stands is also extremely sensitive archaeologically. It adjoins the scheduled castle and its key location in the heart of the Roman and medieval city and just outside the east gate of the castle means that nationally important archaeological remains will be present, such as the remains of the 13th century barbican already exposed in the garden.

Impact of the proposed scheme

The proposed scheme is to convert the currently vacant Judges Lodgings with further development to create a hotel and café/restaurant. The proposals include the demolition of the rear extension and construction of a three storey rear extension, under-croft car parking, internal and external alterations to the Judges Lodgings, repairs, alterations to the single storey outbuilding to form a retail/café kiosk, erection of a two/three storey building with retail/commercial floor space, retail kiosks, a building/structures to provide plant and infrastructure, reinstatement of a shopfront at No. 2a Bailgate, and landscaping.

Historic England welcomes the initiative to find a new use for the listed building and we have no objection in principle to a hotel/restaurant/café on the site. We also have no objection to the demolition of the mid-20th century rear block. We welcome the proposals to minimise intervention to the 19th century Judges Lodgings, although as discussed on site new door openings in the principal rooms on the ground floor need to be single jib doors to minimise the impact on the significance of the listed building.

We support the setting back of the west elevation of the glazed link to reduce its prominence. However, we advise that setting the west elevation of the new rear wing back so that it does not extend further than the 19th century building should be considered to support the desired subsidiary nature of the rear wing. We also advise that some additional fenestration is considered in the west elevation of the rear wing to visually break up its apparent mass.



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The revised proposals to avoid potentially harmful intervention to the remnants of the castle barbican are welcome. We also welcome the revised proposals for the kiosk.

We refer you to your expert conservation advisor on impacts on the significance of the grade II listed No. 2a Bailgate, noting that any proposed roof terrace would need to clearly be read as part of the roofscape in this historically sensitive area. We also refer you to your expert archaeological advisor regarding the impact on archaeological remains outside the scheduled area.

Legislation, policy and guidance

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 your local authority in determining these planning applications. The statutory requirement to pay special attention to the desirability of preserving or enhancing the character or appearance of the Cathedral and City Centre conservation area (s.72 of the Planning (Listed Buildings and Conservation Areas) Act, 1990) must also be taken into account by the your authority in determining these applications.

Our advice also reflects policy and guidance provided in the National Planning Policy Framework (NPPF), the NPPF Planning Practice Guidance and in good practice advice notes produced by Historic England on behalf of the Historic Environment Forum including *Managing Significance in Decision-Taking in the Historic Environment* and the *Setting of Heritage Assets*.

The NPPF is clear in the requirement to take account of the desirability of sustaining and enhancing the significance of heritage assets and the positive contribution that conservation of heritage assets can make to sustainable communities (paragraph 197, NPPF).

The NPPF goes on to say 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 199, NPPF). Any harm or loss to significance 'should require clear and convincing justification' (paragraph 200, NPPF).

Historic England position

Historic England welcomes in principle these proposals to provide a sustainable future for the Judges Lodgings. We refer you to our comments above regarding the west elevation of the rear west wing.

Recommendation

Historic England has no objection to the applications on heritage grounds. Your



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Historic England

authority should take these representations into account in determining the applications. If there are any material changes to the proposals, or you would like further advice, please contact us. Please advise us of the decision in due course.

Yours sincerely

David Walsh

David Walsh

Principal Inspector of Historic Buildings and Areas

-----Original Message-----

From: Becky Phillips-Melhuish

Sent: Tuesday, April 2, 2024 8:44 AM

To: Technical Team (City of Lincoln Council) <Technical.Team@lincoln.gov.uk>

Subject: FW: Reconsultation on Planning Application

[You don't often get email from becky.phillips-melhuish@lincolnshire.gov.uk. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Warning: External Email. Do not click links, open attachments, or reply unless certain of safety. Do not share inappropriately.

Good Morning

Please be advised that we have no comments to make on the revised site plans for 2023/0469/FUL, 2023/0463/LBC and 2023/0465/LBC as they have no impact on the public highway or surface water flood risk.

Kind regards

Becky Phillips-Melhuish (pron. Mel-ish) she/her/hers Growth Manager (Planning Advice) -
Development Management Lincolnshire County Council County Offices, Newland, Lincoln LN1 1YL

LINCOLNSHIRE COUNTY COUNCIL'S RESPONSE TO CONSULTATION ON THE FOLLOWING DEVELOPMENT PROPOSAL

District: Lincoln City Council

Application number: 2023/0469/FUL

Application Type: Full

Proposal: Demolition of rear extension and erection of three storey rear extension to provide apart-hotel style bedrooms (Use Class C1) on the upper floors with undercroft car parking at ground floor to be used in association with the Judges Lodgings; internal and external works to Judges Lodgings and provision of café and restaurant space (Use Class E) with associated kitchen and toilet facilities on ground floor; conversion of and external alterations to existing outbuilding within curtilage of the Judges Lodgings to provide retail/café kiosk (Use Class E); erection of two and three-storey building with retail/commercial floorspace (Use Class E) and undercroft car parking at ground floor, long-stay serviced accommodation at first and second floor; erection of timber glazed shopfronts to create retail kiosks (Use Class E) under arch and towards east of site; reinstatement of shopfront to no. 2 Bailgate; relocation of entrance and creation of external balcony to No. 2a Bailgate; erection of buildings/structures to provide plant and infrastructure including new substation; and hard and soft landscaping works to include publicly accessible open space and external seating areas.

Location: Land comprising Judges Lodgings, Castle Hill and 2 Bailgate, Lincoln, Lincolnshire, LN1 3AA

Response Date: 14 November 2023

This report includes the Substantive response of the Local Highway and Lead Local Flood Authority to a planning consultation received under the Development Management Order and includes details of any planning conditions or informatives that should be attached in the event that permission is granted and any obligations to be secured by way of a S106 agreement.

General Information and Advice

Please note that although the Definitive Map and Statement proves the existence of any recorded rights of way, there may be further or higher rights that are not shown on this document that the County Council is not currently aware of. This would be especially relevant where the public has had informal access to the site or where there are references to routes across this in maps or other historic documents. As the County Council has received no application to recognise further rights of way affecting the site, no more informed guidance can be offered at this stage.

Application number: 2023/0469/FUL

Application Type: Full

Location: Land comprising Judges Lodgings, Castle Hill and 2 Bailgate, Lincoln, Lincolnshire, LN1 3AA

Highway and Lead Local Flood Authority Report

Substantive Response provided in accordance with article 22(5) of The Town and Country Planning (Development Management Procedure) (England) Order 2015:

Recommendation: Approve with conditions

This proposal seeks to redevelop the Judges Lodgings and White Hart garages, reintroducing pedestrian permeability between Castle Square, Bailgate and St Pauls Lane.

Vehicular access to the White Hart garages is presently served via Bailgate, and these proposals will seek to stop up that use and instead turn this link from Bailgate into a pedestrian arcade, which is welcomed.

Vehicular access to the site will instead be served via St Pauls Lane. St Pauls Lane already provides access to a public car park, businesses, properties and garages. Due to the nature of the street, vehicle speeds are very low and motorists drive with caution. The proposals will introduce more pedestrian footfall along St Pauls Lane to the south (Bedford Court) in addition to the existing movements along the northern end of St Pauls Lane and Gordon Road, which will reinforce cautious driving and slow speeds. As Highway Authority, we are satisfied that the minimal increase in vehicle movements along St Pauls Lane associated with this proposal will not have a severe impact upon highway safety, and that the increased pedestrian movements will reinforce pedestrian priority on St Pauls Lane.

Beyond the car park entrance, the historic cobbles of St Pauls Lane (Bedford Court) have been overlaid with asphalt. To reinforce the slow vehicle speeds, we request that this section of St Pauls Lane is returned to cobbles to the site boundary.

Due to the sensitive nature of the site, we request that a Construction Management Plan is produced prior to any commencement of works.

Surface water drainage will be improved as a result of the proposals, which will seek to restrict the discharge rate to 2l/s from the existing 86l/s, into the sewer on Bailgate. Attenuation capacity for a 1 in 100 year storm event, plus a 40% uplift for climate change, will be provided on site in the form of a below ground attenuation tank.

Highway Condition 00

The development hereby permitted shall be undertaken in accordance with a Construction Management Plan and Method Statement that shall first be approved in writing by the Local Planning Authority. The Plan and Statement shall indicate measures to mitigate the adverse impacts of vehicle activity and the means to manage the drainage of the site during the construction stage of the permitted development. It shall include;

- the phasing of the development to include access construction;
- the on-site parking of all vehicles of site operatives and visitors;
- the on-site loading and unloading of all plant and materials;
- the on-site storage of all plant and materials used in constructing the development;
- wheel washing facilities; and

- the routes of construction traffic to and from the site including any off-site routes for the disposal of excavated material.

Reason: In the interests of the safety and free passage of those using the adjacent public highway during construction.

Highway Condition 21

No part of the development hereby permitted shall be occupied before the works to improve the public highway (by means of returning Bedford Court to cobbles) have been certified complete by the Local Planning Authority.

Reason: To ensure the provision of safe and adequate means of access to the permitted development.

Highway Informative 07

The highway improvement works referred to in the above condition are required to be carried out by means of a legal agreement between the landowner and the County Council, as the Local Highway Authority.

For further guidance please visit our website;

www.lincolnshire.gov.uk/highways-planning/works-existing-highway

Highway Informative 08

Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections, Section 50 licences and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works. For further guidance please visit the Highway Authority's website via the following link: Traffic Management - <https://www.lincolnshire.gov.uk/traffic-management>

Officer's Name: Becky Phillips-Melhuish

Officer's Title: Growth Manager (Planning Advice)

Date: 14 November 2023



Planning Applications – Suggested Informative Statements and Conditions Report

If you would like to discuss any of the points in this document please contact us on 07929 786955 or email planningliaison@anglianwater.co.uk.

AW Site Reference: 206886/1/0191754

Local Planning Authority: Lincoln District (B)

Site: Land Comprising Judges Lodgings Castle Hill And 2 Bailgate Lincoln Lincolnshire LN1 3AA

Proposal: Demolition of rear extension and erection of three storey rear extension to provide apart-hotel style bedrooms (Use Class C1) on the upper floors with undercroft car parking at ground floor to be used in association with the Judges Lodgings; internal

Planning application: 2023/0469/FUL

Prepared by: Pre-Development Team

Date: 20 September 2023

ASSETS

Section 1 - Assets Affected

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted.

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

WASTEWATER SERVICES

Section 2 - Wastewater Treatment

The foul drainage from this development is in the catchment of Canwick Water Recycling Centre that will have available capacity for these flows

Section 3 - Used Water Network

This response has been based on the following submitted documents Developer Impact Assessment 05 May 2023
The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection. (1) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. (2) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. (3) INFORMATIVE - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water. (4) INFORMATIVE - Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087. (5) INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements "

Section 4 - Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

Anglian Water has reviewed the submitted documents (DIA Dated 05 May 2023 and associated drainage layout drawing attached within) and can confirm that these are acceptable to us with an agreed surface water rate at a maximum of 2l/s discharging to the public sewerage network. We require these documents to be listed as approved plans/documents if permission is granted. The applicant has indicated on their application form that their method of surface water drainage is via SuDS. If the developer wishes Anglian Water to be the adopting body for all or part of the proposed SuDS scheme the Design and Construction Guidance must be followed. We would recommend the applicant contact us at the earliest opportunity to discuss their SuDS design via a Pre-Design Strategic Assessment (PDSA). The Lead Local Flood Authority (LLFA) are a statutory consultee for all major development and should be consulted as early as possible to ensure the proposed drainage system meets with minimum operational standards and is beneficial for all concerned organisations and individuals. We promote the use of SuDS as a sustainable and natural way of controlling surface water run-off. We please find below our SuDS website link for further information.
<https://www.anglianwater.co.uk/developers/drainage-services/sustainable-drainage-systems/>



Planning Applications – Suggested Informative Statements and Conditions Report

If you would like to discuss any of the points in this document please contact us on 07929 786955 or email planningliaison@anglianwater.co.uk.

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Site: Land Comprisong Judges Lodgings Castle Hill And 2 Bailgate Lincoln Lincolnshire LN1 3AA

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Planning application: 2023/0469/FUL

Prepared by: Pre-Development Team

Date : 20 September 2023

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Section 4 - Surface Water Disposal

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Anglian Water has reviewed the submitted documents (DIA Dated 05 May 2023 and associated drainage layout drawing attached within) and can confirm that these are acceptable to us with an agreed surface water rate at a maximum of 2l/s discharging to the public sewerage network. We require these documents to be listed as approved plans/documents if permission is granted. The applicant has indicated on their application form that their method of surface water drainage is via SuDS. If the developer wishes Anglian Water to be the adopting body for all or part of the proposed SuDS scheme the Design and Construction Guidance must be followed. We would recommend the applicant contact us at the earliest opportunity to discuss their SuDS design via a Pre-Design Strategic Assessment (PDSA). The Lead Local Flood Authority (LLFA) are a statutory consultee for all major development and should be consulted as early as possible to ensure the proposed drainage system meets with minimum operational standards and is beneficial for all concerned organisations and individuals. We promote the use of SuDS as a sustainable and natural way of controlling surface water run-off. We please find below our SuDS website link for further information.

<https://www.anglianwater.co.uk/developers/drainage-services/sustainable-drainage-systems/>



Marie Smith
Lincoln City Council
Development Control
City Hall Beaumont Fee
Lincoln
Lincolnshire
LN1 1DF

Our ref: AN/2023/134831/01-L01
Your ref: 2023/0469/FUL

Date: 26 September 2023

Dear Marie

Demolition of rear extension and erection of three storey rear extension to provide apart-hotel style bedrooms (Use Class C1) on the upper floors with undercroft car parking at ground floor to be used in association with the judges lodgings; internal and external works to judges lodgings and provision of café and restaurant space (Use Class E) with associated kitchen and toilet facilities on ground floor; conversion of and external alterations to existing outbuilding within curtilage of the judges lodgings to provide retail/café kiosk (Use Class E); erection of two and three-storey building with retail/commercial floorspace (Use Class E) and undercroft car parking at ground floor, long-stay serviced accommodation at first and second floor; erection of timber glazed shopfronts to create retail kiosks (Use Class E) under arch and towards east of site; reinstatement of shopfront to no. 2 Bailgate; relocation of entrance and creation of external balcony too. 2a Bailgate; erection of buildings/structures to provide plant and infrastructure including new substation; and hard and soft landscaping works to include publicly accessible open space and external seating areas.

**Land Comprising Judges Lodgings Castle Hill And 2 Bailgate Lincoln
Lincolnshire LN1 3AA**

Thank you for consulting us on the above application, on 14 September 2023.

Environment Agency position

We have reviewed the Geo-Environmental Investigation report (ref: EGE-22-11-12-01) by Evolve Geo-Environmental dated 23 March 2023.

Based on the available information, we consider the site to pose a low risk to controlled waters. It is understood that redundant underground fuel storage tanks (UST) are present at the site. The Environment Agency recommends that any redundant tank that is not proposed for future use is appropriately decommissioned, excavated and removed from site. However, it is noted that it is currently unknown whether it is possible to remove these USTs without compromising existing buildings. The report recommends that specialist advice is sought to determine the feasibility of removing the USTs. We agree with this approach and recommend that tanks should only be removed if all associated risks are acceptable. Should the USTs be removed as part of the development, appropriate validation sampling should be undertaken in accordance with best practice guidance. Further advice can

Ceres House, Searby Road, Lincoln, LN2 4DW
Customer services line: 03708 506 506
Email: LNplanning@environment-agency.gov.uk
www.gov.uk/environment-agency

Calls to 03 numbers cost no more than national rate calls to 01 or 02 numbers and count towards any inclusive minutes in the same way. This applies to calls from any type of line including mobile.

Cont/d..

be found at [Prevent groundwater pollution from underground fuel storage tanks - Decommissioning an underground storage tank - Guidance - GOV.UK \(www.gov.uk\)](#)

We recommend the following condition:

Condition

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason

To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 174 of the National Planning Policy Framework and Policy S56 of the Central Lincolnshire Local Plan.

In accordance with the planning practice guidance (determining a planning application, paragraph 019), please notify us by email within two weeks of a decision being made or application withdrawn. Please provide us with a URL of the decision notice, or an electronic copy of the decision notice or outcome.

Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact me using the details below.

Yours sincerely

Amelia Crawford

Sustainable Places Planning Advisor

☎ 07387 134115 (mobile)

✉ amelia.crawford@environment-agency.gov.uk

🌐 www.gov.uk/environment-agency

End

From: LN Planning <LNplanning@environment-agency.gov.uk>
Sent: 02 November 2023 09:19
To: Technical Team (City of Lincoln Council)
Subject: RE: Reconsultation on Planning Application

Categories: Dee

WARNING: This email originated from outside of the organisation. Do not click links, open attachments or reply unless you are confident that the content is safe and do not share inappropriately.

Dear Planning Officer

We have no comments to make on the amended plans and refer you to our letter dated 26 September 2023 for our position on this application.

If I can be of any further assistance please do not hesitate to contact me using the details below.

Kind regards

Amelia Crawford
Planning Advisor

Environment Agency | Sustainable Places | Lincolnshire and Northamptonshire Area E Ceres House, Searby Rd,
Lincoln, LN2 4DW , 07387 134115 (mobile)

0 amelia.crawford@environment-agency.gov.uk

a <http://www.gov.uk/environment-agency>

I am doing the Chartered Town Planner Apprenticeship -if you would like to find out more, please ask

Marie Smyth
Lincoln City Council
Development Control
City Hall Beaumont Fee
Lincoln
Lincolnshire
LN1 1DF

Our ref: AN/2023/134831/02-L01
Your ref: 2023/0469/FUL
Date: 03 April 2024

Dear Marie Smyth

Demolition of rear extension and erection of three storey rear extension to provide apart-hotel style bedrooms (use Class C1) on the upper floors with undercroft car parking at ground floor to be used in association with the judges lodgings; internal and external works to judges lodgings and provision of café and restaurant space (use Class E) with associated kitchen and toilet facilities on ground floor; conversion of and external alterations to existing outbuilding within curtilage of the judges lodgings to provide retail/café kiosk (use Class E); erection of two and three-storey building with retail/commercial floorspace (use Class E) and undercroft car parking at ground floor, long-stay serviced accommodation at first and second floor; erection of timber glazed shopfronts to create retail kiosks (use Class E) under arch and towards east of site; reinstatement of shopfront to no. 2 Bailgate; relocation of entrance and creation of external balcony to no. 2a Bailgate; erection of buildings/structures to provide plant and infrastructure including new substation; and hard and soft landscaping works to include publicly accessible open space and external seating areas.

Land Comprising Judges Lodgings, Castle Hill and 2 Bailgate, Lincoln, Lincolnshire, LN1 3AA

Thank you for re-consulting us on the above application on 27 March 2024, following the submission of Revised description and revised plans.

We have no additional comments to make and therefore refer you to our previous response dated 26 September 2023 (AN/2023/134831/01-L01), which includes the condition we recommend should planning permission be granted.

Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact me using the details below.

Environment Agency
Nene House (Pychley Lodge Industrial Estate),
Pychley Lodge Road, Kettering, Northants, NN15 6JQ
Email: LNplanning@environment-agency.gov.uk
www.gov.uk/environment-agency

*Customer services line: 03708 506 506
Calls to 03 numbers cost the same as calls to standard
geographic numbers (i.e. numbers beginning with 01 or 02).*

Cont/d..

Yours faithfully

Mr James Cordell
Planning Adviser

Direct dial 02030 255032

Direct e-mail james.cordell@environment-agency.gov.uk



CITY OF
Lincoln
COUNCIL

Marie Smyth
Planning Team
City Hall,
Beaumont Fee,
Lincoln.
LN1 1DD

Directorate of Communities &
Environment
Simon Walters MBA, ACIS, MCMI
City Hall, Beaumont Fee,
Lincoln. LN1 1DD
Telephone: (01522) 881188
Facsimile: (01522) 567934
Website: www.lincoln.gov.uk
Minicom: (01522) 873693 - Reception

Alastair MacIntosh
is dealing with this matter
E-mail:
alastair.macintosh@lincoln.gov.uk
Direct Line: 01522 873478

2023/0469/FUL

Date: 27/06/24

Dear Marie,

**Land Comprising Judges Lodgings
Castle Hill And 2 Bailgate Lincoln Lincolnshire LN1 3AA**

Demolition of rear extension and erection of three storey rear extension to provide apart-hotel style bedrooms (Use Class C1) on the upper floors with undercroft car parking at ground floor to be used in association with the Judges Lodgings; internal and external works to Judges Lodgings and provision of café and restaurant space (Use Class E) with associated kitchen and toilet facilities on ground floor; conversion of and external alterations to existing outbuilding within curtilage of the Judges Lodgings to provide retail/café kiosk (Use Class E); erection of 1 ½ and 2 ½ storey building with retail/commercial floorspace (Use Class E) and undercroft car parking at ground floor, long-stay serviced accommodation at first and second floor; erection of timber glazed shopfronts to create retail kiosks (Use Class E) under arch and towards east of site; reinstatement of shopfront to no. 2 Bailgate including relocation of entrance door to 2A Bailgate; erection of buildings/structures to provide plant and infrastructure including new substation; and hard and soft landscaping works to include publicly accessible open space and external seating areas. (REVISED DESCRIPTION AND REVISED PLANS RECEIVED).

My observations and advice with regard to the applications above are as follows.

Proposal

The proposed new build elements and the extension to the existing Judges Lodgings building will require the excavation of at least the shallow foundation elements such as ground beams and pile caps, and potentially the entire footprint of each structure, to a depth of around 1.2 m below the existing ground surface.

The piled foundations for these structures will require the introduction of pre-augured piles to a depth exceeding that of any possible archaeological remains present on the site.

A water drainage attenuation tank is proposed to be constructed at the west end of the site which would require the excavation of a space 12m long, 8m wide and 2.5m deep. This will entail a connection to existing drainage on Bailgate, which will require excavation of a drainage run across the site. Excavation for other new service connections will also be required.

The new kiosks do not have piled foundations or deep ground beams, but will require the removal of existing ground surfaces and presumably some excavation to prepare an appropriate surface for construction.

The existing car park surface and yard areas will be removed and new landscaping is proposed for the area west of the Judges Lodgings, which includes the north-east tower of the castle east gate. This will likely require shallow excavation across the site.

Pre-Application Advice

The applicant requested formal pre-application advice from the council. They were advised to submit an appropriate desk based assessment and to undertake a programme of field evaluation to establish the archaeological potential of the site and to inform an assessment of the significance of any material present.

They were also advised to prepare a detailed foundation design, informed by Historic England's guidance note "Piling and Archaeology", to enable the specific impacts of the proposal to be identified before a decision can be made.

Submission

As requested, the application is supported by a desk based assessment, the results of an evaluation excavation and borehole survey, and details of the specific proposals for below-ground interventions that will be required to deliver the proposals if permission is granted.

Desk Based Assessment

This document provides a full archaeological and historical background to the development of the site, and is supported by the results of a search of the Lincoln City Historic Environment Record. When considered alongside the evaluation excavation it is sufficient to fulfil the requirements of NPPF paragraph 200.

In terms of its content, the DBA provides details of the significance of known and anticipated archaeological remains on the site and the impact of the different parts of the development upon them.

Evaluation and other intrusive Surveys

The applicant commissioned an archaeological field evaluation of the site comprising two 10m by 1.8m trenches and one 4.65 by 1m trench. The report incorporated the results of previous archaeological monitoring undertaken during geotechnical investigations across the site.

Trenches 1 and 2, to the west of the development site, revealed a number of deposits that have been interpreted as fills of the castle ditch, with dating evidence from the medieval and post-medieval periods. Trench 3 provided further evidence of medieval deposits, perhaps from development or occupation beyond the castle ditch, along with the remains of brick walls and flagstone floors from the buildings that appear from historic maps to have occupied the site until the 1930s.

Monitoring of geotechnical works was less informative, although the borehole survey indicates that the castle ditch was excavated to such a depth that it is likely to have removed all earlier remains present in the eastern part of the site.

Foundation Design

The foundation design supplied by the applicants within the desk based assessment demonstrates an appropriate level of sensitivity to the archaeological remains likely to be present on the site. As requested, the designers have avoided tight clusters of piles, except in the eastern part of the site where there has been significant disturbance from the 20th century extension and its associated foundations.

Subsequently to the submission of the desk-based assessment I have had further conversations with the developers and their structural engineers, and a further revised foundation design has been submitted which decreases the impact from piling still further. Where before the combined piling for blocks A and C included 65 piles, the revised design has reduced this to 52.

While the developers are understandably reluctant to commit to this design fully before a piling contractor has been engaged, I believe it demonstrates the correct approach and is in line with the current guidance provided by Historic England in "Piling and Archaeology". If permission is granted I would recommend applying a pre-commencement condition to require the submission of a final foundation design and methodology to be agreed by the Local Planning Authority.

Significance and Impacts

Roman Archaeology

Roman remains will almost certainly be present on the site where they have not been removed by the medieval castle ditch. Any Roman structural remains that are present should be considered of equivalent significance to those found in the nearby Lindum Colonia scheduled monument (NHLE no. 1003569) and would therefore fall under the definition of footnote 72 to paragraph 206 of the National Planning Policy Framework, meaning that they need to be considered under the policies for designated heritage assets.

Although Roman remains are likely to be found at greater depths than will be impacted by shallow foundation elements, the installation of piled foundations will cause them harm. While it is difficult to establish the exact level of harm without seeing the remains in question, the impact of pre-augured piled foundations can be estimated from similar

interventions around the city, and although the deposits directly in the line of each pile will be destroyed the impact around individual piles is limited, usually to around 5 to 10 cm in a circle around the pile. This means that in most cases the archaeological material affected would be capable of being interpreted in the event of a future excavation, assuming that the space between each pile is sufficient to allow an excavation to take place. The applicant has been made aware of the need for sensitive foundation design and appears to have taken this advice in the production of their proposals. I would therefore advise that the level of harm to any Roman remains that may be present will be less than substantial. The relevant policy test is that contained by NPPF paragraph 208, which requires the harm to be "weighed against the public benefits of the proposal".

No mitigation is possible for the impacts of the piled foundations, and it is therefore advised that no deviation from the final layout of piling should be permitted by the Local Planning Authority without further assessment of impact. This should include any proposal to move a pile location because of refusal during installation, or to increase the number of piles after further calculations by the developer.

Medieval Archaeology

Remains of the medieval castle ditch were seen in evaluation trenches 1 and 2, and have been demonstrated to be present at depths that will be impacted by shallow foundation elements, and by the installation of the flood attenuation tank. The ditch constitutes a non-designated heritage asset and the provisions of paragraph 209 of NPPF therefore apply. It is also possible that there may also be medieval remains associated with the projected former route of Eastgate.

Piled foundations drilled through the ditch fill will not greatly affect the overall significance of the asset. Ditch fills on this scale are typically quite homogenous, and it is unlikely that the legibility of these deposits will be affected by the introduction of piles. Their loss must therefore be justified under paragraph 209, which requires "a balanced judgment" to be made "having regard to the scale of any harm or loss and the significance of the asset".

While the overall significance of the medieval castle ditch is quite high, the scale of loss represented by even unmitigated piling is relatively low. However, any deposits affected by shallow foundations should be excavated in full as they will be lost in their entirety. The proposed flood attenuation tank should also be subject to a full archaeological excavation to formation depth.

Post Medieval Archaeology

Remnants of 19th century (or earlier) buildings were identified in trench 3, these having been demolished to allow the garage to be constructed in the early 20th century. These have the potential to illuminate the uses of the outbuildings and it will be interesting to see if they relate to the 17th century Swan public house, or if they are associated with the later uses of number 2 Bailgate.

These remains also constitute non-designated heritage assets and using the criteria of paragraph 203 we can see that although their significance is comparatively low, the scale of loss will be total. It is therefore possible to accept their loss as long as an appropriate level of mitigation is required of the developer. A programme of archaeological excavation to formation level will enable these remains to be recorded, along with any earlier deposits that may lie underneath them.

There are also a number of cellars associated with the present Judges Lodgings building that may need to be infilled or removed to enable the proposed development to proceed. If permission is forthcoming I would recommend that a condition requiring an appropriate level of measured recording of these features is applied to ensure that their significance is properly assessed and understood before further works take place.

Objections and Comments

No objections or comments have so far been made on the archaeological impacts of the proposed development.

Policy Appraisal

Central Lincolnshire Local Plan

Policy S57

With regard to the Archaeology provisions of S57, the submission meets all tests to enable a decision to be made. Specifically;

- The application is accompanied by a desk-based assessment.
- An appropriate field evaluation was undertaken, and the report submitted in advance of a decision.

National Planning Policy Framework

Paragraph 200

The application is supported by an appropriate desk-based assessment including the results of a field evaluation and is therefore compliant with this policy.

Paragraph 201

The comments contained in this document represent an appropriate assessment of the significance of heritage assets likely to be affected by the proposed development.

Paragraphs 205-208

Where Roman archaeology has not been removed by the previous excavation of the castle ditch it should be considered of equivalent significance to a designated heritage asset under the provisions of footnote 72 to paragraph 206 of the NPPF. It is unlikely that such remains will be impacted by any aspect of this proposal except the piled foundations. I would therefore advise you that the level of harm to such remains is less than substantial and should be considered against the public benefits of the wider proposals. While it is not possible to mitigate the impact of piling through excavation,

monitoring of arisings during the pre-auguring stage may allow some useful information to be gained, and this should form part of any future Written Scheme of Information.

Paragraph 209

Most if not all of the archaeology likely to be affected by the shallow foundations and the attenuation tank of the proposed development should be considered non-designated heritage assets. The appropriate test for decision taking in regard to these assets is "a balanced judgment ... having regard to the scale of any harm or loss and the significance of the heritage asset." These impacts can be mitigated through excavation and monitoring.

Paragraph 210

N/A

Paragraph 211

The requirements of this policy will be fulfilled by the application of appropriate conditions as described below.

Proposed Conditions

If, following your assessment of this development, you are minded to recommend approval of the application, my advice to you is that the following conditions would be appropriate to ensure that impacts to archaeological remains are mitigated proportionally, and that the relevant policy tests can be met.

- Prior to commencement of works a full Written Scheme of Investigation (WSI) should be submitted and approved by the LPA, taking account of any comments and suggestions from the LPA. The WSI should contain;
 - a methodology for archaeological mitigation of the impacts of the proposed development.
 - A methodology for measured and photographic recording of any built fabric to be lost as a consequence of the development
 - Evidence that a contract has been entered into with an appropriately qualified archaeological contractor for all phases of work including post excavation reporting and archiving.
 - Provision for an appropriate contingency of time and resources in the event of unforeseen circumstances.
 - Provision for the assessment of unexcavated remains around and beneath the development and sufficient time and resource to enable their preservation in situ according to a methodology to be agreed with the Local Planning Authority.
- The development should be undertaken solely in accordance with the approved WSI, and any changes to require the written approval of the Local Planning Authority. A full archive and archaeological report should be submitted to the relevant receiving bodies within 12 months of the completion of archaeological

groundworks. The archive and report for the building survey should be submitted within 6 months of the completion of recording.

I hope the assessment given above is useful to you in coming to your decision on these applications. Please get in touch if you need further clarification on any particular point.

Yours sincerely

Alastair MacIntosh
City Archaeologist
City of Lincoln Council



Directorate of Communities & Environment

Simon Walters MBA, ACG, MCMI
City Hall, Beaumont Fee
Lincoln, LN1 1DF

22nd September 2023

Your Ref: 2023/0469/FUL

Town and Country Planning Act 1990

Consultation on Planning Permission

Land Comprising Judges Lodgings, Castle Hill And 2 Bailgate, Lincoln, Lincolnshire, LN1 3AA.

Demolition of rear extension and erection of three storey rear extension to provide apart-hotel style bedrooms (Use Class C1) on the upper floors with undercroft car parking at ground floor to be used in association with the Judges Lodgings; internal and external works to Judges Lodgings and provision of café and restaurant space (Use Class E) with associated kitchen and toilet facilities on ground floor; conversion of and external alterations to existing outbuilding within curtilage of the Judges Lodgings to provide retail/café kiosk (Use Class E); erection of two and three-storey building with retail/commercial floorspace (Use Class E) and undercroft car parking at ground floor, long-stay serviced accommodation at first and second floor; erection of timber glazed shopfronts to create retail kiosks (Use Class E) under arch and towards east of site; reinstatement of shopfront to no. 2 Bailgate; relocation of entrance and creation of external balcony to No. 2a Bailgate; erection of buildings/structures to provide plant and infrastructure including new substation; and hard and soft landscaping works to include publicly accessible open space and external seating areas.

Lincolnshire Police do not have any objections to this development.

Thank you for your correspondence and the opportunity to comment on the proposed scheme. **Lincolnshire Police do not have any objections to this development**, but I would like to make the following general recommendations in relation to the safety and security of this development.

CCTV

There is a requirement that CCTV systems provide an effective deterrent and when necessary, obtain identification images to improve the chance of an offender being identified and convicted.

The range and scope of any CCTV system on this site may be directly related to the proposed minimum staffing levels (i.e., reception and/or security staff)

POLICE HEADQUARTERS
PO Box 999, Lincoln LN5 7PH
(Sat Nav: LN2 2LT)
www.lincs.police.uk

☎ 01522 55 8292
☎ 075700 99424
✉ john.manuel@lincs.pnn.police.uk



Such a scheme should be designed to monitor all vulnerable areas and be fit for purpose. Any system should be to a minimum of BS EN 50132-7:2012 *CCTV surveillance systems for use in security applications. Police Response: BS8418:2010*

A useful reference to help achieve this goal is the *CCTV Operational Requirements Manual 2009 ISBN 978-1-84726-902-7 Published April 2009 by the Home Office Scientific Development Branch* available at this link [CCTV OR Manual](#)

Intruder / Attack alarms systems

A suitably designed, fit for purpose, monitored intruder alarm system must be installed. For police response, the system must comply with the requirements of the ACPO Security Systems policy, which can be at the following link: Security Systems Policy PD 6662:2010

Lighting

Lighting should be designed to provide a uniform spread of light with clear colour rendition. Lighting incorporated within the perimeter protection should be designed including its use with CCTV. Security lighting, such as metal halide units, should be installed in all areas where surveillance is considered important, such as entrances, main pedestrian access routes and parking facilities. All fittings shall be vandal resistant and positioned out of reach.

Where there is no surveillance, informal or formal, lighting can only assist an offender, in such circumstances, appropriate 'switching off' of lighting should be considered after staff have left designated areas.

Windows

All ground floor windows and those that are easily accessible from the ground must either conform to PAS24:2022 'Specification for enhanced security performance of casement and tilt and turn windows for domestic applications.

All ground floor and easily accessible glazing should incorporate one pane of laminated glass to a minimum thickness of 6.8mm (*See Glossary of terms*) or glass successfully tested to BS EN 356:2000 *Glass in building. Security glazing - resistance to manual attack* to category P2A unless it is protected by a roller shutter or grille as described in paragraphs 52 above. With effect from January 1st, 2011, all laminated glass must be certificated to BS EN 356 2000 rating P3A unless it is protected by a roller shutter or grille.

Roller Shutters and Grilles

Grilles and shutters can provide additional protection to both internal and external doors and windows. The minimum standard for such products, when required, is certification to

- LPS 1175 Security Rating 1 or
- WCL 2 Burglary Rating 1

For roller shutters, the above minimum-security ratings are generally sufficient where:

- a shutter is required to prevent minor criminal damage and glass breakage or
- the shutter is alarmed, and the building is located within a secure development with access control and security patrols or

- the shutter or grille is intended to prevent access into a recess or
- the door or window to be protected is of a high security standard.

Pedestrian & Retail Arcade

Can it be confirmed that the retail arcade will be secured by way of effective gating outside of business or opening hours? The ground plan does appear to indicate this to be the case by way of the 'New Bi-folding Security Gate'? Not securing the proposed retail area may result in crime and anti-social behaviour and in particular use by 'rough sleepers'.

Café Open Area – Block A - Kiosk

I would recommend that this area is gated and secured outside of opening hours and that appropriate CCTV coverage is provided (if not already provided by existing coverage).

Please do not hesitate to contact me should you need further information or clarification.

Please refer to *Homes 2023* which can be located on www.securedbydesign.com Homes 2019.

Crime prevention advice is given free without the intention of creating a contract. Neither the Home Office nor the Police Service takes any legal responsibility for the advice given. However, if the advice is implemented it will reduce the opportunity for crimes to be committed.

Yours sincerely,

John Manuel MA BA (Hons) PGCE PGCPD Dip Bus.

Force Designing Out Crime Officer (DOCO)

Additional consultee responses submitted in respect of application references
2023/0463/LBC (Judges Lodgings and adjacent land) and 2024/0465/LBC (2 Bailgate)
relevant to the consideration of this application



Marie Smyth
City of Lincoln Council

By Email

09 August 2023

Dear Marie Smyth

SITE: Judges Lodgings, Castle Hill, Lincoln, Lincolnshire, LN1 3AA

APPLICATION REF: 2023/0463/LBC

PROPOSALS: Demolition of rear extension to Judges Lodgings

OUR REF: 185989

Thank you for notifying the Twentieth Century Society of the above application which involves the demolition of fabric which falls within our period of remit, and affects both the Grade II* listed Judges Lodgings and the Grade II listed 2 Bailgate. The Society has no comments to make on the demolition of the 1959-60 extension to the Judges Lodgings, but objects to the proposal to demolish the interwar garage entrance which forms part of the No 2 Bailgate.

No.2 Bailgate is a grade II listed building, the list description of which, although brief, specifically mentions the 'garage opening flanked by door and 'showcase''. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that "In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority [...] shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses." The building is located in the

The Twentieth Century Society is a company limited by guarantee, registered in England no 05330664

Registered office: 70 Cowcross Street, London EC1M 6EJ
Registered Charity no 1110244
Tel. 020 7250 3857

Cathedral and City Centre Conservation Area. Section 72 requests that local authorities pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. The National Planning Policy Framework (NPPF, 2021) includes paragraph 199 which 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 [...] This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance." Paragraph 200 states that any harm to, or loss of, significance should require clear and convincing justification.

The garage at 2 Bailgate has important historical significance as part of the interwar trend to provide for the newly popular leisure activity of motoring and was built as a parking amenity for the adjacent White Hart Hotel which it has served for almost 90 years. Not only does the original garage opening from 1935 survive but also the attendant's booth, display kiosk and garage doors. It is unfortunate that the parking garage has been lost, but the most significant element of the site, the entrance, remains. Parking garages began to appear in Edwardian times in London and the parallel between stabling for horses and garaging for cars was made (see Kathryn Morrison *Carscapes* p.168)– an apt comparison for this site as the White Hart no doubt would have provided stabling in previous decades. The garage attendant would have had a similar role as the liveryman in caring for the customers' transport, and this role has a visible reminder here in the remaining attendant's office on Bailgate. In the interwar period it became essential to provide garaging as car ownership expanded, especially for hotels, theatres and cinemas. Recently though, the combination of high land values for central sites and the restrictions placed upon car usage in cities through pedestrianisation and concern over air quality, has led to an increasing number of these car garages being lost with no record of their existence. The entrance to the garage here, with its remaining features, represents an important evidence of this development not only in the changing face of Lincoln city centre, but also in the history of the White Hart Hotel, recording this phase of its life adapting to the changing requirements of its guests.

The Society considers that the current proposals to replace the garage entrance with a conjectural shop front are inappropriate and that the scheme could easily be modified to retain these features with little loss of the proposed retail space. The loss of this historic record of activity will cause harm to the listed building and to the conservation area and should be resisted. We urge the local

authority to request amendments to the scheme to retain these important twentieth century features.

I trust that these comments are helpful in your determination of this application and the Society would be pleased to hear the decision.

Yours sincerely



Clare Price

Head of Casework
The Twentieth Century Society
70 Cowcross Street
London EC1M 6EJ
Tel 020 7250 3857
Fax 020 7251 8985
Clare@c20society.org.uk

Remit: The Twentieth Century Society was founded in 1979 and is the national amenity society concerned with the protection, appreciation, and study of post-1914 architecture, townscape and design. The Society is acknowledged in national planning guidance as the key organisation concerned with the modern period and is a constituent member of the Joint Committee of the National Amenity Societies. Under the procedures set out in *ODPM Circular 09/2005*, all English local planning authorities must inform the Twentieth Century Society when an application for listed building consent involving partial or total demolition is received, and they must notify us of the decisions taken on these applications.

The Twentieth Century Society, 70 Cowcross Street, London EC1M 6EJ – Tel 020 7250 3857

clare@c20society.org.uk
www.c20society.org.uk

From: James Darwin

Sent: 08 August 2023 12:16

To: Marie Smyth

Subject: Your ref: 2023/0463/LBC Judges Lodgings, No.5 Castle Hill, Lincoln

Dear Marie Smyth,

Thank you for informing the Georgian Group of an application to undertake internal works, demolish the existing c1959-62 rear range of the former Judges Lodgings and to construct a new larger extension in its place. The proposal was discussed by the Group's Casework Committee on the 31st of July 2023. I must apologize for my delay in forwarding their advice.

The Judges Lodgings form part of a nationally significant group of listed buildings fronting onto Castle Hill and surrounding streets which include the grade II* listed Nos.6-8 (cons) Castle Hill, and the grade I listed Castle itself. The Judges Lodgings, No.5 Castle Hill, which is itself grade II* listed was constructed c1810 to the designs of William Hayward and has a fine pedimented classical façade. Sadly, the original rear section of the building was demolished along with later additions in the 1950s and replaced by the present lacklustre addition.

The Group wishes to defer to others on those aspects of the proposals which will impact upon the setting of historic buildings which date from outside our 1700-1840 date remit. Whilst the Georgian Group has no objection in principle to the proposed change of use of the Judges Lodgings, the demolition of the c1959 block, or its replacement by a structure of broadly the same scale and massing of the original now demolished early nineteenth century rear range, we do have considerable concerns about elements of the proposed design of the replacement building and its potential impact on Hayward's original building.

Hayward's originally design followed the eighteenth and early nineteenth century tradition of having a distinct hierarchy to its façades, the western elevation, and the rear (northern) service elevation in particular, being of a far more utilitarian design than the distinguished pedimented principal façade to Castle Hill. Eighteenth and nineteenth century classical buildings also display a hierarchy within the openings of each elevation, openings reducing in size as the eye travels up the building. The design of any replacement rear range should respect these important elements of Hayward's original scheme by avoiding the adoption of overly assertive detailing and facing materials. The adoption of a less assertive design would also help to safeguard the setting of the original grade II* building when viewed from the Castle walls, and that of the surviving modest historic service buildings on St Paul's Lane to the building's rear. A less assertive design would also thus better preserve the character and significance of the immediately surrounding elements of the conservation area.

Of particular concern to the Group's Casework Committee are the proposed large oriel windows lighting the top floor of the northern elevation which will be particularly conspicuous from the Castle Walls. During the winter months when they are likely to be lit from within for large parts of the day, these windows are likely to have a particularly assertive presence within this part of the conservation area. For similar reasons the Committee also had concerns about the impact of the proposed large two storey stair window on views from the Castle Walls, and on those looking south along St Paul's Lane.

The Casework Committee of the Georgian group wishes to defer to others on the merits of all other aspects of the proposed scheme.

Para 199 of the NPPF directs 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.’ In this case the proposed development will have a considerable impact on the setting of a number of highly graded designated assets and of the conservation area.

When making a decision on all listed building consent applications or any decision on a planning application for development that affects a listed building or its setting, a local planning authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Preservation in this context means not harming the special interest of the building, as opposed to keeping it utterly unchanged. This obligation, found in sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (1), applies to all decisions concerning listed buildings. Under section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 they also have a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

The Georgian Group would strongly recommend that the design of the northern (rear) elevation of the proposed new hotel building is revised in order to both better safeguard the setting (and thus the significance) of the grade II* listed building, and of the character of the immediately surrounding parts of the conservation area. If the applicant is unwilling to do so, we must regretfully recommend that listed building consent is refused.

Yours Sincerely

James Darwin (Head of Casework)

The Georgian Group’s Head Office is at No.6 Fitzroy Square, London W1T 5DX, the Group also has regional casework offices in the Southwest, Midlands, North of England, and Wales.

From: James Darwin
Sent: 17 November 2023 09:07
To: Marie Smyth
Subject: Your ref: 2023/0463/LBC - Judges Lodgings, Castle Hill, Lincoln, Lincolnshire, LN1 3AA

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Dear Marie Smyth,

Thank you for informing the Georgian Group of a revised proposals to demolish the existing c1959-62 rear range of the former Judges Lodgings and to construct a new larger extension in its place. Internal works are also proposed to the grade II* building. The original proposals were discussed by the Group's Casework Committee on the 31st of July 2023, and we then wrote to you with our comments. Unfortunately, the proposed revisions to the scheme do not address the concerns raised in our original letter to any significant degree.

The Judges Lodgings form part of a nationally significant group of listed buildings fronting onto Castle Hill and surrounding streets which include the grade II* listed Nos.6-8 (cons) Castle Hill, and the grade I listed Castle itself. The Judges Lodgings, No.5 Castle Hill, which is itself grade II* listed was constructed c1810 to the designs of William Hayward and has a fine pedimented classical façade. Sadly, the original rear section of the building was demolished along with later additions in the 1950s and replaced by the present lacklustre addition. The Group wishes to again defer to others on those aspects of the proposals which will impact upon the setting of historic buildings which date from periods outside of our 1700-1840 date remit.

Whilst the Georgian Group has no objection in principle to the proposed change of use of the Judges Lodgings, the demolition of the c1959 block, or its replacement by a structure of broadly the same scale and massing as the original now demolished early nineteenth century rear range, we do have considerable concerns about elements of the design of the proposed replacement structure and its potential impact on the setting of Hayward's original building.

Hayward's original design followed the eighteenth and early nineteenth century tradition of having a distinct hierarchy to its façades, the western elevation, and the rear (northern) service elevation in particular, being of a far more utilitarian design than the distinguished pedimented principal façade to Castle Hill. Eighteenth and nineteenth century classical buildings also display a hierarchy within the openings of each elevation, the openings reducing in size as the eye travels up the building. The design of any replacement rear range should respect these important elements of Hayward's original scheme by avoiding the adoption of overly assertive detailing and facing materials. The adoption of a less assertive design would also help to safeguard the setting of the original grade II* building when viewed from the Castle walls, and that of the surviving modest historic service buildings on St Paul's Lane to the building's rear. A less assertive design would also thus better preserve the character and significance of the immediately surrounding elements of the conservation area.

Of particular concern to the Group's Casework Committee are the proposed large oriel windows lighting the top floor of the northern elevation which will be particularly conspicuous from the Castle Walls. During the winter months when they are likely to be lit from within for large parts of the day, these windows are likely to have a particularly assertive presence within this part of the conservation area. For similar reasons the Committee also had concerns about the impact of the proposed large two storey stair window on views from the Castle Walls, and on those looking south along St Paul's Lane.

The Casework Committee of the Georgian group wishes to defer to others on the merits of all other aspects of the proposed scheme.

Para 199 of the NPPF directs 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.' In this case the proposed development will have a considerable and detrimental impact on the setting of a number of highly graded designated assets and of the conservation area.

When making a decision on all listed building consent applications or any decision on a planning application for development that affects a listed building or its setting, a local planning authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Preservation in this context means not harming the special interest of the building, as opposed to keeping it utterly unchanged. This obligation, found in sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (1), applies to all decisions concerning listed buildings. Under section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 they also have a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

The Georgian Group would strongly recommend that the design of the northern (rear) elevation of the proposed new hotel building is revised in order to both better safeguard the setting (and thus the significance) of the grade II* listed building, and the character of the immediately surrounding parts of the conservation area. If the applicant is unwilling to do so, we must regretfully recommend that listed building consent is refused.

Yours Sincerely

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