

Report to: PLANNING COMMITTEE

Date: 15 December 2016

Report from: Assistant Director of Housing and Built Environment

Application Address: **Half Man Half Burger, 7 Marine Court, Marina, St Leonards-on-sea**

Proposal: **Proposed alterations to external extract ductwork on low level roof over looking undercliff to the North of Marine court.**

Application No: **HS/LB/16/00744**

Recommendation: **Grant Listed Building Consent**

Ward: CENTRAL ST LEONARDS
File No: MA44000X
Applicant: Half Man Half Burger! per Iain Exley Ltd 13 Quarry Terrace Hastings TN34 3SA

Interest: Lessee
Existing Use: Restaurant

Policies
Conservation Area: Yes - Burtons' St. Leonards
Listed Building: No

Public Consultation
Adj. Properties: Yes
Advertisement: Yes - Affects a Listed Building
Letters of Objection: 3
Petitions Received: 0

Application Status: Not delegated - More than 2 letters of objection received

Site and Surrounding Area

Marine Court is a Grade II Listed Building located within Burtons' St. Leonards Conservation Area. The building is a prominent 1930's Art Deco building located on the seafront of both Hastings and St Leonards.

The site for the proposal is located to the rear of a ground floor commercial property at Marine Court facing Undercliff. The rear of Marine Court features a white painted brick wall at ground floor level, with blue painted service doors, and black timber louvres. The opposite side of Undercliff features a retaining wall which reaches several stories high and forms the boundary with East Ascent.

On site is an existing extract system which does not benefit from planning permission and is believed to have been inserted when the premises were used as a Indian restaurant. The existing extract system is located behind the parapet wall of Marine Court and is not therefore visible from the road.

Listing

Date first listed: 09-Nov-1999

TQ 8008 NW HASTINGS MARINA St Leonards on Sea 757/11/10033 Marine Court

"Service flats incorporating shops, car park and restaurant. Foundation stone laid 1936, completed 1938, architects Kenneth Dalgleish and Roger K Pullen in a Cunard style consciously designed to be "a building embodying the beautiful curves of a great ship - a vertical liner on land" inspired by seeing the Queen Mary in dock in Scotland. Late C20 refenestation and glazing-in of balconies. Steel frame construction with vertical lattice framing to resist the wind pressure due to the height and narrowness of the building and its exposed location. External walls are 11 inch brick cavity, flat roofs are reinforced concrete with tiled finish, floors are hollow block and balcony fronts are painted reinforced concrete and the windows which were metal Crittall casements have mainly been replaced in uPVC and aluminium casements and horizontally sliding windows. Fourteen storeys high, rising to 170 feet from basement to rooftop. The building provided underground car parking, twenty shops at ground floor level, two storey restaurant on the first floor east end and a promenade deck on the thirteenth floor. There are four separate entrances each served by lifts and staircases. Every self-contained flat above the second floor has a southern aspect, a balcony and a view of the sea. Ground floor has shopfronts, some retaining original black tiling and horizontally-glazed fanlights and four entrances with doors replaced in uPVC and canopy decorated with wave pattern above. The first and second floors form a podium and have 23 windows, now with sliding sashes. Rounded corner to east (former restaurant) has tall casement windows. Upper floors have balconies, many of which have been glazed-in in the later C20. West end also curved with expanse of stock bricks. Rear elevation has concrete balconies divided by four enclosed staircases and there is an external staircase. Interior retains original lifts and metal staircases and some flats retain original built in kitchen and bedroom units."

Proposed development

The proposal is to raise the existing brick extract terminal by one course of bricks and to add two new ducts leading from either side of the existing brick terminal out through the parapet wall finished with two louvres. Externally, as viewed from Undercliff, of the works proposed, only the two louvres will be visible from the road.

Materials

Powder coated ductwork in white

Matte black painted louvres in Accoya timber

Relevant Planning History

HS/FA/15/00197 Proposed external alterations (Application HS/LB/15/00198 also applies). Granted 12/05/2015

HS/LB/15/00198 Proposed internal and external alterations (Application HS/FA/15/00197 also applies). Granted 12/05/2015

National and Local Policies

Hastings Local Plan – Planning Strategy (2014)

EN1 - Built and Historic Environment

Hastings Local Plan – Development Management Plan (2015)

HN1 - Development Affecting the Significance and Setting of Designated Heritage Assets (including Conservation Areas)

HN2 - Changing Doors, Windows and Roofs in Conservation Areas

HN3 - Demolition involving Heritage Assets

Other Policies/Guidance

Planning (Listed Buildings and Conservation Areas) Act 1990

National Planning Policy Framework (NPPF)

Section 12 Para 132

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. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

Consultations comments

Conservation Officer - Raises no objection with the following comments.

"I visited this site today and I was able to see the proposals from both the street and from inside the building. Marine Court is a tall, prominent 1930s residential block with shops on the ground floor frontage. The building is Grade II listed. The rear elevation of this building houses the building services, at the lower level, with flats above.

The proposals are in keeping with the nature of this rear part of the building in that they are a utilitarian solution to dealing with the cooking smells from the restaurant on the frontage. The proposed change to the duct housing is minimal, and the addition of exposed ducts to either side of this housing will be hidden from public view by the parapet wall.

The only part of the proposal that will be visible from the street is the addition of two extract vents within the exterior rear wall at ground floor level. The proposed vents will sit flush in the wall and have been designed to complement the existing original vents on the rear elevation at this level. As such, I do not consider them to be out of character for this building. Overall, I can confirm that the proposals will not harm the significance of the listed building and so I have no objection to listed building consent being granted.

No suggested conditions."

Environmental Health - Raise no objection. Environmental Health were consulted, however, their comments do not apply to this Listed Building Consent application and their comments will be fully considered as part of the assessment of a Full Planning Application.

Representations

3 letters of objection have been received raising concerns regarding noise and smell.

Determining Issues

Heritage

In assessing Listed Building applications regard can only be had to matters of heritage. Other matters such as noise and odour can only be considered as part of a planning application.

Marine Court is dominant due to its size and location on the seafront and is significant in its special architectural character and appearance. However, the rear of Marine Court, where the proposed louvres are located, faces Undercliff and this elevation of the building is of much less significance than the front elevation. Moreover, this road serves the rear of properties from Marine Court only and views of this elevation are much more localised than the front elevation.

It is proposed to divert the existing extract through the parapet wall with a minimal amount of ducting behind. The visible change will be two louvers which the air will extract out.

Much of the proposal is hidden behind the parapet wall away from the view of the public from the street. The proposals behind the parapet wall will be visible from certain points within Marine Court, however, it is proposed to powder coat the ducting white which will match the existing white wall, reducing their impact. The two external louvres are proposed to match the style and materials of the existing and do not protrude unnecessarily from the building. Overall the works are minor and are not considered to cause undue harm to the special architectural interest or character of the building.

Conclusion

This application proposes minor changes to the Listed Building and the proposals are considered sympathetic to the building and capable of being introduced without harm to the historical, structural or architectural significance of this Listed Building. The Conservation Officer has not objected to the scheme and the development is considered to be in accordance with the relevant policies of the Local Plan. As such the application is recommended for approval.

The Human Rights considerations have been taken into account fully in balancing the planning issues.

Recommendation

Grant Listed Building Consent subject to the following conditions:

1. The work to which this consent relates shall be begun before the expiration of three years beginning with the date on which this consent is granted.

2. The works hereby permitted shall be carried out in accordance with the following approved plans:

HGSI5 - Location Plan, HGSI5 - Site Plan, P003

Reasons:

1. This condition is imposed in accordance with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
2. For the avoidance of doubt and in the interests of proper planning.

Notes to the Applicant

1. Failure to comply with any condition imposed on this consent may result in enforcement action without further warning.
2. Statement of positive engagement: In dealing with this application Hastings Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

The reason for granting this consent is:

- 1 National Planning Policy Framework Section 12 applies. The works proposed will not harm the designated heritage asset.

Officer to Contact

Miss N Sargant, Telephone 01424 783265

Background Papers

Application No: HS/LB/16/00744 including all letters and documents