

Report to: PLANNING COMMITTEE
Date of Meeting: 10 July 2019
Report from: Assistant Director of Housing and Built Environment

Application Address: Discovery Playground, Old Town Hall, High Street, Hastings, TN34 3EW
Proposal: Installation of a new ' multi split system' comprising of 2 no internal wall mounted air conditioning units to ground and first floors, 4 no external condensers to the roof and associated pipe work and pumps (amended description)
Application No: HS/LB/18/00928

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 Amended Plans
Letters of Objection: 0
Petitions of Objection Received: 0
Letters of Support: 0
Petitions of Support Received: 0
Neutral comments received 0

Application Status: Not delegated - Council application on Council owned land

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.

Most recently, the building has been used as an indoor children's playground - the Discovery Playground, although this use has recently ceased and the building is vacant.

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

It is proposed to install 2 x PACi wall mounted systems internally to the ground and first floors (resulting in 4 in total), together with 4 x PACi elite inverter single phase external condensers behind the parapet wall on the roof. Combined, these units provide a 'Multi Split System' to improve the energy rating of the property and control the internal environment in terms of heating and cooling. Associated works will include the relevant pipe works and pumps, which will exit the roof through existing vent locations.

The external condensers measure 619mm x 799mm x 299mm, with the internal wall mounted systems measuring 300mm x 1065mm x 230mm. These external condensers will fit in behind the existing parapet wall, and therefore, will not be visible from the streetscene. The internal wall mounted systems will be sited at a high level to minimise the amount of required pipe work, which will be sited in existing cupboards where possible.

The application is supported by the following documents:

- Design Heritage Justification Statement (Issue 002)
- Specification sheets
- Annotated photos of location of roof vent tiles, position of internal units, cupboards locating the proposed pipe work.

Relevant planning history

- HS/FA/19/00097 Installation of a new ' multi split system' comprising of 2 no internal wall mounted air conditioning units to ground and first floors, 4 no external condensers to the roof and associated pipe work and pumps (amended description)
Awaiting determination
- HS/LB/18/00583 Replacement of lead guttering and parapet coping with new zinc gutters and parapet copings
Granted 06/02/2018
- 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 EN1 - Built and Historic Environment

Hastings Local Plan – Development Management Plan 2015

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

National Planning Policy Framework (NPPF)

Section 12 of the NPPF sets out the requirement for good design in development. Paragraph 124 states: "The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."

Paragraph 127 of the NPPF requires that decisions should ensure developments:

- Function well;
- Add to the overall quality of the area for the lifetime of that development;
- Are visually attractive in terms of:
 - * Layout
 - * Architecture
 - * Landscaping
- Are sympathetic to local character/history whilst not preventing change or innovation;
- Maintain a strong sense of place having regard to:

- * Building types
- * Materials
- * Arrangement of streets
- Optimise the potential of the site to accommodate an appropriate number and mix of development;
- Create safe places with a high standard of amenity for future and existing users

Paragraph 130 states permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way that it functions.

Paragraph 130 also seeks to ensure that the quality of an approved development is not materially diminished between permission and completion through changes to the permitted scheme.

Paragraph 189 (of Section 16. "Conserving and enhancing the historic environment") states: "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. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation."

Paragraph 190 states: "Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal."

Paragraph 192 states: "In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness."

Paragraph 193 states: 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.

Paragraph 194 states: "Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;

b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional."

Paragraph 196 states: "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."

Paragraph 200 states: "Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably."

Paragraph 202 states: "Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies."

3. Consultation comments

Conservation Officer - **No objection**

Following the receipt of additional detail, the conservation officer does not consider the works to cause harm to the significance or setting of this heritage asset, and there will be no loss to the building's fabric.

4. Representations

No letters of representation were received following the display of a site notice at the site.

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 Old Town Hall is a Grade II listed building. The property is Georgian, dating to 1823. This is a key building along High Street, retaining its character as a former public building and making an important contribution to views in this part of the Old Town Conservation Area. The building is also visible from the north side, along Church Passage, and from St. Clements churchyard.

The works will have no impact on the front elevation of the building. The 4 proposed condenser units will be sited on the rear roof of the listed building, tucked in behind an area of raised parapet. The rear roof of the building is visible from both Church Passage, to the north of the Old Town Hall, and from the eastern most area of St. Clements churchyard. Despite this, it is not considered that the new external equipment will be a prominent feature, as the condenser units will mostly be hidden behind the central raised parapet on the rear roof. Also, there will be new pipe work within the roof void connecting the internal air conditioning units to the external condenser units. The pipe work will exit the roof through existing roof vent locations, with no loss of fabric. Overall therefore, it is considered that the external works are acceptable in principle, subject to conditions relating to fixing methods and restricting wiring and ducting in visible locations (conditions 3, 4 and 5).

The proposed air heating and cooling system will also involve changes to the interior of the listed building. This will include the provision of wall mounted air conditioning units in four locations within the building and associated internal pipe runs through the existing rooms and through the roof space to connect to the external plant. These works will not involve damage to the fabric of the listed building, and are therefore considered acceptable, as harm will not be caused to its significance.

Combined, the proposed multi-split system will enhance the energy efficiency of the building, helping bring it back into use, providing benefits for the vitality and viability of the immediate area, whilst sustaining the significance of the heritage asset. The proposal is therefore in accordance with Policies EN1 and HN1 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.

c) Site constraints

The proposed works will take place internally, and on top of the existing building. Therefore, there will be no impact in terms of the identified site constraints.

6. Conclusion

In view of the above, the proposed multi-split system for heating and cooling is considered acceptable and will not cause harm to the significance and setting of the listed building, or the wider conservation area. The Conservation Officer raises no objection to the proposal subject to the imposition of conditions. The proposal meets the requirements of Policies EN1 and HN1 of the Hastings Local Plan and the relevant sections of the National Planning Policy Framework. Therefore, this application also complies 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:

BA1857-01, 02, 03B, 04A, 05A, 06, 07A, 8
Specification sheet S-5OPK1E5A, U-5OPE2E5A
3. The new external condensers shall be fixed onto the render parapet gutter walls, and shall not be fixed in place by taking a fixing through the metal sheet lining of the parapet gutters below. This is to prevent damage to the gutter linings and resulting water damage to the fabric of the building. The external condensers shall remain fixed by this method thereafter.
4. No wiring or ducting shall be installed across the elevations or visible roof slopes of the building in connection with these works
5. The new internal wall mounted units and ducting shall not be fixed onto any of the existing timber wall panelling or boarding, unless otherwise agreed in writing, in advance, with the Local Planning Authority
6. 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.

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 ensure the architectural and historic character of this Grade 2 Listed Building is adequately protected.
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6. To safeguard the amenity of nearby residents.

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.

Officer to Contact

Mrs S Wood, Telephone 01424 783329

Background Papers

Application No: HS/LB/18/00928 including all letters and documents