

Application Number:	2024/0618/LBC
Site Address:	White Hart Hotel , Bailgate, Lincoln
Target Date:	31st January 2025
Agent Name:	Paul Ponwaye
Applicant Name:	Mr Andrew Long
Proposal:	Construction of a new external roof terrace and frameless glass balustrade, formation of a new glazed screen and access doors to the roof terrace from the existing fourth floor private lounge accommodation. New internal steps and balustrade from the existing lounge to accommodate the change in levels. Removal of existing steel balcony to south/east elevation and removal of roof mounted water tower. (Listed Building Consent).

Background - Site Location and Description

The application property is the White Hart Hotel, a grade II listed building located within the Cathedral and City Centre Conservation Area. It sits on the corner of Bailgate and Eastgate with St. Mary Magdalene's Parish Church (the church) adjoining to the south. The site is abutted to the rear, east and south, by residential properties; 19-23 Minster Yard, Exchequergate Lodge and 24 Eastgate.

The City Council's Principal Conservation Officer (Conservation Officer) advises that the White Hart is a complicated site comprising four distinct building phases along the streetscene. The oldest element dates from the early 18th century and was re-fronted in 1844. Today it presents an impressive three storeys arranged over three bays in brick and stucco façade on the corner of Eastgate and Bailgate. Designed in a classical style, expansions to the south along Bailgate saw two further phases of different dates, one in the 19th century and later during the 1960s. Both of these elements utilise a stucco and red brick built form with regular and symmetrical fenestration including first and second floors with French windows and balconies, albeit that the 1960s version has much simpler detailing. In addition to the various external alterations, much of the hotel interior has been subjected to re-fittings over the years and in particular during the early and mid-20th century. She advises that this designated heritage asset has historical significance derived from its development as a key site for hostelry in Lincoln and architectural significance derived from the classical design and method of construction.

The hotel recently re-opened following extensive renovation works. Works are still ongoing to parts of the hotel and there have been a number of applications, including most recently for the creation of a new leisure pool and spa, which was approved by Members of the Planning Committee in July 2024.

This application is for listed building consent for the construction of a new external roof terrace on the flat roof of the 1960s extension which fronts Bailgate. The terrace will include a frameless glass balustrade, glazed screen, and access doors. Access will be taken from the existing fourth floor private lounge accommodation where it is proposed to install new internal steps and balustrade from the existing lounge to accommodate the change in levels. The application also proposes the removal of the existing steel balcony to the south/east elevation and removal of the roof mounted water tower.

A roof terrace was previously proposed on the flat roof area to the rear, east of the building as part of the original applications for internal and external refurbishment works

(2023/0057/FUL and 2023/0058/LBC). The terrace was later omitted from the applications following advice from officers that this was not an appropriate addition- officers had concerns that this would cause harm to the setting of the listed building and adjacent listed buildings as well as views towards the Cathedral, the character and appearance of the conservation area and residential amenity. There have been subsequent discussions between officers and the agent regarding a possible roof terrace, although officers have remained of the opinion that this would not be acceptable. Despite this advice, the agent has submitted this current application for a terrace on an alternative location, to the side of the building, adjacent to Bailgate.

In addition to this listed building consent application, an accompanying application for full planning permission has been submitted (2024/0617/FUL). Applications for full planning permission consider proposals in relation to the impact on the application property as a designated heritage asset, visual amenity, the character and appearance of the conservation area, the setting of adjacent listed buildings and residential amenity. This listed building consent application will only consider the proposals, including any internal alterations, in relation to the impact on the application property as a designated heritage asset. Both applications are being presented to Members of the Planning Committee for determination at the request of Councillor Murray.

Responses have been received from the church and the Cathedral Estates Department in relation to both the full and listed building consent applications. However, as the comments raised relate to visual amenity, residential amenity and noise and disturbance, they cannot be considered as part of this application i.e. they relate to matters other than the impact on the application property as a designated heritage asset. Their responses are therefore copied and considered as part of the assessment of the full planning permission report.

Site History

Reference:	Description	Status	Decision Date:
2024/0617/FUL	Construction of a new external roof terrace and frameless glass balustrade, formation of a new glazed screen and access doors to the roof terrace from the existing fourth floor private lounge accommodation. Removal of existing steel balcony to south/east elevation and removal of roof mounted water tower.	Pending Decision	
2024/0088/LBC	Internal alterations to create a new leisure pool and spa including the excavation and construction of the pool and construction of internal partitions to	Granted Conditionally	11th July 2024

	form a sauna, changing facilities and gym together with associated drainage and services (Listed Building Consent).		
2024/0087/FUL	Internal alterations to create a new leisure pool and spa including the excavation and construction of the pool and construction of internal partitions to form a sauna, changing facilities and gym together with associated drainage and services.	Granted Conditionally	11th July 2024
2023/0058/LBC	Internal alterations to re-configure layout and create fitness suite including removal of stud partitions, doors, windows and stairs; enlargement and blocking up of window openings; creation of new door openings; installation of new stud partitions, raised floor, stairs, lifts and doors. External alterations including new shopfront to restaurant, alterations to Eastgate elevation, glazed lantern and new stair pod to roof. (Listed Building Consent). (Revised description, plans and supporting documents).	Granted Conditionally	25th May 2023
2023/0057/FUL	Refurbishment & alterations to existing hotel including construction of new stair pod at fourth floor level, alterations to Eastgate elevation, installation of new shopfront to existing restaurant fronting Bailgate, glazed lantern and alterations to window openings.	Granted Conditionally	25th May 2023

	(Revised description, plans and supporting documents).		
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Case Officer Site Visit

Undertaken on 15th November 2024.

Policies Referred to

- Policy S57: The Historic Environment
- National Planning Policy Framework
- Planning Practice Guidance- Historic Environment

Issues

- Policy Context
- Impact on the Building as a Designated Heritage Asset
- Assessment of Public Benefit

Consultations

Consultations were carried out in accordance with the Statement of Community Involvement, adopted January 2023.

Statutory Consultation Responses

Consultee	Comment
Principal Conservation Officer	Comments Received
Highways & Planning	Comments Received
Lincoln Civic Trust	Comments Received
Historic England	Comments Received

Consideration

Policy Context

Central Lincolnshire Local Plan (CLLP) Policy S57 states that permission to alter a listed building will be granted where the local planning authority is satisfied that the proposal is in the interest of the building's conservation and does not involve activities or alterations prejudicial to the special architectural or historic interest of the listed building or its setting. The White Hart is a listed building and within a conservation area, both of which are defined as designated heritage assets. Policy S57 notes that development proposals will be

supported where they protect the significance of heritage assets (including where relevant their setting) by protecting and enhancing architectural and historic character.

Paragraph 207 of the National Planning Policy Framework (NPPF) requires that “In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance”. CLLP Policy S57 also sets out a similar requirement for development proposals that could affect the significance of a heritage asset.

NPPF paragraph 212 advises 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”. Paragraph 213 goes on to advise that “Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of...grade II listed buildings, or grade II registered parks or gardens, should be exceptional”.

Paragraph 215 advises “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.” This is echoed in CLLP Policy S57 “Where a development proposal would result in less than substantial harm to a designated heritage asset, permission will only be granted where the public benefits, including, where appropriate, securing its optimum viable use, outweigh the harm”.

Impact on the Building as a Designated Heritage Asset

The application is accompanied by an ‘Assessment of Significance & Heritage Impact Assessment’ (HIA). This details the key phases of the development of the hotel and provides a proportionate assessment of the historic interest and significance of the building as well as the potential impact of the proposal, as required by NPPF paragraph 207 and CLLP Policy S57.

The existing internal layout of the fourth floor bar/lounge would remain mainly unchanged from the previous consented proposals, with the exception of the provision of internal timber steps to access the roof terrace to deal with the level changes between the internal floor and external terrace. The HIA considers that these would “only have an impact on modern fabric and therefore have no expected adverse impact on any historic fabric in this area”. Officers would raise no objection to this element of the works.

An existing window opening to the west elevation is proposed to be altered to provide Crittall glazed double doors to access the terrace. Again, there is no objection in principle to this alteration as it is within the modern 1960s extension to the building, which has already seen similar alterations approved as part of the previous applications.

With regard to the external terrace itself, this would be installed on the existing flat roof comprising paving with a gravel perimeter. A frameless, non-reflective glass balustrade measuring 1.8m high would be installed around the perimeter. The balustrade would be

inset approximately 600mm from an existing parapet wall, projecting approximately 1.5m above. To the rear, east the balustrade would be acid etched up to a height of 1.55m, in the interests of protecting residential amenity.

The HIA considers that there will be some physical impact from the terrace, with some re-building of brickwork in the location of a remnant chimney. It considers that the balustrade will only just be visible from street level at the junction of Bailgate and Castle Square and it will also be visible in views between the Castle walls and Cathedral. It concludes that the frameless, non-reflective glass will maximise transparency and views through the terrace, and would be a minimal addition to an existing modern infill building.

Comments from the Conservation Officer note that the proposal relates to the 1960s building. However, whilst this element of the site is modern, the deliberate intention to sympathetically marry its design with the 19th century facade is an important and relevant point. She considers that: "The proposed glass balustrade would be a modern and alien addition with no meaningful relationship with the prevailing architectural language of the White Hart Hotel. As such it will not successfully assimilate with the rest of the listed building and instead will diminish and harm the architectural significance of this designated heritage asset. The incongruous and distracting appearance exacerbated by the introduction of activity in this location will detract from the more architecturally significant historic façade and again cause harm to architectural significance". The officer also considers that "the harm caused to the significance of the White Hart is at a less than substantial harm level. The national planning policy framework requires in para 212 that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to that assets conservation, and in this case as assets of the greatest importance that weight should be particularly great. This weight is irrespective of whether the harm is substantial or less than substantial".

The Conservation Officer concludes that "the proposal is not in accordance with the duty contained within section 16 (2) of the Planning (Listed Buildings and Conservation Areas Act) 'In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State 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'".

Historic England (HE) has raised concerns on heritage grounds regarding the proposed development. In their response they note that the White Hart is listed Grade II as a building of special architectural and historic interest, within an area of the historic environment which is of high significance nationally. They also highlight that the area has seen little modern intervention to date and is therefore very sensitive to change. They consider that the prominence of the proposed balustrade would cause harm to the White Hart Hotel.

Officers concur with the Conservation Officer's assessment and the comments from HE. The introduction of the terrace, albeit with an intentionally lightweight balustrade, would be an inappropriate addition. The submitted 'Design and Access Statement' (D&A Statement) and 'Draft Operating Statement and Associated Proposed Conditions for Planning & Listed Building Consents' (Operating Statement) refers to there being a restriction on furniture having a height no greater than 1.5m, with no parasols. It proposes there will be nine low level tables and 28 chairs with a maximum of 60 persons combined within the internal space and terrace, which is accessible to private members only. Notwithstanding these suggestions, the glazed balustrade along with the presence of guests on the terrace would be visible from street level and the Castle walls. The terrace would operate as an extension

of the first floor private lounge/bar, with its use also extending into the evening. The introduction of lighting into the evening would therefore also have a visual impact. Officers therefore consider that the incongruous and uncharacteristic addition of the glazed balustrade and the activity associated with the use as an external terrace would be prejudicial to the special architectural and historic interest of the listed building and its setting, contrary to CLLP Policy S57. The proposals would also therefore result in a harmful impact on the significance of a designated heritage asset, contrary to paragraph 212 of the NPPF.

Therefore, the proposal is not in accordance with the duty contained within section 16 (2) of the Planning (Listed Buildings and Conservation Areas Act) which requires that; 'In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State 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'.

Assessment of Public Benefit

Officers would also concur with the Conservation Officer's assessment that the harm caused to the significance of the White Hart is at a less than substantial harm level. Accordingly, NPPF paragraph 215 and CLLP Policy S57 are relevant- the harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Permission will only be granted where the harm is outweighed.

Planning Practice Guidance on the Historic Environment (PPG) advises that:

Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework. Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit.

Examples of heritage benefits may include:

- sustaining or enhancing the significance of a heritage asset and the contribution of its setting
- reducing or removing risks to a heritage asset
- securing the optimum viable use of a heritage asset in support of its long term conservation

The D&A Statement suggest the following as benefits of the proposals:

- The removal of two unsightly external features of the hotel; the existing steel balcony and balustrade to the Brownlow Suite and the water tower, which dominates views eastwards from the Castle wall towards the Cathedral. Both will make significant visual improvements.
- Contribute towards the revival of the White Hart as Lincoln's premier hotel destination.

- The investment will enable continued employment opportunities to be maintained. The external terrace and access from the fourth-floor accommodation will create a unique feature to the hotel which will secure it as the destination of choice. The construction works will further enhance the local economy through the employment of local contractors and subcontractors.

Officers and the Conservation Officer do not consider that any of these benefits would meet the tests of the PPG. It cannot be argued that re-purposing the modern flat roof as a terrace is necessary to reduce or remove a risk to the building. The fourth floor bar/lounge would still be able to operate without this external space. A range of works and investment into the listed building have already been undertaken following the granting of a number of applications, securing its long term use. Whilst the removal of the balcony and water tower are welcomed, this benefit cannot be off-set against the harm that officers consider the proposed terrace would cause. Officers would therefore conclude that the level of less than substantial harm is not outweighed by a public benefit of the proposals, and the application does not comply with NPPF paragraph 215 or CLLP Policy S57.

Conclusion

Officers would therefore recommend that the application be refused on the grounds that the proposed glass balustrade and the use of the existing flat roof as an external terrace would cause unacceptable harm to the architectural and historic interest of the building and to its setting and significance. The level of less than substantial harm has neither been appropriately justified nor is it outweighed by a public benefit. The application would therefore be contrary to CLLP Policy S57 and the NPPF.

Application Determined within Target Date

Yes

Recommendation

That the application is Refused on the grounds of:

- the glass balustrade would have no meaningful relationship with the prevailing architectural language of the grade II listed White Hart Hotel, causing harm to the significance of the historic façade;
- the glass balustrade, along with the activity, noise and lighting associated with the use of the roof as an external terrace, would be a modern and incongruous addition which would diminish and harm the architectural significance of this designated heritage asset;
- the proposal would be prejudicial to the special architectural and historic interest of the listed building, its significance and setting, contrary to CLLP Policy S57 and NPPF paragraphs 212 and 213;
- the less than substantial harm which would be caused to the significance of the listed building has not been justified in terms of the tests set out within paragraph 215 of the NPPF and is not outweighed by a public benefit, providing an external terrace for use by private members of the hotel; and
- the proposal fails to 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 and is therefore contrary to the duty contained within section 16(2) of the Planning (Listed Buildings and Conservation Areas Act).