

Report to: PLANNING COMMITTEE

Date of Meeting: 06 February 2019

Report from: Assistant Director of Housing and Built Environment

Application Address: **Discovery Playground, Old Town Hall, High Street, Hastings, TN34 3EW**

Proposal: **Replacement of lead guttering and parapet coping with new zinc gutters and parapet copings.**

Application No: **HS/LB/18/00583**

Recommendation: **Grant Listed Building Consent**

Ward: OLD HASTINGS 2018
Conservation Area: Yes - Old Town
Listed Building: No

Applicant: Hastings Borough Council per Baker Architectural Services 29 Stirling Road Castleham Business Centre East St. Leonards-on-Sea, East Sussex. TN38 9NP

Public Consultation

Site Notice: Yes
Press Advertisement: Yes - Affects a Listed Building
Letters of Objection: 0
Petitions of Objection Received: 0
Letters of Support: 1
Petitions of Support Received: 0
Neutral comments received 0

Application Status: Not delegated -
Application on Council owned land/Application by the Council

1. Site and Surrounding Area

The site is a prominent two storey building which was built in 1823 and abuts the High Street. The building is Grade II listed, first listed on the 19th January 1951. The building was formerly the Town Hall and was used as a museum for many years, from 1949 until 2014. The building is now an indoor children's playground - the Discovery Playground, and has been since the approved change of use from a museum in December 2016 under HS/FA/16/00651 and HS/LB/16/00711.

The building is within the Old Town Conservation Area. The front of the building features a ground floor arcade of five large round arches with windows and the main door with five tall traditional sliding sash windows to the first floor. To the top and middle of the building there is a rectangular panel with the coat of arms of the town and the date.

The surrounding area is predominantly made up of buildings with retail use at ground floor and residential to the floors above. The building is located within an Archaeological Notification Area, the Old Town District Shopping Centre and is also listed as an Asset of Community Value. To the rear of the building is St Clements Church which is Grade II* listed and stands at a higher elevation than the site.

Listing

Former Town Hall. Dated 1823. Stuccoed. 2 storeys. Ground floor arcade of 5 round arches with keyblocks and impost, glazed. Above wide band at 1st floor level. 1st floor 5 tall sashes with glazing bars and cills, above band end parapet ramped up at ends and rising at centre to hold rectangular panel with coat of arms of town and date. Slate hipped roof, at one end square wooden bell turret, domed, with ball finial.

Constraints

Grade II Listed Building

Conservation Area - Old Town

SSSI Impact Risk Zone

Hastings Borough Council Owned Land

Archaeological Notification Area

Asset of Community Value Listed

2. Proposed development

The application is seeking listed building consent for the removal and replacement of the existing lead guttering and parapet copings, with zinc guttering and parapet copings. Details of how the replacement works to the guttering and parapet copings will be carried out are detailed in the schedule of works document submitted as part of this application.

The proposal for new zinc guttering and parapet copings will greatly improve the state of the property. The proposed new guttering and parapet copings will prevent theft of the existing lead, and in turn will help protect and preserve this Listed Building. The existing fall and step layout of the roof is to remain the same. It is noted there will be no works carried out to replace the roof covering, which will remain as slate tiles. However, a condition has been attached to this consent that if during the works any of the slate tiles become damaged or broken then these will need to be replaced with like-for-like slate tiles (condition 4).

The lead from this building has been stolen on multiple occasions. The site has explored other security options with the approval of the installation of a CCTV camera and motion activated solar lights to the rear of the building last year under HS/LB/17/00845. It was hoped that the installation of the CCTV and lights would deter any future lead thefts. However, the lead is still being removed from the building. Therefore, the proposed works are considered necessary in order to prevent further lead thefts from the building's roof and to protect this important Listed Building.

The application is supported by the following documents:

- Design Heritage and Justification Statement (issue: 003)
- Schedule of Works (issue: 004)
- Supporting Annotated Photographs

Relevant Planning History

- HS/LB/17/00845 Install CCTV camera on rear external wall, facing the churchyard, and 2 motion activated solar lights.
Granted 11/01/2018
- HS/FA/16/00651 Change of use from D1 (museum) to D2 (indoor children's playground). Proposed mainly free standing fixtures, and redecoration throughout, including glazed balustrade. Toilet on first floor to be re fitted. Repaint external door using heritage colour. Windows will have stick on window frosting with business logo. (application HS/LB/16/00711 also applies).
Granted 23/12/16
- HS/LB/16/00711 Change of use from D1 (museum) to D2 (indoor children's playground). Proposed mainly free standing fixtures, and redecoration throughout, including glazed balustrade. Toilet on first floor to be re fitted. Repaint external door using heritage colour. Windows will have stick on window frosting with business logo (application HS/FA/16/00651 also applies).
Granted 23/12/16

National and Local Policies

Hastings Local Plan – Planning Strategy (2014)

Policy FA5 - Strategic Policy for Eastern Area

Policy SC1 - Overall Strategy for Managing Change in a Sustainable Way

Policy EN1 - Built and Historic Environment

Hastings Local Plan – Development Management Plan (2015)

Policy LP1 - Considering planning applications

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

Policy HN2 - Changing Doors, Windows and Roofs in a Conservation Area

Other Policies/Guidance

Supplementary Planning Document 1 - Roof Materials for Listed Buildings and Conservation Areas

National Planning Policy Framework (NPPF)

Paragraph 11 sets out a general presumption in favour of sustainable development and states that development proposals which accord with the development plan should be approved without delay.

Paragraph 12 of the NPPF states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Three dimensions of sustainability given in paragraph 8 are to be sought jointly: economic (by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation); social (providing housing, creating high quality environment with accessible local services); and environmental (contributing to, protecting and enhancing natural, built and historic environment) whilst paragraph 9 advises that plans and decisions need to take local circumstances into account, so they respond to the different opportunities for achieving sustainable development in different areas.

Paragraph 184

Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Paragraph 189

In determining applications, Local Planning Authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

Paragraph 193

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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

3. Consultation comments

Conservation Officer - No Objection

Considers that the works are appropriately detailed and they will help to preserve the historic building in the longer-term. The works comply with the requirements of the NPPF in respect of the need to conserve heritage assets.

The Conservation Officer has attached a condition to the consent that if during the works any of the slate roof tiles become damaged or broken then these will need to be replaced with like-for-like slate tiles (condition 4).

4. Representations

A site notice was erected outside the application site and an advert placed in the local newspaper. Following an amended description and plans, an amended site notice was subsequently put up and the proposal was re-advertised allowing members of the public to comment. One letter of support has been received, which states the following;

This is an Application which should be approved without delay: this building will only deteriorate further if the present state of its roof is allowed to continue into the Winter. The Old Town Hall has a long and sad history of lead being stolen from its roof and huge and expensive damage being caused. This hopefully be a permanent solution to a hitherto-permanent problem. as it is reported that zinc has no worthwhile re-sale value. This new roofing should finally render this iconic building not only weather-proof but also safe from the associated structural damage caused by the actions of lead-thieves.

5. Determining Issues

In determining listed building applications consideration needs to be given to matters of heritage. Permission will be given for those schemes that show a full understanding of the significance of the asset and convincingly demonstrate how their chosen design sustains and enhances the significance of any heritage assets affected.

a) Heritage

As established in Policy EN1 of the Hastings Local Plan, although significant progress has been made in terms of improving building condition, the historic environment is still vulnerable to loss and inappropriate change. It is critical that these special historic buildings and areas are protected, now and in the future. Active management of our historic environment will be required, to ensure that its significance is protected, enabling future generations the opportunity to experience and enjoy these special places.

The proposed works are for the removal and replacement of the existing lead guttering and parapet copings with new zinc guttering and parapet copings. The lead is easily accessed from this building, due to the enclosed nature of the rear, as such the building has been susceptible to repeated lead thefts over the years. The site has explored all other reasonable security measures with the approval of the installation of a CCTV camera and motion activated solar lights to the rear of the building last year. It was hoped that the installation of these security measures would deter any future lead thefts. However, the lead is still being removed from the building.

As stated in Historic England's Metal Theft from Historic Buildings (2017) guidance, where the risk of further theft is too high, for example where there has been a serious theft, or repeated minor attacks, it is not reasonable to expect like for like replacement. It is recommended that the most appropriate alternative would be a long- term durable material with a known standard of performance, such as terne-coated stainless steel, zinc, slates or tiles. Although, it is regrettable to see the loss of the lead gutters and parapet copings, the proposed replacement has been considered necessary in this instance to lessen the possibility of further lead thefts. This will help protect the historic fabric of the building from further water ingress and damage and will help conserve this important listed building.

The proposed use of zinc is considered to be a durable, authentic and appropriate replacement material, which is generally less attractive to thieves, as it is less malleable than lead, and therefore more difficult to remove quickly. The existing fall and step layout of the roof is to remain the same. The works will affect the existing roof only. It is noted there will be no works carried out to replace the roof covering, which will remain as slate tiles. The proposed zinc guttering will be positioned behind the parapet wall and will not be visible from any of the surrounding elevations. The proposed zinc parapet copings however will be visible, although this will be a subtle justified change, the principal design and external appearance of the building will remain largely unaffected.

The Conservation Officer has been consulted and raises no objection to the proposed replacement works, subject to the attached conditions. The replacement of the existing lead guttering and parapet copings with new zinc guttering and parapet copings is considered to be necessary and will be sympathetic and sensitive to the building and the setting. This replacement will help conserve this heritage asset and is considered acceptable in this instance. The proposal is in agreement with Historic England's Metal Theft from Historic Buildings (2017) guidance and Policies EN1, HN1 and HN2 of the Hastings Local Plan and the relevant sections of the National Planning Policy Framework.

b) Environmental Impact Assessment

The National Planning Practice guidance (Paragraph: 017 Reference ID: 4-017-20170728) states that "Projects which are described in the first column of Schedule 2 but which do not exceed the relevant thresholds, or meet the criteria in the second column of the Schedule, or are not at least partly in a sensitive area, are not Schedule 2 development."

This development is not within a sensitive area as defined by Regulation 2 (1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and does not exceed the thresholds of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

6. Conclusion

In view of the above, the removal and replacement of the existing lead guttering and parapet copings with new zinc guttering and parapet copings, is considered necessary. The lead from this building has been stolen on multiple occasions, this replacement will prevent further lead thefts, which will help protect the historic fabric of the building from further water ingress and damage. It is considered the proposal will not cause harm to the significance of this heritage asset and will help protect and preserve this important Grade II Listed Building. The Conservation Officer raises no objection to the proposal subject to the imposition of conditions. The proposal meets the requirements of the Supplementary Planning Document 1: Roof Materials for Listed Buildings and Conservation Areas, Policies EN1, HN1 and HN2 of the Hastings Local Plan and the relevant sections of the National Planning Policy Framework. Therefore, this application is recommended for approval.

These proposals comply with the development plan in accordance with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

7. 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:

BA1859.01, BA1859.02, BA1859.03A, BA1859.04B, BA1859.05B, BA1859.06 and Schedule of Works (004)
3. With the exception of internal works the building works required to carry out the development allowed by this permission must only be carried out within the following times:-

08.00 - 18.00 Monday to Friday
08.00 - 13.00 on Saturdays
No working on Sundays or Public Holidays.
4. Should any of the existing natural slates on the roof of the building be damaged or broken during these works then they shall be replaced "like for like" with good quality natural slates to the same size, colour and texture as the existing slates on the building.

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.
3. To safeguard the amenity of adjoining and future residents.
4. To ensure the architectural and historic character of this Grade 2 Listed Building is adequately protected.

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 paragraph 38 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.
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Officer to Contact

Mrs L Fletcher, Telephone 01424 783261

Background Papers

Application No: HS/LB/18/00583 including all letters and documents