

<b>Report to:</b>	PLANNING COMMITTEE
<b>Date of Meeting:</b>	15 July 2020
<b>Report from:</b>	Assistant Director of Housing and Built Environment
<b>Application address:</b>	<b>War Memorial, Alexandra Park, St Helens Road, Hastings</b>
<b>Proposal:</b>	<b>Retention of Claude Nunney memorial paving stone</b>
<b>Application No:</b>	<b>HS/LB/18/00973</b>
<b>Recommendation:</b>	<b>Grant Listed Building Consent</b>
Ward:	BRAYBROOKE 2018
Conservation Area:	Yes - Blacklands
Listed Building:	Grade II
Applicant:	Hastings Borough Council Muriel Matters House Breeds Place Hastings TN34 3UY
<b>Public Consultation</b>	
Site notice:	Yes
Press advertisement:	Yes - Affects a Listed Building
Neighbour Letters:	No
People objecting:	0
Petitions of objection received:	0
People in 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 war memorial in the Grade II\* Registered Alexandra Park comprises of a limestone triangular column engraved with the swags and shields of the Hastings Borough, and is surmounted by a bronze winged figure with a spear and a wreath. The lower portion of the column has bronze reliefs depicting the three arms of the British Armed Forces. The stepped base has inscribed theatres of war including Gallipoli, France, Burma and North Africa. Finally the bottom plinth has set in bronze plaques that detail the names of the fallen. This is repeated in a surrounding wall to the rear of the memorial. Following its completion in 1922, it

initially commemorated the sacrifices made by servicemen and service women during The South African War (1899-1902) and World War I (1914-1918). This was later expanded to commemorate the fallen of World War II (1939-1945), and the Korean War (1950-1953).

Set within Alexandra Park, the memorial is located within a small gated enclosure at the lower end of the park in close proximity with the junction of Braybrooke Road and Lower Park Road. The memorial can be clearly seen from inside the park with a clear expanse of space laid to lawn in its vicinity. The memorial has great local importance and its significance as a heritage asset is derived mainly from the evidential, historical and communal value attached to it.

### Constraints

Grade II\* Registered Heritage Park and Garden

Grade II Listed Building

Blacklands Conservation Area

### Listing Details

Also Known As: War Memorial in Alexandra Park, LOWER PARK ROAD

War memorial. Unveiled by the Earl of Cavan on 19 March 1922, bronze work by Margaret Winser of Tenterden, a pupil of Rodin. Comprises a triangular section chamfered limestone column (now painted) decorated with swags and shields of Hastings Borough, surmounted by a winged figure with spear and wreath by Margaret Winser. Three bronze reliefs are set into the base of the column depicting all three of the Armed Services, the Army represented by foot soldiers with rifles, the Royal Navy by ratings in a warship moving a buoy and the Royal Air Force by an aviator in an aeroplane. Three steps are inscribed with names of battles and theatres of war. A large polygonal plinth is inscribed with the names of the Fallen and originally contained flower beds but these have been cemented over.

This List entry has been amended to add sources for War Memorials Online and the War Memorials Register. These sources were not used in the compilation of this List entry but are added here as a guide for further reading, 1 December 2016

## **2. Proposed development**

The proposal is to retain a Yorkstone paving stone located in front of the base of the memorial, inscribed with a commemoration to Private Claude Nunney VC.

The application is supported by the following documents:

- Photographs

### **Relevant planning history**

<b>Application No.</b>	HS/LB/07/00588
<b>Description</b>	Restoration of memorial, construction of new memorial wall and landscaping improvements.
<b>Decision</b>	Listed Building Consent with Conditions on 15/08/07

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## **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 – **Not required**

## **4. Representations**

In respect of this application a site notice was displayed on the gate of the war memorial and an advert placed in the local paper. No responses were received.

## **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.

The main issue for consideration is whether the placement of the memorial is of a suitable standard to not only respect the character and appearance of a designated heritage asset but also respect the memory of Private Nunney and the other soldiers, sailors and airmen who are named on the main memorial.

### **a) Heritage**

Private Nunney was the mostly highly decorated other rank in the Canadian Army in the First World War, being the only Canadian soldier of the war to be awarded the Victoria Cross, Distinguished Conduct Medal, and Military Medal.

He is the only soldier from Hastings and St Leonards to date to have been awarded a Victoria Cross.

The placement of the paving stone is part of a national project to honour every recipient of the Victoria Cross by laying commemorative paving stones across the country. This coincided with the 100 year anniversary of World War 1. In total over 400 paving stones were laid across the UK.

The principle of laying a well designed memorial paving stone is whole-heartedly supported and further enhances and reveals the significance of the war memorial.

However, the initial execution of the insertion of the stone into the paving that surrounds the war memorial was not acceptable having regard to the listed status of the memorial and the park. A relatively large expanse of coloured mortar was set below and either side of the inserted paving to fill a gap which left a rough, poor quality finish with little attention to detail paid.

As part of the process to regularise the matter it was agreed that the surrounding paving slabs were re cut to reduce the mortar lines down to match the main pattern of the paving around the memorial, works which have since been carried out.

The works have greatly improved the appearance of the paving around the war memorial and are now satisfactory in terms of materials, appearance and finish. Following the amendments to the presentation, the consent will relate to the appearance of the paving as of March 2020, shown by photo dated 13th March 2020.

When considering the Hastings Development Management Plan, the proposal in terms of materials, finish, appearance and better revealing the significance of an asset, satisfies Policy HN1. When considering the NPPF, it is considered that with the passage of time, the sacrifices made by previous generations become diluted and risk being forgotten, and campaigns like this to emphasise our shared history and commemorate the sacrifices made. As such, it is considered that the case for laying the paving is clear and convincing justification, and increases the communal and historical value of the designated heritage asset. This satisfies paragraph 194 of the NPPF

## **6. Conclusion**

The proposal has enhanced the significance of the designated heritage asset by way of highlighting the extraordinary actions of Private Nunney and in turn increased the communal and historical value of the memorial. The presentation of the memorial paving is now of a standard that respects the memory of the fallen in terms of appearance and materials and satisfies Policy HN1 of the Hastings Development Management Plan.

The enhancement of the heritage asset is considered to be fully justified and thus satisfies paragraph 194 of the NPPF.

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 condition:**

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

Photo dated 12/03/2020

**Reason:**

1. 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 paragraph 38 of the National Planning Policy Framework.

The reason for granting this consent is:

- 1 National Planning Policy Framework Section 16 applies. The works proposed will positively enhance the designated heritage asset.

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### **Officer to Contact**

Mr Simon Richard, Telephone 01424 783320

### **Background Papers**

Application No: HS/LB/18/00973 including all letters and documents