
Planning Application no. SL/2022/0013

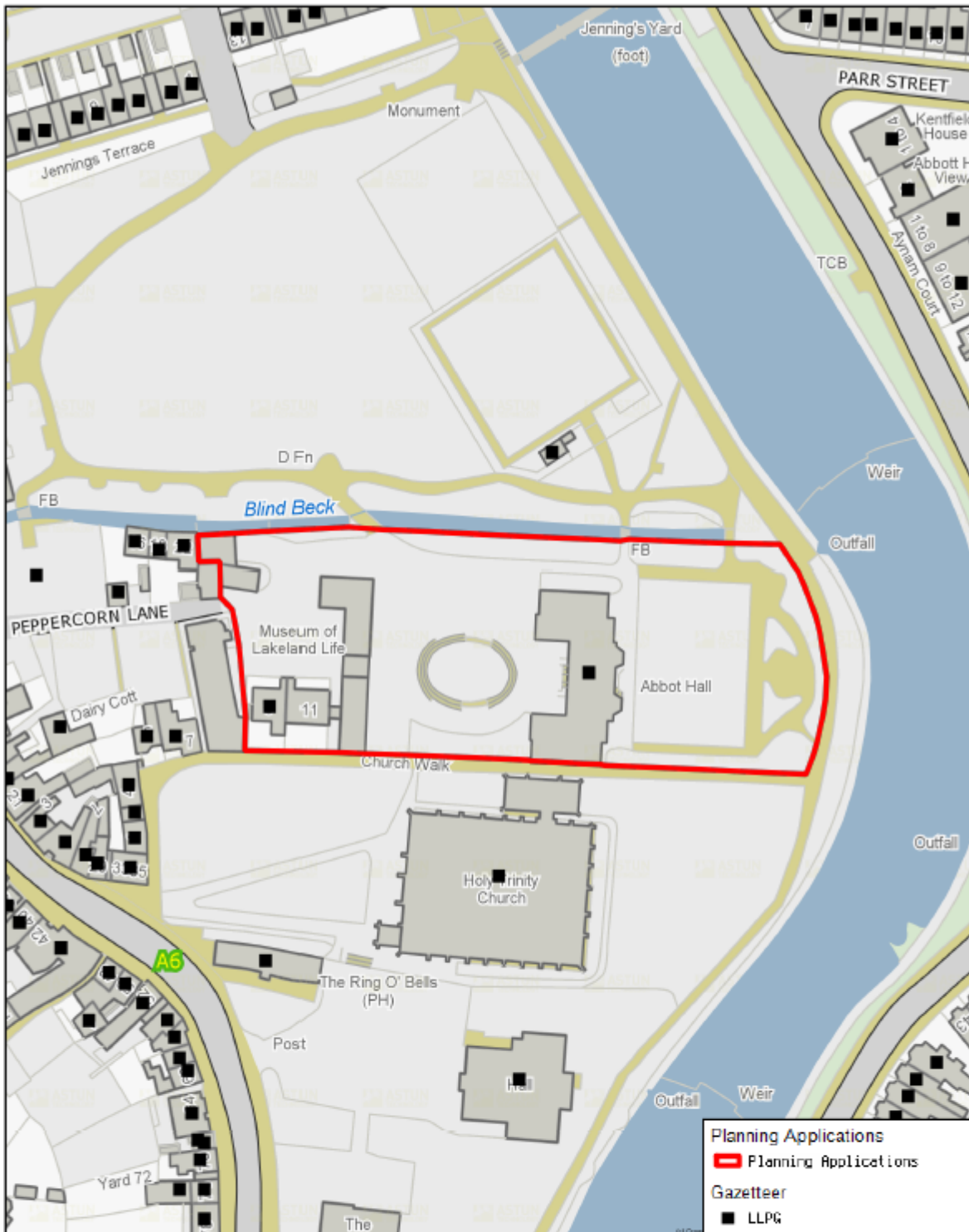
Abbot Hall Art Gallery, Kirkland,
KENDAL, LA9 5AJ

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SL/2022/0013

Abbot Hall Art Gallery, Kirkland, KENDAL, LA9 5AJ



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Summary

SL/2022/0013

PARISH: Kendal

Abbot Hall Art Gallery, Kirkland, KENDAL, LA9 5AJ

PROPOSAL: Essential repairs & refurbishments (Superseding planning permission SL/2019/0182 & Listed building consent SL/2019/0183)

APPLICANT: Lakeland Arts.

Grid Ref: E: 351709 N: 492188

Committee date: 24th March 2022

Case Officer: Liz Arnold

The proposal seeks listed building consent for essential repairs and refurbishments.

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Recommendation

The recommendation is to approve the application.

1.0 Description and proposal

Site Description

- 1.1. Abbot Hall is a Grade I listed eighteenth century riverside mansion and is located in the Kirkland area of Kendal just to the south of the town centre. The building was restored and converted into an art gallery, opening in 1962. Further works were undertaken in the 1990's and also in 2017 following the Kendal floods of 2015.
- 1.2. Adjacent to the main building are a number of other buildings including; the Coach House and Stables (grade II listed), the Old Grammar School (grade II listed), the farm barn (grade II listed), storage sheds and a residential dwelling.
- 1.3. The site is bounded by the River Kent to the east, Kendal Parish Church (grade I listed) to the south, Abbot Hall Park to the north and Peppercorn Lane car park and the A6 Kirland Road to the west.
- 1.4. The site is accessible to pedestrians on all sides and by vehicle from the A6. Parking is provided on-site in the open area between Abbot Hall and the Coach House and Stables.

- 1.5. The surrounding area is characterized by the riverside walk and public open space with commercial properties to the west. There is a culverted beck (Blind Beck) running along the northern edge of the site and the majority of the site is within Flood Zone 3.
- 1.6. The site is located within the designated town centre and the Kendal Conservation Area. The adjacent River Kent is designated a Special Area of Conservation.
- 1.7. The application has been referred to committee for consideration as South Lakeland District Council are the proprietor of the building.

Proposal

- 1.8. The proposal seeks listed building consent for essential repairs and refurbishments.
- 1.9. The work is being planned as the first phase of possible future developments at the Hall. There are external joinery repairs to the windows, doors and roof eaves and external redecoration throughout. Some essential re-pointing in lime mortar is proposed but there are no alterations to the external appearance of the buildings.
- 1.10. The Hall will be redecorated internally but with no colour changes. The silk wallpaper in one room which is not part of the original listed fabric will be removed and the original plasterwork revealed. There will be new LED track lighting to replace the existing track lighting in the galleries re-using the existing fixings, the fire alarm systems will be upgraded, and there will be some new electrical heating and the IT system will be upgraded. The first floor galleries will have new floor coverings.
- 1.11. There are proposed alterations to the detached store building including the demolition of a modern, semi-derelict shed. There will be new external signs for the site and the buildings. There are also some flood resilience measures including better removable barriers, improved drainage and repairs to the walls of Blind Beck.

Consultations

Conservation Officer

- 1.11 The Conservation Officer confirmed they have no objections to the proposals.

Arboriculturist

- 1.12 The proposed works will not affect any existing trees on the site.

Historic Environment Officer

- 1.13 No objections and no recommendations

Countryside Access

- 1.14 Public footpaths 536210 and FP 536211 follow alignments to the east and south of the proposed development area and must not be altered or obstructed before or after the development. If the footpath is to be temporarily obstructed then a formal temporary closure will be required, there is a 12 week lead in time for this process.

Highways Authority

- 1.15 The proposal to remove the car parking markings would reduce car parking capacity and could cause vehicles to park on the highway. Please can the reasoning behind this be explained.

Lead Local Flood Authority

- 1.16 I refer to the previous response to SL/2019/0182, exceedance flows to a restriction caused by a bridge over Blind Beck are known to cause flooding locally outside of the site and the flow route back into to the channel must be maintained. The proposed wall top to be rebuilt with triangular copings risks stopping the flows from re-entering Blind Beck, which would increase flood risk nearby. I would appreciate it if the applicant could provide further information about how flood flows will get back into Blind Beck.

Environment Agency

- 1.17 We have no objection to the development as proposed but wish to make the following comments.
- 1.18 The proposal is of a smaller scale than the previous proposal (SL/2019/0182) whereby the Flood Risk Assessment demonstrated that development will not exacerbate flood risk elsewhere. Although a Flood Risk Assessment has not been provided in this application we are satisfied that the development will not be at an unacceptable risk of flooding or exacerbate flood risk elsewhere.
- 1.19 The works on the walls of Blind Beck (Main River) will require a Flood Risk Activity Permit and further details will need to be provided at this stage. This includes but is not limited to dimensional drawings and a method of work.
- 1.20 The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:
- on or within 8 metres of a main river (16 metres if tidal)
 - on or within 8 metres of a flood defense structure or culverted main river (16 metres if tidal)
 - on or within 16 metres of a sea defense
 - involving quarrying or excavation within 16 metres of any main river, flood defense (including a remote defense) or culvert

- in a floodplain more than 8 metres from the river bank, culvert or flood defense structure (16 metres if it's a tidal main river) and you don't already have planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Natural England

- 1.21 Natural England is not able to fully assess the potential impacts of this proposal on statutory nature conservation sites or protected landscapes or, provide detailed advice on this application. If you consider there are significant risks to statutory nature conservation sites or protected landscapes, please set out the specific areas on which you require advice.

Historic England

- 1.22 We do not wish to offer any comments

Kendal Town Council

- 1.23 No material objections.

Public Responses

- 1.23 1 letter of representation was received advising that the proposed flood resilience measures having specific regards to Blind Beck are unacceptable, unless it can be shown beyond reasonable doubt that, in extreme conditions, they would not result in increased flood risk to the Peppercorn Lane Cottages a very short distance upstream.

2.0 Relevant planning history

- 2.1 The notable planning applications relating to the application site are as follows:

SL/2019/0182 & 0183 - Alterations to Abbot Hall, the Stables, Old Grammar School and surrounding estate, including improvements to landscaping, removal of some outbuildings, erection of detached single storey visitor cafe and conversion of an outbuilding to WCs and a store (approved August 2019)

SL/2016/0744 & 0745 – works for access ramp, lift and internal alterations (approved November 2016)

In addition there have been 10 previous applications for repairs alterations and 30 applications relating to the Kendal Flood Risk Management Scheme.

3.0 Relevant planning policies

National Planning Policy Framework

Chapter 2, Achieving sustainable development

Chapter 4, Decision Making

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

CS8.2 Protection and Enhancement of Landscape and Settlement Character

CS8.6, Historic Environment

CS8.10, Design

South Lakeland Development Management Development Plan Document Policies (DM)

DM1 – General Requirements for all development

DM2 – Achieving Sustainable high quality design

DM3 – Historic Environment

4.0 Assessment

Visual Amenity and Impact on a Grade I and a Grade II listed building

- 4.1 Policy CS1.1 states that there is a need to safeguard the essential character and appearance of those building and sites that make a positive contribution to the special architectural or historic interest of the area and Policy CS8.10

reads the siting, design, scale and materials of all development should be of a character which maintains or enhances the quality of the landscape or townscape and, where appropriate, should be in keeping with local vernacular tradition.

- 4.2 In accordance with the statutory duties set out in sections 16(2) and 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA), special regard must be paid to the desirability of preserving listed buildings and their settings, or any features of special architectural or historic interest which they may possess. Section 72 of the 1990 Act gives similar protection to buildings and spaces that help establish the special character and appearance of conservation areas. This requirement is carried through to local policies CS8.6 of the Core Strategy and DM3 of the DM DPD.
- 4.3 The National Planning Policy Framework (NPPF) Section 16 details that, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation (and the more important the asset, the greater the weight should be).
- 4.4 The submitted Heritage Statement has advised that the proposal is principally to carry out essential repairs and refurbishment. This includes external joinery repairs to the windows, doors and roof eaves and external redecoration throughout. Some essential re-pointing in lime mortar is proposed but there are no alterations to the external appearance of the buildings.
- 4.5 The Hall will be redecorated internally but with no colour changes. The silk wallpaper in one room which is not part of the original listed fabric will be removed and the original plasterwork revealed. There will be new LED track lighting to replace the existing track lighting in the galleries re-using the existing fixings, the fire alarm systems will be upgraded, and there will be some new electrical heating and the IT system will be upgraded. The first floor galleries will have new floor coverings.
- 4.6 There are also proposed alterations to the detached store building including the demolition of a modern, semi-derelict shed. There will be new external signs for the site and the buildings. There are also some flood resilience measures including better removable barriers, improved drainage and repairs to the walls of Blind Beck.
- 4.6 The SLDC Conservation Officer has confirmed that they have no objections to the proposed works, which would preserve and enhance the significance of the designated heritage assets, which are Grade I and Grade II Listed and lie within the Kendal Conservation Area.
- 4.7 It is therefore considered that the proposed works shall preserve and enhance the significance of the heritage asset.
- 4.8 It is noted that the Highways Officer has raised concerns over the removal of the car park markings and the potential displacement of vehicles onto the highway. However this would not require consent in its own right and is not a consideration for this Listed Building consent.

- 4.9 Similarly the inclusion of the triangular coping stones, at a height of 25cm would not require planning permission and the principle consideration in the assessment of this proposal would be the impact on the heritage assets. As such, the concerns raised with regard to potential flooding issues are not materials considerations, however the works are to be carried out in accordance with guidance provided by the Environment Agency.

5.0 Recommendation

- 5.1 Planning permission SL/2022/0013 is recommended for approval subject to the following conditions:

Condition (1) The works hereby permitted shall begin not later than three years from the date of this decision.

Reason: To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) 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:

- Location plan, 519/LP01 received 10 January 2022
- Proposed site plan, 519/SP01 received 10 January 2022
- Proposed Museum elevations, 519/21 received 10 January 2022
- Proposed Hall elevations, 519/20 received 10 January 2022
- Proposed Stores and Blind Beck, 519/12 received 10 January 2022
- Proposed Museum/Store Floor Plans, 519/11 received 10 January 2022
- Proposed Main Hall Floor Plans, 519/10 received 10 January 2022
- Design, Access and Heritage Statement

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

Condition (3)

- a) No construction or repair shall commence until details of the materials to be used for the development hereby approved have been submitted to and approved in writing by the Local Planning Authority.
- b) Development shall be carried out in accordance with the approved details of materials and shall be retained as such thereafter, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the development is of a high quality design in accordance with Policies DM2 and DM3 of the Development Management Policies Development Plan Document and Policy CS8.10 of the South Lakeland Core Strategy

