SOUTH HOLLAND DISTRICT COUNCIL

Report of: **Development Manager**

To: **Planning Committee - 09 March 2022**

(Author: **Greg Watkinson - Planning Conservation Officer)**

Purpose: **To consider Planning Application H16-0085-22**

Application Number:	H16-0085-22	**Date Received:**	31 January 2022
Application Type:	LISTED BUILDING		
Description:	Removal of sliding timber gate, 20th Century timber door & panelling, repairs to brickwork & installation of new gates to boundary wall on east side of site.		
Location:	Ayscoughfee Hall Museum & Gardens Church Gate Spalding		
Applicant:	South Holland District Council	**Agent:**	Oglesby and Limb Ltd
Ward:	Spalding St Marys	**Ward Councillors:**	Lord Porter Cllr H T Drury

You can view this application on the Council's web site at
http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H16-0085-22

1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 The applicant is South Holland District Council.

2.0 PROPOSAL

2.1 This Listed Building Consent application is for the removal of a sliding timber door and panelling, to be replaced with gate and railings, with repairs to brickwork and removal of non-original concrete and brick overhead capping.

2.2 The extant timber sliding gate to be replaced is non-original - the replacement unit will be steel, painted black and of a railing style, matching roughly the larger gate further to the South West of the proposal site.

2.3 Repairs to brickworks will involve the use of exclusively recovered bricks and non-cementitious lime mortar mix.

2.4 Area of brickwork exposed by removal of the overhead capping will be capped with stone, matching the other Love Lane gate to the South West.

3.0 SITE DESCRIPTION

3.1 Ayscoughfee Hall is a Grade I listed Manor House, originally built by Sir Richard Aldwyn dating back to the 1450s (according to dendrochronological survey of the roof timbers). The building has historically been remodelled on several occasions throughout its history, most recently in 1845, by architect William Todd, who was also responsible for the design of Gamlyn's

Almshouses (to the north of Ayscoughfee, along Church street). The Property sits on roughly 5.5. acres of protected park and garden, which is itself listed to a grade II level, and contains the also-seperately-listed Lutyens War Memorial.

3.2 Ayscoughfee Hall was upgraded from Grade II* level of listing to Grade I (most important) in 2012, and has been in the ownership of the Local Government since 1902, when it was donated to the people of Spalding by the Bonner family as a celebration of the coronation of George VI, since operating as a school, and a museum. The site was most recently refurbished 2003-2006.

3.3 The wall which contains the gate which is the subject of this proposal runs along Love Lane and is dated from the late C18th, although has been subject to much patchwork repair and rebuilding over time. The boundary walls as a whole span an extremely large period of time, and this is evident in the patchwork of separate designs, styles and materials used throughout. The buttresses found throughout are thought to have been added as part of the 1845 remodelling of the Hall.

3.4 The gate which forms the proposal site of this application is non-original and it is visually obvious that this is the case. As the HIA to this application states, it is unclear when this opening was created, however, it is thought that it must be subsequent to the installation of the tennis court. The gate itself is extremely rough and is in a deteriorated condition. The concrete overhead capping is also obviously non-original, of a mismatching style and seriously degraded, meaning that in its current state, the gate is an eyesore and of major detriment to the appreciation of the Ayscoughfee complex when appreciated from Love Lane.

3.5 The Historic England listing description describes the external elements of Ayscoughfee like so:

3.6 *"the entrance front (west elevation) has a five-bay, two-storey central range with advanced gables to the north and south cross-wings. Linking the cross-wings at the front of the central range is a five-bay loggia with pointed arch-headed openings and arcade piers with shallow stepped buttresses. These extend upwards through a shallow ashlar parapet pierced by quatrefoils to form low domed pinnacles. Behind the loggia are tall pointed arched windows which flank a centrally-placed doorway with slender attached columns to its surround and two-panelled double doors beneath an arched head. Above are five, two-light Y-traceried windows with cusped heads to the lights, set below a corbelled string course. Above this is a low crenellated parapet with a wide shallow broken pediment to its centre which supports a coat of arms surmounted by a stone eagle. The crenellated parapet is returned along the inner side walls of the advanced cross-wings which have elaborate Dutch gables. These have full-height canted bays incorporating mullioned windows with ogee-headed lights and shallow crenellated parapets. To the north of the north cross-wing is a substantial C15 tower which is square in plan and of three storeys, with a much taller stair turret at its south-west corner. The turret, extended in the C19, has a crenellated parapet set above machicolations. The tower's west elevation has a tall transomed C19 two-light window to each of the upper floors below a deep parapet. Its north wall has a wide projecting chimney breast supported by stone corbels. The rear (south) elevation is more representative of the building's many phases of development. The steeply-pitched gables of the cross-wings are plainly detailed, that to the north end now partially hidden behind mid-C19 extensions to the east of the cross-wing and to the tower further to the north. The gable has a first-floor three-light mullioned window set beneath a hood mould. To the left is a section of the rear wall of the former open hall and a much-restored medieval canted oriel window which originally lit the upper 'high' end of the open hall. The surrounding medieval brickwork here rises from a shallow and now much-decayed stone plinth and C19 crenellations have been added to the wall head and to the oriel. Further to the left is an advanced C19 extension to the hall with an ashlar turret to the right-hand corner, a ground floor doorway and an upper floor two-light mullioned window. To the left of this is a wide Tudor-arch-headed doorway with a three-pane rectangular over-light. The east gable of the south cross-wing has a ground floor Venetian window with narrow side lights and intersecting glazing bars to the central section and an enlarged and altered window opening at first-floor level which retains elements of the surrounds to two earlier openings, including a hood mould. The south elevation to the seven-bay two-storied section of the south cross-wing rises from a much earlier low stone plinth. It has late-C19 two-pane sash windows to the five western ground-floor bays and C19 two-light mullion and transom windows with hood moulds to the upper floor, all beneath a crenellated parapet. The remaining two-bay section has no visible openings, a single-storey garden room having been built against the east end of the cross-wing in the late C19."*

4.0 RELEVANT PLANNING POLICIES

4.1 **The Development Plan**

South East Lincolnshire Local Plan, March 2019

01- Spatial Strategy
02 - Development Management
03 - Design of Development
29 - The Historic Environment

If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, Section 38 (6) to the Town and Country Planning Act as amended by the 2004 Act states that the determination must be made in accordance with the plan unless material considerations indicate otherwise.

National Guidance

National Planning Policy Framework (NPPF), 2021

Section 12 - Achieving well-designed places
Section 16 - Conserving and enhancing the historic environment

Planning Practice Guidance (PPG)

5.0 RELEVANT PLANNING HISTORY

5.1 H16-0058-20

Gazebo style seating area for cafe. Approved on 30-11-20

5.2 H16-1202-18

Internal and external works to Ayscoughfee Hall. Approved on 15-02-19

5.3 H16-0540-13

Removal of existing storage, panel and tube heaters and installation of new energy efficient electric oil filled radiators in their place. Approved on 06-01-14

5.4 H16-0199-09

Details of new stonework, use of hand tools, replacement bricks, details of mortar, bonding, mortar colour and pointing style and photographic record of gate pier before dismantling (Conditions 2,3,4,5,6 and 7 of H16/0471/08). Approved on 16-04-09

5.5 H16-0471-08

Dismantle and rebuild of gate pillar at Ayscoughfee Hall. Approved on 04-07-08

5.6 H16-0280-04

Details for supporting vaulted undercroft below room F13 (Condition 2 of H16/1034/02). Approved on 10-03-04.

5.7 H16-1034-02

Demolition of 2 single storey additions, internal alterations, new lead roofs and new doors to garden room. Approved on 20-12-02.

5.8 H16-0771-01

Reinstatement of passage link between garden Education Room & Main Hall (south wing). Approved on 21-11-01

6.0 REPRESENTATIONS

6.1 The Gardens Trust

6.2 Does not wish to comment on this application. Makes it clear this is should not be considered to represent either support or objection to the proposals.

7.0 CONSIDERATIONS

7.1 **Planning Considerations**

7.2 Heritage Conservation Impact

7.3 Given that the gate is not original and is visually incongruous, it is considered that the removal of the rough timber gate as well as the damaged overhead capping would represent both a visual and a safety enhancement to this listed site. The proposed steel gate is of appropriate material type, and is generally matching to the style of the gate to the South West of the proposal site. All works to 'make good' the proposal area, including the re-capping of the then separated plinths will make use of reclaimed and fully appropriate matching materials such as non-cementitious lime mortar and stonework to match the capping that appears on gate plinths throughout the remainder of the site, in stark contrast to the extant cement units. Therefore, the proposed works represent either an enhancement, no harm, or 'less than substantial' harm to the designated heritage asset.

7.4 The National Planning Policy Framework (2021) (NPPF) sets out that where proposals could lead to 'less than substantial harm' to a designated heritage asset, the consideration of such an application must be weighted against the public benefit. It is understood that the new gate will enhance accessibility to the site and the removal of the extremely damaged overhead capping will represent an improvement to safety - both major public benefits. It is, however, the Local Planning Authority's opinion that these works actually represent a significant enhancement of the site from a visual and building conservation perspective, most especially because the gate in its extant state must be considered an eyesore, and a serious detriment to the way Ayscoughfee is appreciated from Love Lane. These proposed works should help to remove this drawing factor and 'tidy up' what is an ugly, non-original addition to the historic C19th walls.

7.5 Furthermore, as the site sits within the Conservation Area for Spalding, the effect upon that heritage asset must be considered. As mentioned above, the extant gate is considered to be an eyesore, particularly due to the damaged overhead concrete capping. 'Tidying-up' this gate section and replacing inappropriate materials with those which are sympathetic to the historic nature of the site, will substantially improve the visage of the Ayscoughfee complex from Love Lane and adds a greater degree of material integrity. As such, this proposal is considered to have a beneficial impact upon the conservation area as appreciated from the public realm.

7.6 Therefore, in accordance with the standards set forth by Section 16 of the NPPF, this application must be considered to help to enhance the Historic Environment via the removal of an incompatible and unsympathetic addition and the improvement of the development site through use of conservation standard materials and considerate design. Additionally, in accordance with the requirements of Policy 29, Section A, Paragraph 3 of the SELLP, as has been set out above, the proposal is held to assist in enhancing and better revealing the significance of the Historic Environment and the associated designated heritage asset. It is evident that this proposal meets all of the standards and requirements of both Section 16 of the NPPF as well as Policy 29 of the SELLP

7.7 Public Access

7.8 The gateway as it currently stands forms the primary pedestrian access to Ayscoughfee Hall from Love Lane. The larger gate to the South West of the site is chained shut and is not commonly used for access. These proposals do not include the alteration of access arrangements, and once completed, the public will continue to enjoy public, pedestrian access through the same opening.

7.9 Planning Balance

7.10 The Local Planning Authority finds no negative factors against which to balance this proposal.

7.11 Conclusion

Taking into consideration these factors, the proposal is considered to comply with Policies 1, 2,3 and 29 of the South East Lincolnshire Local Plan, 2019, plus advice within the National Planning Policy Framework, 2021.

Additional Considerations

7.12 Public Sector Equality Duty

7.13 In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:
A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).
C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

7.14 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

7.15 The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

7.16 It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

7.17 Human Rights

7.18 In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

7.19 It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

8.0 RECOMMENDATIONS

8.1 **Grant Listed Building Consent subject to those conditions listed at Section 9.0 of this report.**

9.0 CONDITIONS

1. The works must be begun not later than the expiration of three years beginning with the date of this consent.

   Reason: As required by Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

   Application Form
   A1572-12 Rev P1
   A1572-13 Rev P1
   A1572G-01 Rev P1
   A1572G-HIA Rev P1

   Reason: For the avoidance of doubt and in the interests of proper planning.

3. The Local Planning Authority has acted positively and proactively in determining this application by assessing it against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise, and subsequently determining to grant planning permission.

   This decision notice, the relevant accompanying report and the determined plans can be viewed online at http://planning.sholland.gov.uk/OcellaWeb/planningSearch

---

Background papers:- Planning Application Working File

Lead Contact Officer

Name and Post:	Richard Fidler , Development Manager
Telephone Number:	01775 764428
Email	rfidler@sholland.gov.uk

Appendices attached to this report:

Appendix A Plan A

MapThat Scale Print Title



SOUTH HOLLAND DISTRICT COUNCIL

© Crown copyright and database rights 2018 Ordnance Survey 100018351.

MAP SCALE 1:750
CREATED DATE: 22/02/2022
PHOTOGRAPHIC COPY LIABLE TO DISTORTION IN SCALE