
Planning Application no. SL/2020/0497

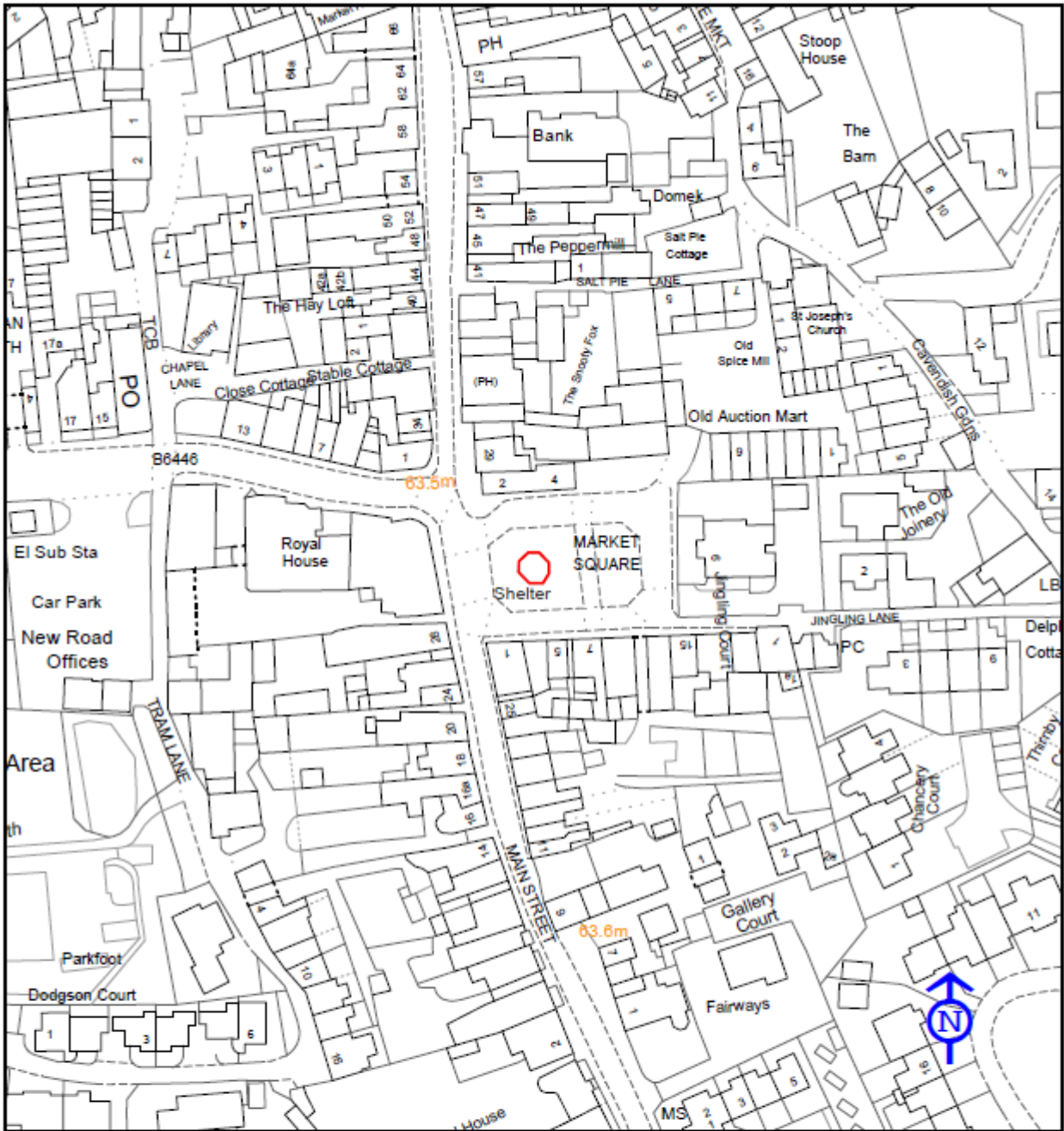
Market Cross, Market Place, Kirkby
Lonsdale

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**SL/2020/0497 &
 SL/2020/0498**

**Market Cross
 Market Place
 Kirkby Lonsdale**

Scale: 1:1250

Summary

SL/2020/0497

TOWN: Kirkby Lonsdale

Market Cross, Market Place, Kirkby Lonsdale

PROPOSAL: Removing the existing roof covering and replace with new liquid applied roof covering, repairs of damaged masonry, new proprietary outlet and repair of stone flag paving

APPLICANT: Mr Scullion (SLDC)

Grid Ref: E: 361172 N: 478619

Committee date: 28th January 2021

Case Officer: Nic Unwin

The proposal seeks full planning permission to remove the existing roof covering and replace with new liquid applied roof covering, repairs of damaged masonry, new proprietary outlet and repair of stone flag paving.

The proposed site is located within Market Place, Kirkby Lonsdale. Market Cross is a Grade II listed heritage asset and lies within the Kirkby Lonsdale Conservation Area.

The current application has been referred to committee as South Lakeland District Council is the applicant.

Recommendation

The recommendation is to approve the application subject to conditions set out at the foot of the report.

1.0 Description and proposal

Site Description

- 1.1. The proposed site forms the Grade II listed Market Cross within the western section of Market Square, Kirkby Lonsdale. The listing entry is as follows:
- 1.2. Tudor Gothic. Octagonal stone canopy with low pyramidal slate roof. Eight equal arches with leaf enrichment in spandrels, four blocked with low parapets. Each pier buttressed with two setbacks and topped by an obelisk and ball. Round headed niches in each buttress. Parapet embattled. Large stone cross at apex of roof. Inside shallow stone rib vault supported on engaged colonnettes. Inscription on frieze in raised Gothic script: "This Market Cross was presented

to the town by the Rev J.W.Davies D.D. Vicar of Kirkby-Lonsdale from 1889 to 1908. 1905".

- 1.3. The buildings that surround the market square comprise shops and houses. The buildings are in stone and are two and three storey properties. The buildings to the south side each have two bays. To the ground floor 19th-century shop fronts there are a mixture of architectural features some with bow windows and others with Doric pilasters and a cornice, and yard entries. In the upper floors are sash windows.
- 1.4. The application is accompanied by a structural report that found the roof of Market Cross to be failing.

Proposal

- 1.5. The felt covering and cracking asphalt covering is to be removed, cracks in the concrete saddle repaired and the roof recovered in a modern high performance liquid water-proof covering.
- 1.6. Repairs are to be carried out to all damaged masonry, loose pointing and spalled OPC Mortar pointing by cutting back bed joint material to a nominal depth of 20mm and repointing in lime mortar in accordance with good traditional practice. This includes masonry in the Arches between the Piers.
- 1.7. A new proprietary outlet to ensure outfall down the existing cast iron rainwater pipe.
- 1.8. The proposals also include cleaning off of all algae, leachate staining and water damage throughout and especially to the soffit of the vault.

2.0 Consultations

Kirby Lonsdale Town Council

- 2.1. Kirby Lonsdale Town Council recommend approval.

Cumbria County Council Highways and LLFA

- 2.2. No objections.

Historic England

- 2.3. No Comments. Advised that assessment be left to the Local Planning Authority's own specialist conservation officer.

Conservation Officer

- 2.4. I can confirm that from my perspective I am happy with the submission and would support a decision to approve the proposal.

Public Responses

- 2.5. No public responses were received.

3.0 Relevant planning history

- 3.1. None.

4.0 Relevant planning policies

National Planning Policy Framework

Chapter 2, Achieving sustainable development

Chapter 12 Achieving well designed places

Chapter 16 Conserving and enhancing the historic environment

Local Development Policies

South Lakeland Core Strategy Policies (CS)

CS1.1 Sustainable development principles

CS8.6 Historic Environment

South Lakeland Development Management Development Plan Document Policies (DM)

DM1 – General Requirements for all development

DM2 – Achieving Sustainable High Quality Design

DM3 – Historic Environment

5.0 Assessment

Heritage Impact

- 5.1. The proposal involves works to Grade II listed Market Cross within the Kirkby Lonsdale Conservation Area.

- 5.2. Section 66(1) 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 or, as the case may be, 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.
- 5.3. Policy CS8.6 of the Core Strategy requires safeguarding and, where possible, enhancing of historic environment assets. This is supported by Policy DM3 of the Development Management DPD which states that proposals will be expected to conserve, enhance and where appropriate better reveal the significance of listed buildings and their settings.
- 5.4. When specifically referencing applications relating to listed buildings, Policy DM3 of the Development management Policies DPD requires them to demonstrate that they would:
5. preserve and better reveal the internal or external significance of the heritage asset and its setting, as well as secure any opportunities for enhancement; and
 6. take into account its special architectural or historic interest; and
 7. ensure its continued use and longer term viability; and
 8. where appropriate, result in the securing of any public benefits; and
 9. maximise opportunities for promotion, enjoyment, understanding and interpretation.
- 5.5. Para 193 of the NPPF states that “*when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation*”. Para 194 goes on to say that “*any harm to, or loss of, the significance of a designated heritage asset, should require clear and convincing justification*”.
- 5.6. Para 196 of the NPPF states that “*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*”.
- 5.7. The proposed works utilize traditional materials (such as lime mortar and lead cappings) and techniques for the majority of the repairs to the heritage asset.
- 5.8. The primary element of the proposal involves the removal of the mastic asphalt and bonded felt that has been used over the years to repair the roof, with grey Sika Decothane Ultra liquid applied roofing. The existing asphalt and felt roofing is described as being laid in an ad-hoc fashion, poorly detailed and culminated in the structural failure of the roof. The proposed liquid applied roofing will form a grey tough yet seamless membrane which is far more durable than the asphalt and felt it

replaces and provides greater structural support. Lead capping would then dress the rounded stonework. The proposed roofing would not be visible from the market place.

- 5.9. The proposed repairs are considered to improve the existing heritage asset with the proposed roofing system providing greater structural support than the existing modern materials used to repair it over time. The Conservation Officer was consulted on the application and supports the proposal.
- 5.10. The proposal is considered to better preserve and enhance the heritage asset and will therefore cause no harm to this designated heritage asset. As such Para 196 of the NPPF need not be applied.
- 5.11. The proposal is therefore considered to be in accordance with Core Strategy CS1.1 and CS8.6, Development Management Policies DM1, DM2 and DM3, paragraph 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Chapter 16 of the National Planning Policy Framework.

Planning Balance and Conclusions

- 5.12. The proposed repairs to the Grade II listed Market Cross are considered to primarily utilise traditional materials and techniques, preserving and enhancing the heritage asset. Although the proposed liquid applied roofing is not a traditional material, it replaces poor quality modern materials that have been used for repairs over time, would not be visible from the market place within which it is located and would provide additional structural support, preserving the heritage asset.
- 5.13. The proposal is therefore considered to be in accordance with Core Strategy CS1.1 and CS8.6, Development Management Policies DM1, DM2 and DM3, paragraph 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Chapter 16 of the National Planning Policy Framework.
- 5.14. It is recommended that the proposed full planning application and listed building consent are granted.

6.0 Recommendation

Planning permission SL/2020/0497 be granted subject to the following conditions:

Condition (1) The development hereby permitted shall begin no later than three years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

- Block and Site Location plan, date received 14/07/2020
- Proposed Plans and Elevations (518-01A), date received 21/12/2020
- Proposed Plan and Section (518-02A), date received 21/12/2020
- Upstand Details (518-03B), date received 21/12/2020

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