



Report to Planning Committee 4 June 2026

Business Manager Lead: Oliver Scott – Planning Development

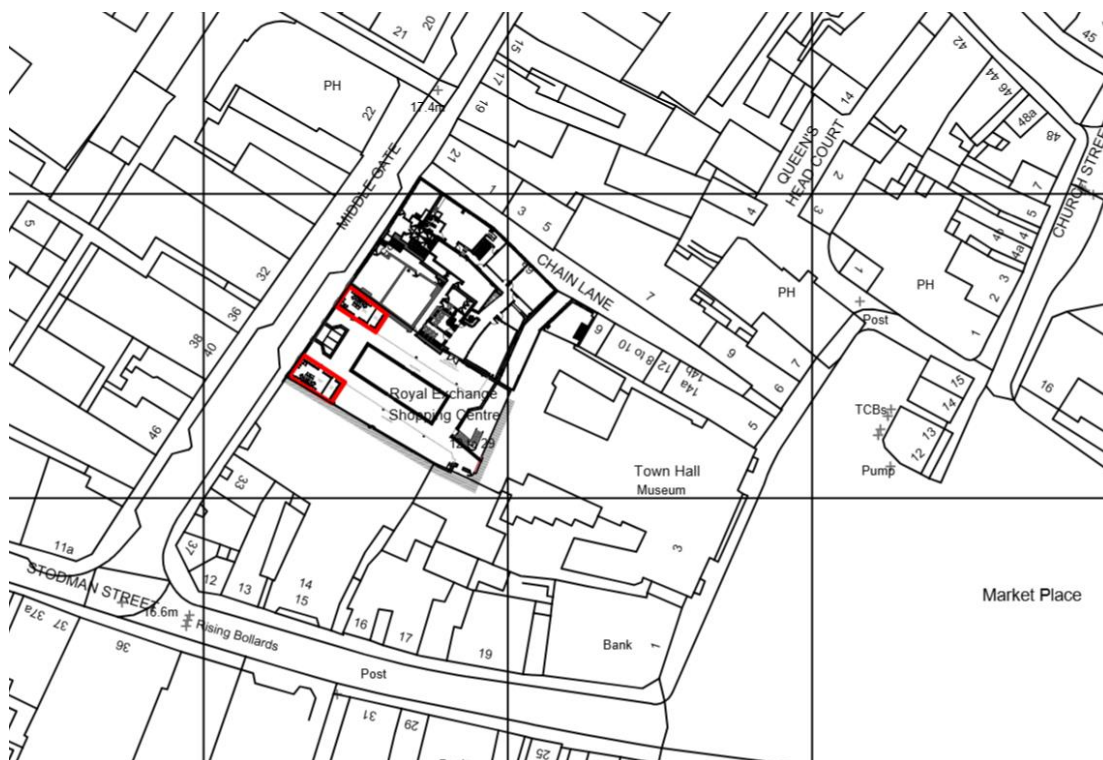
Lead Officer: Julia Lockwood, Senior Planning Officer (Conservation),

Report Summary			
Application No.	26/00477/LBC		
Proposal	Creation of internal office and storage spaces to first floor mezzanine.		
Location	First Floor The Buttermarket Middle Gate Newark On Trent NG24 1BF		
Applicant	Newark and Sherwood District Council – Lauren Anthony	Agent	Jackson Design Associates – Mr Harvey Burton
Web Link	26/00477/LBC Creation of internal office and storage spaces to first floor mezzanine. First Floor The Buttermarket Middle Gate Newark On Trent NG24 1BF		
Registered	30 March 2026	Target Date	25 May 2026
		Extension of Time	5 June 2026
Recommendation	Approve, subject to conditions.		

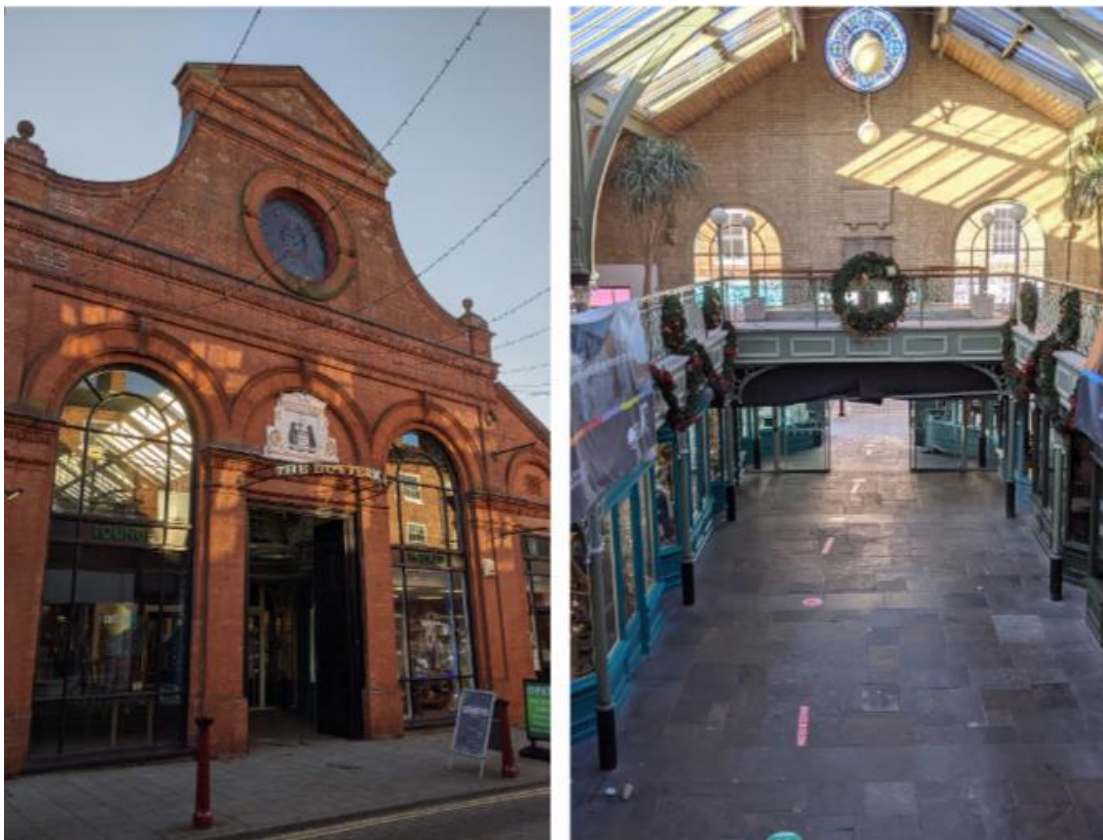
This application is being presented to the Planning Committee in line with the Council’s Scheme of Delegation as the applicant is Newark and Sherwood District Council.

1.0 The Site

1.1 The application site comprises two separate areas located at first floor level on the internal mezzanine of The Buttermarket adjacent to its frontage with Middle Gate, within Newark town centre, as outlined in red on the plan below.



- 1.2 The Buttermarket is the converted former Victorian covered market at the rear of the Town Hall, fronting Middle Gate. Newark Town Hall, by John Carr of York, is a Grade I listed building dating from 1774-76 and is one of the finest Georgian town halls in the country. The Buttermarket is considered to form part of the listed building in accordance with Section 1(5) of the Planning (Listed Buildings and Conservation Areas) Act 1990. It is not listed in its own right, however, as it is physically connected to the Town Hall it is considered to form part of the Town Hall's curtilage, and thus part of the listed building in legal statutory terms.
- 1.3 The Buttermarket features a four bay cast iron framed structure with central space on the long axis and isled wings to the sides. Natural light is brought into the building mainly through its glazed roof. Its Middle Gate frontage is characterised by red decorative brickwork forming five arched bays with cast iron framed glazing. More recent renovations introduced shops within the smaller wings on either side of the building, with shopfronts constructed of lightweight timber panelled and glass partitions. A mezzanine floor was also introduced above the shops on either side with an extended internal balcony, supported on a second row of columns at ground floor level. It is accessed by a central staircase to the rear of the space and a lift but is simply an open space at first floor level with no retail or any other interest/offer currently provided.



1.4 On the opposite side of Middle Gate from the Buttermarket, Nos 32-34, No 36 and Nos 38-42 Middle Gate are all Grade II listed and the whole area is located within Newark Conservation Area.

1.5 The site has the following constraints:

- A listed building;
- Within the setting of other listed buildings;
- Within Newark Conservation Area.

2.0 Relevant Planning History

2.1. There are numerous applications that relate to the Buttermarket, below are the most recent ones:-

2.2. 25/01173/LBC - Flat Roof Replacement works and 2no. new rainwater pipes installation, approved 03.10.2025

2.3. 24/01786/LBCLDC - Certificate of Lawfulness of proposed works to subdivide small store room into two, remove roller shutters and replace with new shopfront detail and upgrade fire performance and internal finishes, certificate issued 12.12.2024

2.4. 23/00993/LBC - Installation of a lockable steel gate and 2 No. side panels to the top of the stairs leading up to the mezzanine floor, approved 6.10.2023

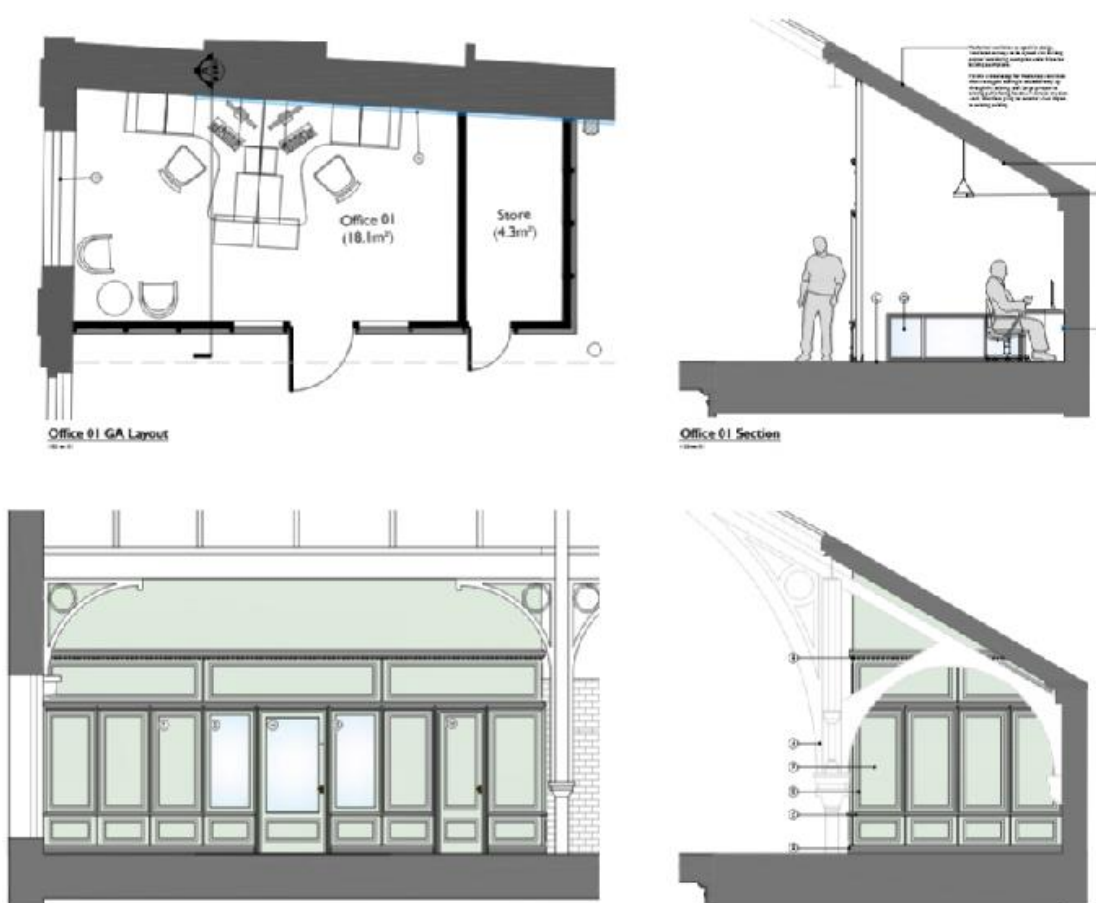
2.5. 22/00986/S19LBC - Variation of condition 2 attached to planning permission

21/02470/LBC to amend the proposed staircase, approved 08.07.2022

- 2.6. 21/02589/FUL - Change of use of the first floor atrium and old pub area of the Buttermarket from Sui Generis to Mixed Use (Uses Classes E(a), E(b), E(g(i)), F1(a) and F2(b)), approved 16.03.2022
- 2.7. 21/02470/LBC - Provision of a general access staircase within the Buttermarket atrium leading from ground floor to the first floor mezzanine level, approved 19.01.2022
- 2.8. 21/02468/LBCLDC - Fit out and refurbishments of 'old pub' area, refurbishments of Atrium floor and ceiling finishes at first floor and refurbishment of ground floor staff toilets, certificate issues 07.12.2021

3.0 The Proposal

- 3.1 The application seeks listed building consent to provide two separate office spaces with associated store rooms in the front two corners of the mezzanine. Each office space comprises 18 and 20 sqm in area with 4.3 and 5 sqm area of storage. The office uses are proposed to be separate from existing uses on the site.



- 3.2 The proposed elevations would match the shopfront designs at ground floor level and be fitted around the existing cast iron frame. Constructed of profiled timber moulding and glazing, the timber plank ceiling and flooring would remain unaltered and the

finish would be blue, cream and grey paint in colour to match the existing lift structure at first floor level.



3.3 Documents assessed in this appraisal:

- Site Location Plan (Drawing No: 25_2858(OS)A4)
- Existing and Proposed GA Layouts (Drawing No: 25_2858(02)003 Rev: P01)
- Office 01 Layout Plan, Elevations & Section (Drawing No: 25_2858(02)001 Rev P01)
- Office 02 Layout Plan, Elevations & Section (Drawing No: 25_2858(02)002 Rev P01)
- Detail Profile Identifier (Drawing No: 25_2858(02)004)
- Heritage Impact Assessment

4.0 **Departure/Public Advertisement Procedure**

4.1 Occupiers of 14 properties have been individually notified by letter. A site notice has also been displayed near to the site and an advert has been placed in the local press.

4.2 Site visit undertaken on 16 April 2026.

5.0 **Planning Policy Framework**

5.1. The Courts have accepted that Section 54A of the Town and Country Planning Act 1990 does not apply to decisions on applications for Listed Building Consents, since in those cases there is no statutory requirement to have regard to the provisions of the development plan. However, Local Planning Authorities are required to be mindful of their duty under the legal framework in determining such matters, i.e. Section 16(2)

of the Planning (Listed Buildings and Conservation Areas) Act 1990 and take into account the following other material considerations:

National Planning Policy Framework 2024 (as amended Feb 2025)

Planning Practice Guidance

Newark and Sherwood Amended Core Strategy DPD (adopted March 2019) - Core Policy 14: Historic Environment

Allocations & Development Management DPD (adopted July 2013) - Policy DM9: Protecting and Enhancing the Historic Environment

Draft Amended Publication Allocations & Development Management DPD – Policy DM9: Protecting and Enhancing the Historic Environment

Historic England (2016) Making Changes to Heritage Assets: Advice Note 2

Historic England Good Practice Advice Note 2 – Managing Significance in Decision Taking in the Historic Environment

6.0 Consultations and Representations

Please Note: Comments below are provided in summary - for comments in full please see the online planning file.

Statutory Consultations

- 6.1. Historic England – no comments received at time of writing report.

Town/Parish Council

- 6.2. Newark Town Council – No objection.

Representations/Non-Statutory Consultation

- 6.3. NSDC, Conservation – same as case officer – no objection.
- 6.4. No comments have been received from any third party/local resident.

7.0 Appraisal

- 7.1. The key consideration in this application is the impact of the proposals on the Grade I curtilage listed building.
- 7.2. As the application concerns a designated heritage asset of a listed building, section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the ‘Act’) is particularly relevant. Section 16(2) requires the decision maker in considering whether to grant listed building consent for any works, 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.”*
- 7.3. Section 16 of the National Planning Policy Framework advises that the significance of designated heritage assets can be harmed or lost through alterations or development within their setting. Such harm or loss to significance requires clear and convincing

justification. The NPPF also makes it clear that protecting and enhancing the historic environment is sustainable development.

The significance of the Buttermarket

- 7.4. In 1798, almost 100 years before the current structure was built, the site behind the Town Hall was allocated for use as Newark's meat market or butcher's shambles. New buildings for the purpose were erected on the site in 1799. Adjacent to the shambles and also fronting Middle Gate was the town's theatre, which had been established by J Borough in 1774. The theatre and shambles continued side by side until 1882. The extensive displays of raw meat could make for a most unpleasant atmosphere in the Town Hall (directly above) on hot days. The Urban Sanitary Authority was also concerned about the state of disrepair and untidiness into which the shambles had been allowed to descend. Newark's MP, W. N. Nicholson, considered the whole area nothing short of a scandal, while the Mayor, Robert Henry, described the buildings as simply a miserable tumble of dens. Not wishing to lose the retail aspect completely, the sanitary authority proposed that the site be taken over by a covered market dedicated purely to the sale of groceries and poultry.
- 7.5. On 3 July 1882, the Borough Council resolved to erect a covered market on the site of the shambles, between the Buttermarket and Middlegate. Four plans were examined, those of C Bell (London) (£2,000) and Mr Lees of Nottingham (£2,048) having iron and glass roofs. Mr Bell's plan was adopted. The foundation stone was laid in October 1883 and the market was opened in October 1884. The plans for internal fittings were prepared by George Sheppard, Borough Surveyor, who also made the only known contemporary drawing of the New Market, published in 1886.



- 7.6. The iron roof is supported by elegant but powerful iron pillars standing on stone corbels. The interior is of white brick and the floor is of concrete. The roof is of wood,

boarded and the exterior slated in. A long range of windows on the north side admits plenty of light while at night the building will be illuminated by two large Bray's lamps of seven lights each, and four gas lights round each pillar. Each of the lock-up shops is also fitted with gas burners. The exterior of the building is of red brick. The circular window at the Middlegate end is filled with coloured glass. There are 17 lockup stalls let at £5-4-0 pa a piece exclusive of gas. In the centre are 25 stalls rented at £3-18-0 p.a. each. All have been let.' The memorial stones were originally on either side of the entrance, with a drinking fountain in the central wall.

- 7.7. By the 1970s, the interior had deteriorated markedly as a result of many phases of repair over the years. Interventions have included the introduction of a mezzanine floor and stairs within the shell of the covered market, the creation of new retail units at ground and first floor levels and new connections to the buildings to the north and to Chain Lane.
- 7.8. Its architect, Charles Bell FRIBA 1846-99 was prolific but not distinguished. He is best known for his Methodist Chapels and schools. His design for the New Market was straightforward. Beyond the somewhat chapel-like elevation to Middle Gate, it is essentially utilitarian. The primary construction details are of good quality – for example the white brick facing of the interior. The principal significance of the New Market is its street elevation and whole the Market Hall is characteristic of its date and is an attractive space; its original design is utilitarian and it has been greatly altered internally. Only the west façade aspires to polite architecture; it makes an attractive contribution to the streetscape in Middle Gate, in which it is the principal 'event' in long views from north and south and forms a key element in the setting of the Town Hall.

Assessment of Proposals

- 7.9. All works are internal within the existing covered market building. As referenced above, and no doubt Members will recall themselves, that the first floor mezzanine of the Buttermarket has within the last 15-20 years, accommodated small retail units along the length of its roof voids. The principle of such insertions, therefore, has been supported in the recent past. Whilst these insertions would reduce the open floorspace at mezzanine level, their limited size and scale would still allow this wider space to be read and understood. It is noted from the significance section above that the mezzanine floor has been a late 20th century addition to the building and as such the significance of its fabric is somewhat reduced. The detailing and finish of the new inserted walls would match that of the existing first floor lift and reflect the existing shopfront designs at ground floor level. Furthermore, the successful removal of previous modern internal stud walls and shopfronts demonstrates that such insertions are easily reversible. As such, it is considered that the proposal would result in no harm to the special interest of the listed building
- 7.10. In wider terms, the proposal would increase the use of the mezzanine and make good use of an existing underused area of the building, which is considered to be an overall benefit. Whilst not set out within the application submission, officers are aware that this part of the building is suffering from anti-social behaviour issues and the new use would allow greater natural surveillance of this important space.

8.0 Implications

8.1. In writing this report and in putting forward recommendations officers have considered the following implications; Data Protection, Equality and Diversity, Financial, Human Rights, Legal, Safeguarding, Sustainability, and Crime and Disorder and where appropriate they have made reference to these implications and added suitable expert comment where appropriate.

8.2. Legal Implications – LEG2627/5798

Planning Committee is the appropriate body to consider the content of this report. A Legal Advisor will be present at the meeting to assist on any legal points which may arise during consideration of the application.

9.0 Conclusion

9.1. This report concludes that the proposed works to the building are generally considered harmonious to it and would result in improved usage of the space. The scheme would result in no harm to the special historic or architectural interest of this curtilage listed building and would continue to preserve it as required by the statutory objective set out in Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal also accords with the guidance set out within Section 16 of the NPPF and with the relevant policies of the Local Development Framework. As such, the proposal is recommended for approval, subject to the conditions set out below.

10.0 Conditions

01

The works hereby permitted shall begin within a period of three years from the date of this consent.

Reason: To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

02

The works hereby approved to allow the creation of internal office and storage spaces to first floor mezzanine shall not be carried out except in accordance with the following approved plans and associated documents:

- Site Location Plan (Drawing No: 25_2858(OS)A4)
- Existing and Proposed GA Layouts (Drawing No: 25_2858(02)003 Rev: P01)
- Office 01 Layout Plan, Elevations & Section (Drawing No: 25_2858(02)001 Rev P01)
- Office 02 Layout Plan, Elevations & Section (Drawing No: 25_2858(02)002 Rev P01)
- Detail Profile Identifier (Drawing No: 25_2858(02)004)
- Heritage Impact Assessment.

Reason: So as to define this consent.

Informatives

01

The Listed Building Consent is granted in strict accordance with the approved plans and specifications contained in this application. It should however be noted that:

- a) You and your agent or any other person responsible for implementing this consent should inform the Local Planning Authority immediately of any proposed variation from the approved plans and ask to be advised as to the best method to resolve the matter, as any unauthorised works undertaken could constitute a criminal offence under the Planning (Listed Building and Conservation Areas) Act 1990 and could be liable for enforcement action.
- b) The owner and/or developer is advised that the proposed works may require approval under the Building Regulations. Any amendments to the hereby permitted scheme that may be necessary to comply with the Building Regulations must also be approved in writing by the Local Planning Authority in order that any planning and listed building implications arising from those amendments may be properly considered.

02

Any damage caused by or during the course of the carrying out of the works hereby permitted should be made good within 3 months after they are complete. All new works unless specified on the approved plans and works of making good, whether internal or external, should be finished to match the adjacent work with regard to the methods used and to material, colour, texture and profile.

BACKGROUND PAPERS

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Application case file.

Committee Plan - 26/00477/LBC

