



Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO: 6/2010/0311/DM/LB

FULL APPLICATION DESCRIPTION: Application for listed building consent for creation of new gateway in boundary wall
The Bowes Museum, Newgate, Barnard Castle

NAME OF APPLICANT: Mr Matt Leng

ADDRESS: The Bowes Museum
Newgate
Barnard Castle
Co Durham
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ELECTORAL DIVISION:

CASE OFFICER: Matthew Gibson
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1. DESCRIPTION OF THE SITE AND PROPOSALS

- 1.1 Listed building consent is sought for the creation of a new gateway in the listed boundary wall leading from the museum grounds onto Birch Road.
 - 1.2 The application site relates to land mostly within the grounds of the Bowes Museum which are grade II listed. The museum building itself is grade I listed and is considered to be amongst the most important buildings in the country. The grounds of the museum are a mixture of walls, picturesque gardens, leisure facilities and wooded areas set out between 1869 and 1876 and were designed as a public amenity space and to provide the setting of the Bowes Museum.
 - 1.3 The whole site is within the Barnard Castle Conservation Area and the new access through the existing museum boundary wall, which is grade II listed, is in close proximity to the prominent and important feature that is the Artillery Barracks Gateway and Lodge.
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1.4 The application is reported to the Committee because of an objection from the Barnard Castle Town Council.

2. PLANNING HISTORY

2.1 There is an extensive history of works both internal and external, but of most relevance to this proposal is the companion full application 6/2010/0080 to this listed building application. The development Control Committee refused planning permission for new access, gate and pathway on 13 May 2010, but permission was subsequently granted at appeal 4 March 2011.

2.2 The Inspector was satisfied that the proposal would not compromise road safety; would likely be of benefit to the overall commercial activity of the town; would not damage trees or hedges and importantly, would not detract from the main entrance which would remain the principal and most impressive entrance to the museum and would also enhance the stretch of wall and character of the Conservation Area.

3. PLANNING POLICY

3.1 NATIONAL POLICY:

- **Planning Policy Statement 1:** Delivering Sustainable Development sets out the Governments overarching planning policies on the delivery of sustainable development through the planning System.
- **Planning Policy Statement 5:** Provides a full statement of Government policies for the identification and protection of historic buildings, conservation areas and other elements of the historic environment. It explains the role played by the planning system in their protection.

3.2 REGIONAL POLICY:

Not applicable

3.3 LOCAL PLAN POLICY:

BENV1	Alterations, extensions and changes of use to a Listed Building
BENV3	Development affecting the character of a Listed Building or its setting.

The above represents a summary of those policies considered most relevant in the Development Plan

4. CONSULTATION AND PUBLICITY RESPONSES

4.1 STATUTORY RESPONSES:

Barnard Castle Town Council object on the same grounds as the planning application which has been allowed at appeal.

- a) The gateway deflects pedestrians away from the main entrance.
- b) The footpath is inadequate for the increase in pedestrian use.
- c) Potential consumers will be deflected away from retail units along Newgate.
- d) The footpath requires unnecessary felling of healthy trees.

Note: None of these issues are relevant in the consideration of the listed building application.

English Heritage have advised that it is not necessary for the application to be notified to English Heritage.

4.2 INTERNAL CONSULTEE RESPONSES:

Design and Conservation have no objection. The proposal has evolved through pre-application advice. The breaching of the wall will not adversely affect the significance of the heritage asset and would not detract from the setting of the listed building.

4.3 PUBLIC RESPONSES:

This application was advertised in the press, a site notice was posted and letters were sent to neighbours. Two objections were received. The following represents a summary of the relevant comments that relate specifically to this listed building application:

- The grade II listed wall, with its attractive curve, should be retained and not blemished in any way.
- This is an ancient wall and creating a gateway will visually detract from the whole.

Other issues raised in terms of highway safety, affect of the path on trees, suitability of the new pedestrian route and impact on the town centre are outside of the remit of this listed building application

4.4 APPLICANT'S STATEMENT:

The introduction of a new pedestrian gateway is historically in keeping with entrances added in the early 20th century along the northern boundary to satisfy the developing needs of the museum. The path has no impact on the setting of the listed structures within the museum grounds.

The above represents a summary of the comments received on this application. The full written text is available for inspection on the application file. Officer analysis of the issues raised and discussion as to their relevance to the proposal and recommendation made is contained below.

5. PLANNING CONSIDERATIONS AND ASSESSMENT

5.1 Taking into account the development plan and material planning considerations, the key

issue for consideration is:

- Impact on the special historic character of the listed buildings.

Impact on the special historic character of the listed buildings

5.2 This application seeks Listed Building consent for the creation of a new pedestrian gateway within the grade II listed boundary wall of the Bowes Museum. The planning application for the same has already been allowed at appeal. The planning application considered the impact on the setting of the listed wall and Bowes Museum, as well as the issues of highway safety, trees and impact on the town centre – all of which were considered acceptable by the Inspector.

5.3 The key issue for consideration in this application is the impact of the new gateway on the special historic character of the grade II listed wall only. In this respect, the policy considerations relating to this development are Teesdale Local Plan policies BENV1 and BENV3, as well as national planning guidance in PPS5 in respect of protection of listed buildings. Policy BENV1 sets out that alterations to listed buildings or structures will only be permitted if the proposals are in keeping with the character and appearance of the building. Policy BENV3 seeks to prevent development which would adversely affect the character or setting of a listed building.

5.4 Extensive pre application advice has been offered on this application and the design has evolved since its original conception in consultation with the Council's Design and Conservation Officer. Originally, the new gateway was to form a significant breach of the boundary wall which has been revised to a more secondary access point with a new lintel and retained wall structure and coping above. There is an established history throughout the site of the introduction of new secondary entrance points around the perimeter although it is accepted that none before have been in such a prominent location. It is considered that what is currently proposed is an appropriate solution and would not harm the character or appearance of the listed wall.

5.5 The proposed gates would be highly decorative, however given the fact that they would provide access to the museum and follow the very well established image of the museum it is considered that they would create a new focal point and a new piece of positive townscape. This would not impact on the main entrance which will remain the primary and most impressive entrance to the museum. This was a view echoed by the Inspector in the allowed planning appeal.

5.6 The Council's Conservation Officer has offered no objection on listed building grounds to the proposal. It is considered that the breaching of the wall would not adversely affect the significance of the heritage asset. The grade I listed museum building is sufficiently detached from the access point so that its setting would not be adversely affected.

5.7 Overall this is a proposal which had the potential to have significant impacts on a wide number of heritage assets, but as a result of careful thought and design it is considered that this potential impact has been minimised and would result in a scheme which responds to a modern requirement, makes a statement in its own right, but is also subtle and respects its surroundings.

5.8 Therefore, the proposals are considered to be acceptable and adequately respect the

special character of the listed structures in accordance with policies BENV1 and BENV3, as well as national guidance in PPS5.

Other Matters

5.9 Objections have been raised on grounds of highway safety, affect of the path on trees, suitability of the new pedestrian route and impact on the town centre, however these are planning matters, which are outside of the remit of this listed building application and were considered acceptable by the Inspector in allowing the planning appeal.

6. CONCLUSION

6.1 It is only possible in this listed building application to consider the impact of the proposed opening and gate on the historic interest of the listed wall and museum. Full planning permission has already been granted at appeal where issues raised in the objections of highway safety, affect of the path on trees, suitability of the new pedestrian route and impact on the town centre were considered acceptable. These issues have no bearing on the consideration of the listed building application.

6.2 Taking into account the conclusions that the breaching of the wall and new gate would not adversely affect the significance of the heritage asset in the form of the wall and setting of the grade I listed museum building, it is considered that the proposal would be in accordance with policies BENV1 and BENV3 of the Teesdale Local Plan, as well as national guidance in PPS5.

7. RECOMMENDATION

That the application be APPROVED subject to the following conditions;

1. The works to which this consent relates must be begun not later than the expiration of three years beginning with the date on which the consent is granted.

In accordance with Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

Plan Reference Number	Date received
BCBL09.09 - Site location plan	05/10/11
P252/01 rev D - Plans, elevations and details	05/10/11

To define the permission and ensure that a satisfactory form of development is obtained in accordance with Policy BENV3.

3. No development shall be carried out until a method statement detailing the method of demolition and remediation works to install the new opening including the construction

details of the gates, their method of fixing and colour finish and a detailed specification of the new etched lintel has been submitted and samples of all supplementary materials to be used have been supplied and confirmed in writing. The construction shall then be carried out in accordance with the approved details.

To ensure the protection of the listed heritage asset in accordance with policy BENV3.

8. REASONS FOR THE DECISION

The decision to grant permission has been taken having regard to the policies and proposals in the Teesdale District Local Plan including the policies referred to below, and to all the relevant material considerations, including Supplementary Planning Guidance and the particular circumstances below:

BENV1 Alterations, extensions and changes of use to a Listed Building
BENV3 Development affecting the character of a Listed Building or its setting.

The proposals are considered acceptable having regard to the relevant policies, specifically the impact of the gateway on the listed wall.

9. BACKGROUND PAPERS

- Submitted Application Forms and Plans.
- Design and Access Statement
- Teesdale District Local Plan 2002
- Planning Policy Statements / Guidance, PPS5
- Consultation Responses
- Public Responses

