

## BOROUGH OF KETTERING

<b>Committee</b>	<b>Full Planning Committee - 30/07/2019</b>	<b>Item No: 5.5</b>
<b>Report Originator</b>	<b>Sean Bennett Senior Development Officer</b>	<b>Application No: KET/2019/0284</b>
<b>Wards Affected</b>	<b>William Knibb</b>	
<b>Location</b>	<b>Alfred East Art Gallery, Sheep Street, Kettering</b>	
<b>Proposal</b>	<b>Application for Listed Building Consent: Installation of security shutter</b>	
<b>Applicant</b>	<b>Kettering Borough Council</b>	

### 1. PURPOSE OF REPORT

To describe the above proposals  
To identify and report on the issues arising from it  
To state a recommendation on the application

### 2. RECOMMENDATION

THE DEVELOPMENT CONTROL MANAGER RECOMMENDS that this application be APPROVED subject to the following Condition(s):-

1. The works to which this consent relate shall be begun before the expiration of 3 years from the date of this consent.

REASON: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and to prevent an accumulation of unimplemented consents.

2. The development hereby permitted shall not be carried out other than in accordance with the approved plans and documents detailed below.

REASON: In the interest of securing an appropriate form of development in accordance with policy 2 of the North Northamptonshire Joint Core Strategy.

3. Prior to work taking place precise details showing the extent of the timber sections of the architrave, frieze and skirt to be removed shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

REASON: To protect the architectural and historic interest of the building in accordance with policy 2 of the North Northamptonshire Joint Core Strategy.

4. The shutter, its housing box and its railings shall be coloured to match the existing (white/ off-white) wall colour, so far as is practicable and no works whatsoever shall be carried out to the wooden flooring or the double timber doors.

REASON: To protect the architectural and historic interest of the building in accordance with policy 2 of the North Northamptonshire Joint Core Strategy.

## Officers Report for KET/2019/0284

This application is reported for Committee decision because KBC are applicants

### 3.0 Information

#### **Relevant Planning History**

None

#### **Site Visit**

Officer's site inspection was carried out on 17/05/2019 and 28/06/2019

#### **Site Description**

The site consists of an established Art Gallery building attached to the adjacent library by a linking corridor. The building is a Grade II Listed. It's listings description:

[Built in] 1913 by J A Gotch in Neoclassical style. Ashlar, of Weldon stone with low pitched roof behind parapet. Single storey on rusticated base. No windows, Roman Doric order with half columns in centre of side elevation framing entrance arch in rusticated chamfered voussoir with carved keystone. Pairs of columns either end of front frame raised panels and wreaths with garlands.

Public Library, Art Gallery, Alfred East Monument and Dryland Fountain form a group.

#### **Proposed Development**

The application seeks Listed Building Consent for the installation of an internal security shutter system the Art Gallery side of an internal doorway between the Library and the Gallery.

The shutter is required to enable the Gallery to exhibit high value pieces.

#### **Any Constraints Affecting the Site**

Grade II Listed Building

### 4.0 Consultation and Customer Impact

**Historic England:** State that they *'do not wish to offer any comments'*

**The Six National Amenity Societies** (The Ancient Monuments Society, The Council for British Archaeology, The Society for the Protection of Ancient Buildings, The Georgian Group, The Victorian Society and the Twentieth Century Society): No comments received at the time of writing this report.

**Neighbours:** Comments received from a third party wanting to make sure that the doors between the gallery and the library are not damaged or altered and that Gallery workers are able to evacuate through the Library.

OFFICER COMMENTS: *Historic England and the Six National Amenity Societies are not normally statutory consultees for matters concerning works to a Grade II listed building (other than demolition). In this case, however, as KBC are the applicant regulations dictate that these bodies are consulted and in the event that an objection is received the Secretary of State rather than the Local Planning Authority shall determine the application. On this occasion as no such objections have been received determination by the Council's Planning Committee is the correct mechanism.*

## **5.0 Planning Policy**

### **National Planning Policy Framework (NPPF):**

- 2. Achieving sustainable development
- 7. Ensuring the vitality of town centres
- 8. Promoting healthy and safe communities
- 12. Achieving well-designed places
- 16. Conserving and enhancing the historic environment

### **Development Plan Policies**

#### **North Northamptonshire Joint Core Strategy (JCS):**

- 1. Presumption in favour of sustainable development
- 2. Historic environment
- 8. Place shaping
- 12. Town centres and town centre uses
- 22. Delivering economic prosperity

#### **Kettering Town Centre Area Action Plan (KTCAAP)**

- 1. Regeneration priorities
- 12. Heritage

## **6.0 Financial/Resource Implications**

None

## **7.0 Planning Considerations**

The key issue for consideration is the impact on the significance of the affected heritage asset. Policy 2 of the JCS and Policy 12 of the KTCAAP consistent with chapter 16 of the NPPF seek to preserve and enhance the significance of heritage assets.

As the building consists of a Grade II Listed Building the proposal also falls to be considered under Section 66 of The Planning (Listed Buildings and Conservation Areas) Act 1990 which sets out the duty of Local Planning Authorities (when considering whether to grant planning permission for development which affects a listed building or its setting) 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.

The works are internal and thereby would not change how the building is experienced from the outside.

Internally the shutter will be affixed above the doorway, which links the Gallery to the Library. This will enable the existing doors to be retained in their current position and swing open in the same manner as the existing arrangements allow when the shutter is open. The shutter will not be required to be attached to the parquet flooring in any way. In order to ensure that these arrangements prevail a safeguarding condition shall be attached requiring the timber doors to be retained in their current position unchanged or otherwise returned in the event they are removed to carry out the work. Work to the floor shall also be prevented by condition.

The required security level (Security Rating 3) of the shutter is such that the housing box above the doorway and the vertical rails either side of the doorway leading mean that they shall be attached directly to brickwork rather than plastered wall. To accommodate the fixtures thereby the proposal will mean cutting into and removing sections of the timber architrave above the doorway although this may only be into its lower section and also the removal of small sections of the timber frieze and skirt to accommodate the rail. The exact amount of joinery removal shall be required by condition to ensure that as much as the architrave can be retained as is practical and to ensure that the amount of joinery work is limited as much as possible.

The finished colour of the shutter, its associated rails and housing shall be conditioned to match the light colouring of the walls (unless otherwise approved) so as to reduce their prominence.

Nevertheless whilst the impact of the proposal can be restricted to work that is absolutely necessary to implement the proposal and finished in complementary colours the proposal will present a change to the internal fabric of the building and from viewpoints where it can be experienced. Such a change, given the industrial appearance and materials of the proposals, is considered to constitute less than substantial harm. Given the relative minor nature of the work to be carried out and that the bulk of it can be easily reversed this harm is considered to be toward the lower end of the 'less than substantial harm' range.

Where less than substantial harm exists, consistent with paragraph 196 of the NPPF, this should be weighed against the public benefits of the proposal for the proposal to be successful.

The public benefits in this case directly relate to the provision of the provision of the shutter enabling the Gallery to display significant and often valuable pieces of Art work that otherwise would not be accessible locally. In particular the 'Tate' are intending to lend ten pieces of art to the Gallery early next year. Without the shutter this will not be possible as the required level of security measures would not have been provided. Thus, this would mean that the intended art collection will not be available to the benefit of the public. In addition the ability of the Gallery to be able to display nationally

significant collections would also benefit the viability of the Gallery thereby sustaining and contributing toward its optimum viable use as an important community facility for the Town and Kettering Borough as a whole.

It is considered that in light of the limited amount of harm apportioned and the significant public benefits identified that the harm is outweighed and whilst it may not be in accordance with Policy 2 of the JCS is consistent NPPF advice (chapter 16) which advocates this weighing approach.

#### Other issues

The third party comment received with regard the retention of the existing door has been dealt with above and will be subject to the discussed safeguarding condition.

To deal with the other third party matter; the emergency access arrangements for users of the building are not expected to be any different from existing arrangements as the door between the Gallery and the Library is currently locked when one or the other is closed. The same would continue to apply when the shutter is in place and would be open and the access (and egress) available when the Gallery is in use.

#### Conclusion

In light of the above the proposal is considered to comply with NPPF advice and there is sustainable development where presumption in its favour should apply and consent issued without delay. The application is therefore recommended for approval.

#### **Background Papers**

Title of Document:

Date:

Contact Officer:

Sean Bennett, Senior Development Officer on 01536  
534316

#### **Previous Reports/Minutes**

Ref:

Date: