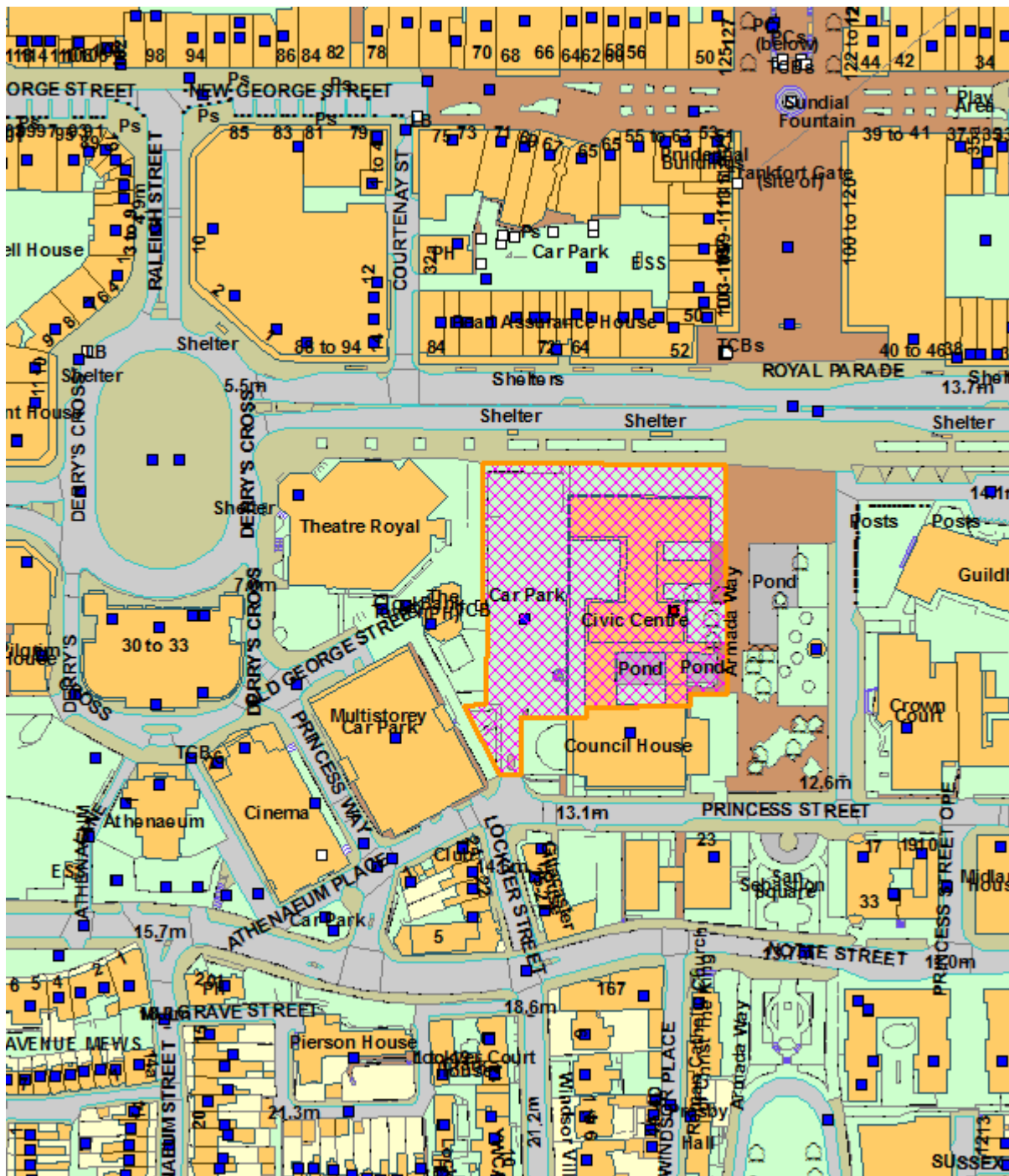


# PLANNING APPLICATION OFFICERS REPORT



<b>Application Number</b>	19/00440/LBC	<b>Item</b>	<b>03</b>
<b>Date Valid</b>	21.03.2019	<b>Ward</b>	ST PETER AND THE WATERFRONT
<b>Site Address</b>	Civic Centre Armada Way Plymouth PL1 2AA		
<b>Proposal</b>	Internal and external works to convert building (inc part demolition), glazed extension, alterations to elevation including new cladding, public realm and associated works		
<b>Applicant</b>	Mr Phillip Yunnie		
<b>Application Type</b>	Listed Building Consent		
<b>Target Date</b>	<b>16.05.2019</b>	<b>Committee Date</b>	<b>16.01.2020</b>
<b>Extended Target Date</b>	<b>28.02.2020</b>		
<b>Decision Category</b>	Service Director of SPI		
<b>Case Officer</b>	Miss Katherine Graham		
<b>Recommendation</b>	Grant Conditionally		



This planning application has been referred to committee by Service Director of Strategic Planning and Infrastructure due to public interest reasons.

### **I. Description of Site**

The Civic Centre is located within the city centre, north of the Hoe. The application site is formed of the Grade II listed Civic Centre Tower, a vacant fourteen storey office block, along with two storey blocks to the north and south and a reception area, which the Tower sits above.

The application site also includes a disused pond located between the Council House and Civic Centre. This forms part of the listed park and garden. Immediately east of the site is Armada Way and the Civic Square which is a Grade II listed park and gardens.

The application site also includes two bridge links physically connecting the Council House and Civic Centre. These have been enclosed on the Council House side.

The Civic Centre car park is located to the west. Further to the west and in close proximity of the site is the Theatre Royal, The Bank, and the Clock Tower, all of which are Grade II listed buildings.

South west of the site is the Theatre Royal multi-storey car park and north of the site is a line of trees along Royal Parade.

The site located within the City Centre Conservation Area.

## **2. Proposal Description**

This is an application for Listed Building Consent for Internal and external works to convert the Civic Centre building (including part demolition), glazed extension, alterations to elevation including new cladding, public realm and associated works.

More specifically, these works include:

- demolition of part of north block and the reception undercroft area
- proposed glazed extension at ground floor between Civic Centre and Council House to create commercial unit
- replacement façade including new glazing and cladding on the east and west elevations and other minor alterations to north and west elevation
- new public realm including new staircase on Theatre Royal/west elevation and creation of new public space under the tower, including retention of terrazzo floor
- internal works to create 144 residential units within the tower (2nd to 13th floor)
- re-use of roof structure and roof space as residential amenity space
- internal works to create mixed use commercial units at the ground and first floor

## **3. Pre-application Enquiry**

A pre-application submission was submitted 18/00565/MAJ which was for the “redevelopment of the former council offices to provide a mixed use scheme comprising the (C3) residential fit-out of the Tower and commercial 'active' uses”. This included a variety of meetings including with consultees: Historic England, Garden History Society and C20th Society. A public consultation was held in June 2018.

The pre-application enquiry looked at different options for the new glazing/cladding system, and made a number of improvements to the scheme including removing a glazed extension to address C20th Society objections, removing gates and deck infill proposed between the south block and Council House, and retaining the reflective pool between the south block and Council House.

## **4. Relevant Planning History**

As there have been a large number of applications, the most relevant ones are listed below:

88/03970/30 Two storey office extension and refurbishment of reception facilities (regulation 4 proposal) – Granted Conditionally

94/01473/30 Installation of canopy over main entrance for a temporary period of two years – Granted Conditionally

97/00056/30 Retention of canopy over main entrance - Granted Conditionally

99/00960/30 Retention of canopy over main entrance for a temporary period of two years – Granted Conditionally

10/02031/FUL Retention of temporary protective shelters at main and staff entrances to the Civic Centre for five years, alterations to main entrance shelter, installation of cycle shed and erection of fencing around grassed areas to north and east of the Civic Centre – Granted Conditionally

10/02032/LBC Retention of temporary protective shelters at main and staff entrances to the Civic Centre for five years, alterations to main entrance shelter, installation of cycle shed and erection of fencing around grassed areas to north and east of the Civic Centre – Application Returned

13/00507/FUL Retention of front entrance and side entrance canopies for a temporary period of two years – Granted Conditionally  
15/01754/LBC Amendment to application 14/01990/LBC first floor separation – Granted Conditionally  
16/00126/FUL Retrospective application for hoardings – Grant Conditionally  
18/01117/LBC Structural Investigations – Granted Conditionally  
18/01194/LBC Part strip out of north block, refurbish WC and new partition – Granted Conditionally

Associated application on same agenda:

19/00439/FUL Conversion to 144 residential units (Class C3) and mixed uses including A1, A2, A3, A4, A5, B1, D1 & D2 uses, part demolition, glazed extension, alterations to elevation including new cladding, new public realm including staircase, parking and associated works

## **5. Consultation Responses**

Historic England (HE) – “Historic England has been involved in considerable pre application discussions regarding the Civic Centre over the course of many years, and are pleased to be able to support these proposals. We acknowledge that certain aspects of the proposals will harm the significance of the listed buildings, but believe that the harm has been minimised, as far as is possible, and that the proposals will result in a sustainable new use that will provide for the necessary conservation of the building. In our view, the harm to the significance of the building is less than substantial, and outweighed by the wider heritage benefits offered by the proposals.”

Summarised comments:

- Support removal of 1980s lobby walls to create undercroft, “which will provide a visual link from the Civic Square to the Theatre Royal”. A strategy for protecting the terrazzo should be supplied, or conditioned as part of any planning approval.
- The new staircase is logical and will assist in connectivity between Civic Centre and newly listed Theatre Royal
- Proposed glazed pavilions (extension) to west end of the south block will terminate the undercroft in a logical manner, and is a form of construction of that is new and reversible
- It is regrettable that the proposals do not extend to restoration of the civic square but understand not under applicant control and part of the Council Better Places scheme. Need to consider phasing
- Conversion of tower to residential potentially most contentious. Converting from the civic function to private residential will harm historic value however introducing residential use may bring about wider benefits through improved public perception of the post war city centre. Lack of residential in city centre has meant a lack of sense of ownership. The introduction of residential in Civic Centre has potential to change this, and will bring new life into city centre
- Accept that it is necessary to rebuild two elevations. A 2007 HE report concluded that the façades need replacing. Significance of the façades lies more in their design than their actual fabric. Given the change of use in the building, it is appropriate for the new façade system to reference the existing, but not copy it. Consider that the need to replace the façades will give rise to less than substantial harm and has been mitigated through good design and recommend condition requiring samples to be agreed. Fibonacci influenced design should be recreated.
- Public access days for heritage open days should be secured through conditions
- The gullwing roof is currently littered with telecoms equipment. A condition is recommended to seek to remove the telecoms equipment.
- The applicant has demonstrated that the harm to the building has been minimised. The proposals will provide a use that is viable and will lead to the investment in the Civic that is necessary for its long-term conservation
- The proposals will cause harm to the significance of the Civic complex through tangible alterations such as the refaçading and also intangible aspects such as a building designed for public purposes becoming a private complex of apartments. However, can also appreciate the heritage

benefits offered by the proposals, chief amongst which is securing a viable use for the building which will provide for its long-term conservation.

Historic Environment Officer: Support HE comments and “given that whilst there is a recognition of harm the ‘replication’ design offered forms a sufficient level of mitigation especially when weighed together with bringing this long vacant building back into beneficial use and to prevent and reverse further deterioration of the building’s fabric.” The addition of lettering atop the Civic building (i.e CIVIC) is a superfluous and unnecessary embellishment to this listed building, request justification.

The Gardens Trust – Happy to support the proposals

Twentieth Century Society (C20th Society) (summarised) – Object to application as outstanding concerns about specific aspects of application that cause avoidable harm. Pleased to have been involved in pre-application discussions, and pleased to see some harmful areas of the scheme have been reconsidered. The current scheme retains more original fabric, bringing it closer to a conservation led approach.

Support the conversion of the tower to residential and securing public access to plaza, undercroft and plinth blocks.

Outstanding concerns - Principle aspect opposed to is the replacement of the tower façades to east and west elevation in a way that departs from the architects original design intentions. Acknowledge survey work that recommends components of the façades are replaced and recognise need for environmental upgrades required for residential use. The need to replace the glazing is not considered to be a reason to introduce floor to ceiling glazing.

It is considered that the existing façade provides a “sense of rhythm and textural detail to the otherwise monolithic tower”, which are “successful in softening the impact upon city skyline”. The listing designation also refers to the attention paid to “alleviating the uniformity of the façade with the modulation of the component materials and careful arrangement of the granite spandrel panels”. The proposed façade design , including the increase in height of the glazing, reduction in height of spandrel panels, bronze coloured windows frames, a reduction of the setback of the high level glazed units, are major departures from the original design, and will result in substantial harm to the buildings architectural and historical significance. These changes will have a far reaching impact due to the towers prominence within the city. Departing from the original design concept and materials that identify the buildings age, purpose, and quality will harm its historic value as the evidence of ambition and investment of the city in the post war reconstruction.

Concern is also raised in relation to the glazed extension as this will block views through the undercroft space and reduce sense of openness, which is a characteristic of Jellicoe’s design. Do not consider its potentially temporary nature to reduce the negative impact upon the listed building. Recommend the glazed extension is removed from the scheme and the façade design altered to maintain the original proportions of the spandrel panels and glazing units. Cannot support the scheme as it fails to sustain existing heritage value of the building.

In line with HE guidance (Conservation Principles Policy and Practice), consider that the surviving historic fabric underpins its heritage value and should be retained wherever possible. Where it has been shown that the loss of historic fabric is necessary, the optimal solution is to replace it like for like.

Consider the proposal to be substantial harm, and therefore substantial public benefits that outweigh the harm need to be shown. Recognise the benefits that will result in bringing the building back into use and aspects that seek to enhance the heritage value, however remain unconvinced that on balance these benefits outweigh the harm.

Consider the cumulative harmful impact of the proposals are substantial, primarily due to the remodelling of the principle façades. The change of façades will have an irreversible, negative effect on existing authenticity and integrity of the buildings historically important design as well damaging its role as the centrepiece of Abercrombie’s plan. Object and recommend refusal.

## **6. Representations**

None

## **7. Relevant Policy Framework**

The Planning (Listed Buildings and Conservation Areas) Act 1990 requires that, in considering whether to grant listed building consent for any works (and planning permission where these impact on a listed building) the local planning authority shall 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.

National Planning Policy Framework (NPPF) Chapter 16 Conserving and enhancing the historic environment paragraphs 190, 192, 193 are also particularly relevant to this application.

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 assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 192 states:

In determining planning applications, local planning authorities should take account of:

- \* the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- \* the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- \* 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. 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.

The relevant heritage assets to this application are the Council House and former Civic Centre, the City Centre Conservation Area and the listed park and garden.

The following buildings are assessed in terms of their setting:

The Guildhall

Theatre Royal

Bank Public House and Clock Tower

22, 23 and 24 Lockyer Street

Former Barclays Bank Building

Key policies include JLP policies DEV 21 'Development affecting the historic environment', SPT11 'Strategic approach to the historic environment' and PLY15 Civic Centre and Council House site.

Other material considerations include the policies of the National Planning Policy Framework (NPPF) and guidance in Planning Practice Guidance (PPG), including the National Design Guide. Additionally, the following planning documents are also material considerations in the determination of the application:

- Plymouth and South West Devon SPD Consultation Draft (November 2019).
- Development Guidelines SPD (adopted April 2013)
- Sustainable Development SPD (adopted July 2009)
- Planning Obligations and Affordable Housing SPD (adopted 2012)

In terms of weight of the SPDs, the following points should be considered in making the decision:

- The Plymouth and South West Devon SPD has completed its consultation phase but can carry limited weight prior to its formal adoption. However, at best very limited weight should be given to provisions of the SPD that have objected to in a substantive way.
- The adopted SPDs were set within the context of the previous development plan (Core Strategy). However, provisions of these SPDs would only carry weight where they are clearly consistent with the policies of the adopted Joint Local Plan.

## **8. Analysis**

1. This application has been considered in the context of the Planning (Listed Buildings and Conservation Areas) Act 1990 as set out in Section 7, the NPPF and the JLP.

2. The Historic England listing description has been sent to members separately for their information.

### **3. Impacts on the Special Architectural and Historic Interest of the Building**

This application proposes works to a Grade II listed building. As the NPPF places great weight on the conservation of heritage assets, this should be given considerable importance and weight.

Consideration is also given to JLP policy DEV 21 'Development affecting the historic environment' and SPT11 'Strategic approach to the historic environment'. There is a duty under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects a listed building or its setting 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. The works to the listed building are reviewed below. The assessment below has been informed by the comprehensive heritage statement submitted with the application.

### **4. Structural**

A structural statement has been submitted with this application, this states that the externally exposed reinforced concrete structure is in a poor condition. Detailed inspections have been carried which has identified the amount of corrosion, caused by chlorine attack, and has proposed a programme of targeted reinforcement repairs including localised strengthening in certain areas.

### **5. Proposed Uses**

The north and south blocks are proposed for a number of uses, including:

A1 (retail), A2 (offices), A3 (cafes/restaurants), A4 (pub/drinking establishments), A5 (hot food takeaway), B1 (offices), D1 (non-residential: art galleries, crèche and day nurseries) and D2 (assembly and leisure: gym).

6. This mix of uses is assessed in detail in the planning application. The ventilation/extract requirements of the commercial mixed use is clarified further below.

7. The tower is proposed to be converted to residential. Historic England (HE) have acknowledged that converting the tower to residential will give rise to harm to the historical significance of the building, as it will lose its intended civic function. However it is also acknowledged

that by bringing residential into the city centre this will have a positive impact by bringing new life into the city centre, and potentially changing attitudes towards postwar heritage.

8. Tower - Internal works to tower

Internally, each floor is proposed to be divided into residential units (13 to 15 units on each floor). The subdivision of the previously open plan offices will change the character of the listed building. HE have not raised any concerns with regard to the internal subdivision and have stated "The open-plan former office spaces within the tower and North block are of very little interest and can easily be subdivided for new uses with no impact on significance." The C20th Society supports this aspect of the proposal. It is considered that the works to convert the tower to residential will not harm the significance of the listed building. A condition is recommended to review and agree the internal works to the tower.

9. Tower - Loss of existing east and west façades

The most significant intervention to the tower is the new cladding and new fenestration (windows and glazing), e.g. the façade design, on the east and west elevation. Following inspections and surveys, it is stated that the single glazed units and concrete cladding panels are beyond their original design life and in need of replacement. This is accepted by HE, who have confirmed that the need to replace the east and west elevations was confirmed in a specialist report they commissioned in 2007. The C20th Society have also not objected in principle to the loss of the existing façade.

10. The loss of the two elevations will represent a significant loss of historic fabric. As well as the glazing, the concrete and Portland stone mullions are also proposed to be replaced. However HE advised that they consider "the significance of the façades lies more in their design than their actual fabric." NPPF para 194 states that any harm or loss of significance to a heritage asset requires clear and convincing justification and that substantial harm or loss of grade II listed buildings should be exceptional. It is considered that the loss of the façades have been justified through surveys of the building. It is acknowledged this is very much an exceptional circumstance where the total replacement of two façades of a listed building is considered acceptable by HE, C20th Society and the LPA HEO. In this case it has been accepted, and therefore the key consideration is the design of the replacement façades.

11. Tower - Proposed replacement of east and west façades

The proposed replacement façades are not like for like replacements. The proposed replacement scheme is full-height floor to ceiling glazing. This will include a high level transom, a central mullion and recessed top lights, all of which seeks to reflect an element of the original design. The vertical pilasters and spandrel panels between floors will be clad in fibre cement panels to try and reflect the texture and colour of the original design. The new glazing will be double glazed.

12. The proposed replacement façade design was a key area of negotiation in the pre-application process, and the current proposal is the result of this negotiation. HE have considered whether the façades should be replicas of the existing and have concluded that "we think it is appropriate for the new façade system to reference the existing, but not slavishly copy it." The new cladding panels are smaller in depth than the original panels but will still provide an opportunity to reinstate the Fibonacci sequence (explained further in para 19 below). The top lights (or clerestorey) of the glazing will be recessed from the main glazing façade. This will provide some depth, and HE states this will recreate some of the characteristic relief of the original façade.

13. The C20th Society have objected to the proposed façade design. They have stated that the need to replace the existing glazing is not justification to introduce floor to ceiling glazing and to depart from the original design. The C20th Society consider the existing proportions and materials give a sense of rhythm and textural detail to the tower. They consider that the proposals to change the design, including the increased height of glazing, the reduction in depth of the spandrel panels,



introducing bronze coloured frames and reducing the depth of the set back of the top lights, will result in “substantial harm to the building’s architectural and historic significance.” C20th Society go on to state these changes will have a far reaching impact due to the building’s prominence within the city, and that “Departure from original design concepts and materials that identify the building’s age, purpose and quality will harm its historic value as evidence of the ambition and investment of the City Council in their plan for Plymouth’s reconstruction following WWII.”

14. It is considered that the loss of the existing façades and proposed replacement will result in harm. In accordance with the NPPF, it is required to determine whether the works will result in substantial harm or less than substantial harm, and then apply the relevant tests. The C20th Society consider the proposal to result in substantial harm, therefore para 195 of the NPPF will apply.

15. Paragraph 195 states “Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.”

16. HE consider that the works are less than substantial harm, and therefore para 196 applies: “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.”

17. In order to address C20th Society objection to the façade, their comments are broken down below with consideration given to their areas of concern.

#### 18. Façade design – Proportions

The C20th Society object to the departure “from the architects original design intentions” e.g. the increased height of glazing and reduction in depth of spandrel panels. In terms of the full height glazing, the Council’s Urban Designer has confirmed that the original design intention by Hector Stirling was full height glazing, and therefore it could be considered that the proposal is more in keeping with the architects original design intentions. Notwithstanding this, it is considered that the change in proportions will have a harmful impact upon the significance of the building.

#### 19. Façade design – Materials

The granite spandrel panels are a key feature of the façade. The list description states “The green granite panels below the windows are also modulated with a slight variation of colour and arranged in a series in a Fibonacci system of harmonic proportions which was intended to symbolise the diversity of activities within the building and alleviate the monotony of what otherwise is a uniform façade.” The Old Plymouth Society’s book on the Civic Centre defines the Fibonacci sequence as “a series of numbers that is related to the golden ratio and in which each number is the sum of the two preceding numbers”. HE state in their comments that the Fibonacci pattern was intended to symbolise the diversity of activities within the building. It is proposed to reinstate the variation of the colour of cladding to reinstate the Fibonacci sequencing pattern. This is considered to enhance and better reveal the significance of the building, as the pattern is not currently obvious and has faded due to weathering over the years.

20. As noted above HE considers the design to have more significance than the fabric of the building. It is noted that the proposed cladding material will not be able to be granite aggregate panels as per the existing, due to structural constraints. It is suggested by the applicants that the fibre cement cladding is the only viable alternative that complies with post Grenfell requirements. Building Control advise that residential buildings over 18m should be made of non combustible materials. In principle fibre cement is a non-combustible material, however Building Control will need further details to agree the exact material including manufacturers specification, proposed insulation and how it will be installed and affixed. This will need to be reviewed through the Building Control process. HE have recommended a condition to request and agree the cladding material, and a specific condition has been recommended.

21. The glazing is proposed to be bronze coloured marine grade powder coated aluminium frames. The existing window units are metal windows. The C20th Society's comments appears to object to the colour, as opposed to the material. The change in colour will impact upon the appearance of the building, but officers do not consider that the proposed bronze coloured frames will result in harm to the significance of the listed building.

22. *Façade design – Depth*

The C20th Society have objected to the reduction in the depth of the set back of the top lights/clerestorey. Discussions at pre-application stage with HE clarified the need to retain the depth within the façade to retain some of the towers detailing. The proposed façade sets back the top lights by approx 250mm. This is a reduced amount than the existing, but it is considered it will achieve a similar visual impact. The proposed façade will have varying planes of depth, including the new glazing and cladding, the recessed top light, and the projecting new pilasters. The existing projecting concrete surround is proposed to be retained and repaired. It is considered that the new façade proposes a variation in depth, which respects a feature of the existing façade, and therefore of significance.

23. *Façade conclusion*

The proposed replacement façade design will have a significant impact upon the appearance of the building. Key elements of the façade design are retained, including glazing with a central mullion and recessed top lights, vertical pilasters and spandrel/cladding panels. These elements also seek to reflect the different depths of the existing façade. The proposed cladding panels are proposed to reflect the Fibonacci design. Through the retention of these key features in the new design, officers consider that the overall appearance of the new façade will respect the existing special character of the listed building. The overall appearance will retain the repetition of the existing façade but with variations and detail within this repetition.

24. It is also considered that the façade design is not trying to imitate the existing façade. It is clearly a modern intervention and therefore not trying to be a pastiche/copy of the existing.

25. Notwithstanding this, there will be a level of harm caused by the new façade. On the basis of paragraphs 11 to 24 above, by seeking to retain key elements of the existing façade, albeit in different proportions, these will help to mitigate the harm caused. In addition, it is considered that much of the tower's significance comes from its landmark location and height, and the butterfly roof design, which remain unchanged as part of this application. On this basis it is considered that the new façade will result in less than substantial harm. This conclusion is consistent with the consultation response from HE.

26. Conditions are proposed to deal with the detail of the new façade design. This includes a condition HE have recommended, requiring material samples of the proposed transom panels to be approved, prior to construction commencing.

27. Roof Area works

The roof area, including existing glazed pavilion is proposed to be retained and proposed for a communal roof terrace and residents lounge. The glazed pavilion is proposed to be refurbished, with the existing glazing system retained and refurbished. There will be some minor external works including installation of glazed double doors and internal works to create the dining room and winter garden. The existing stair core will be retained and painted grey. The existing steel balustrade will be retained and timber balustrade is to be replaced. The existing concrete floor is proposed to be retained and repaired. All these works are considered to preserve the character and appearance of the listed building. One of the key features of architectural interest is the yellow gull wing roof. This will be retained and repaired.

28. The application proposes two illuminated 'Civic' signs on the roof, on the east and west elevation. This is not specifically referred to in either HE or C20th Society comments. For the planning application, the urban design comments have commented that the signage is considered an unnecessary accent feature which clutters the roof space and obscures and distracts from the gull-wing roof and which should remain the distinctive accent feature in its own right. The Historic Environment Officer has also stated that "the addition of lettering atop the Civic building is a superfluous and unnecessary embellishment to this listed building." The removal of the signage was requested on this basis however in discussion with the applicant it was stated that the signage is proposed in order to signal a new life of the building. It is considered that the roof signage would give rise to less than substantial harm to the listed building and adds visual interest and as such on balance is considered acceptable. Consideration is also given to its reversibility.

29. Currently there are various pieces of telecommunication equipment on the roof. HE have requested that the equipment should either be removed or relocated out of sight, to restore the original streamlined aesthetic of the building. As the equipment is in use as a base station serving Plymouth, a condition is recommended to explore whether these could be removal or relocated as per the HE request.

30. Roof area - Public access

Public access to the roof for open days, including heritage open days will be secured through a S106 Planning Obligation. This addresses one of HE's requests for a condition which is for public access to the rooftop area which guarantees access on at least two weekends per year, one of which will coincide with the National Heritage Open Days. The S106 secures 12 days a year public access, including a heritage open day. The principle of access to the roof is also supported by the Council's Urban Designer. The design and access statement states that: "public open days to be held each year during which escorted groups will be given the opportunity to experience the drama of these spaces."

31. Ground Floor - Demolition of glazed enclosure/reception

The undercroft glazing that forms the reception area will be demolished. This will create an area of open space under the tower of the building, creating a new central square. The undercroft glazing dates from the 1980s. HE support this aspect of the proposals and state it will "increase dramatic visual effect of the tower". C20th Society also support the public access to the undercroft and plaza.

32. One of the features of this area is the original terrazzo floor treatment under the carpet tiles. This treatment will be exposed, but treated with a resin bonded finish to ensure it is protected and preserved. The first floor internal balcony slab will be retained and extended, with the balcony edge extended by 2m. A new timber deck will be laid on top of the existing and new balustrading is proposed. The use of this space will be for events and the tenants of the first floor commercial units. The plans indicate outside seating. Concrete columns will be will exposed and repaired.

33. Overall, the works of the demolition of the later glazing, and exposing and repairs of the terrazzo floor will better reveal the significance of the listed building. With the provision of conditions ensuring protection of the terrazzo floor, it is considered that these works do not have a harmful impact upon the significance of the listed building.

34. Demolition of west extension

A two storey extension that runs along the west elevation of the building is proposed to be demolished. This is accommodation located the rear of the reception area/adjacent to the car park and encloses the reception area. By removing this later extension, it is considered that this will better reveal the original proportions of the building and therefore enhances the significance of the listed building. HE and C20th Society do not specifically comment upon this element of the scheme.

35. North block works

The north block consists of the ground and first floor accommodation to the north of the tower and adjacent to Royal Parade. This area is proposed for the mix of commercial uses as outlined previously.

36. Internally, a new lift and stair core is created at the east end of the building. The existing central stair core is retained with a new lift installed. The first floor is already largely open plan due to a previous application, however there are some further removal of internal partitions, including original masonry on both the ground and first floor.

37. On the north/Royal Parade elevation, the existing glazing and aluminium curtain walling will be retained, although the lower spandrel panels will be replaced with clear glazing. The concrete panels will be made good, and concrete block painted grey. The east/Armada Way elevation proposes new double height glazing. The existing pre cast concrete will be made good and cleaned. The south/new civic square elevation will largely be a new elevation, consisting of a glazed façade within existing mullions at the first floor level, and a new aluminium glazed system at the ground floor. The existing murano glass columns are proposed to be repaired and retained where necessary.

38. Overall, the works to the north block are considered to be sensitive in nature. The introduction of glazing will impact upon the appearance of the building, however this is not considered to give rise to any harm.

39. South block works

The south block consists of the ground and first floor accommodation to the south of the main tower which incorporates the previous staff entrance to the building and the first floor links across to the council house. This area is proposed for the mix of commercial uses as outlined previously, as well as the access to the residential units.

40. The existing lift core and south block stairs are retained. There is a new ramped access to new entrance lobby doors and glazing on the south elevation, as well as retaining the existing timber glazing system. Internally, works are proposed to remove internal partitions, including original masonry. At the first floor there are number of offices with timber panelling, which are proposed to be removed.

41. On the east/Armada Way elevation the delabole slate panels are proposed to be retained and repaired at the ground floor level. At the first floor, which includes the bridge link across to the Council House, the existing glazing is proposed to be retained and repaired. The north elevation/new civic square elevation proposes new aluminium glazing system at the ground floor. As per the north block, the existing murano glass columns are proposed to be repaired and retained where necessary. At the first level there are some new glazed openings, combined with the re-use of existing aggregate panels proposed to be painted grey. The existing south elevation proposes to retain and repair the

delabole slate panels as well as an area of aluminium glazing where one corner where the 1980s extension is proposed to be demolished. At the first floor, which includes the bridge link across to the Council House, the existing glazing is proposed to be retained and repaired. At the first floor, the internal courtyard elevation proposes to retain and repair the existing glazing system, and glazing the lower panel. Ventilation and extraction for the commercial uses is proposed to be incorporated into plant compounds proposed on the roof of the north and south blocks. These are proposed to be screened by dark grey mesh.

42. The most significant intervention to the south block is the glazed extension. The extension is proposed at the ground floor to the west of the south block, extends towards the council house and partially encloses the courtyard and pool. The design of the extension is proposed to be lightweight with full height glazing. In support of the proposal it is suggested that the extension will create some activity in the courtyard whilst also providing some shelter when accessing the residential or commercial units.

43. The C20th Society has objected to this extension as it is considered it will block views through the undercroft space and reduce the sense of openness, characteristics of Jellicoe's design. HE state that "the glazed pavilion will terminate the southern undercroft in a logical manner, with a form of construction that is recognisably new and reversible; should the development of the adjacent car park ever proceed and it then becomes desirable for the southern undercroft to become more visually permeable."

44. The submitted heritage statement justifies the extension with the following comment "while there is nothing intrinsically sacrosanct about the design of the courtyard, the extension – despite its transparency – will partly close off the open space within the complex from the Civic Square, affecting their designed continuity and connectivity". On this basis, it is considered that there will be harm resulting from the extension, however it is considered that this will give rise to less than substantial harm.

#### 45. Heritage – Council House

The Council House forms part of the same listed building, although now separated from the Civic Centre in terms of use, and not included within the application site. On this basis, the impact is considered in terms of the impact on the building itself and its setting. The works of repair to the link bridges and proposed elevational treatment are not considered to harm the significance of the Council House. The proposed glazed extension extends towards the Council House and therefore has more potential to impact upon the setting. The form and size of the extension is such that it does not encroach any further than the edge of the pool. It is considered that these proportions and the lightweight design help to mitigate the impact of the extension. Notwithstanding this, it is considered that this will give rise to less than substantial harm to the listed Council House, through the partial enclosure of the currently open space.

#### 46. Heritage – Setting of Listed Buildings

The Guildhall is a Grade II listed building located to the east of the Civic Centre. The works to the Civic Centre are not considered to harm the significance of the setting of this listed building. The landscape works are considered to have a minor impact which improves the setting of this listed building.

47. The Theatre Royal is a Grade II listed building located to the west of the Civic Centre. The works to the Civic Centre are not considered to harm the significance of the setting of this listed building. The works to remove the harmful 1980s extension and changes to the west elevation of the Civic Centre including the proposed staircase link are considered to improve the setting of this listed building.

48. The Bank public house and clock tower are Grade II listed buildings located to the west of the Civic Centre. The works to the Civic Centres are not considered to harm the setting or significance of these listed buildings.

49. 22, 23 and 24 Lockyer Street are Grade II listed buildings located to the south west of the Civic Centre. The works to the Civic Centre are not considered to harm the setting or significance of these listed buildings.

50. The Former Barclays Bank building is a Grade II listed building located to the southeast of the Civic Centre. The works to the Civic Centre are not considered to harm the setting or significance of these listed buildings.

51. Heritage – Changes to and Setting of Listed Park and Garden

The application site includes part of the Civic Square which is a listed park and garden. This area includes the pool that sits between the Civic Centre and Council House. Works are proposed to this pool, by raising the bed to decrease the depth with a new reflective stone finish in order to increase the intended reflective nature of this pool. In addition stepping stone slabs will be added to create additional access to the residential and commercial uses. Existing finishes such as the raised planter, east lawn and cobbles will be retained. These works are considered to enhance the significance of the listed park and garden.

52. The glazed extension is located within the listed park and garden, and will encroach into the open space between the Civic Centre building and Council House, and will give rise to less than substantial harm.

53. The listed park and garden includes the Civic Square to the east of the Civic Centre. Whilst this is not included as part of the application site, the setting needs to be considered. The works as detailed above and the creation of a new area of public realm beneath the tower of the Civic Centre is considered to enhance the setting of the Civic Square.

54. The Gardens Trust are statutory consultees and have advised they are “happy to support the proposals.”

55. HE have commented that it is regrettable that works to enhance the wider Civic Square are not included as part of these proposals, but understand these works will come under PCC Better Places initiative. The landscape condition will ensure details are consistent with the Better Places scheme, when this is delivered.

56. Overall, it is considered that the modest level of harm to the significance of the park and garden through the glazed extension, is outweighed by the improvements to the reflective pool which will enhance the features of special architectural interest.

57. Heritage – Conservation Areas

There is a duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the preservation or enhancement of the character of the surrounding conservation area. During the course of this application, a city centre conservation area has been designated, which includes the Civic Centre. The conservation area is centred around Royal Parade and the Civic Square. There is no Conservation Area Appraisal and Management Plan to inform this consideration as required by JLP policy DEV21, but the following is based upon the “designation assessment” that was produced to enable the designation of the conservation area. The conservation area is focused on the post war development as part of the ‘Plan for Plymouth’ and the Civic Centre is a key part of this significance. The beaux arts grid is another element of significance. It is considered that the proposal for conversion of a highly significant building, which respects the

current layout of the conservation area is considered to preserve and enhance the character and appearance of the conservation area.

58. The proposed elevational changes to the Civic Centre will give rise to harm upon the character of the conservation area. It is considered that as the proposal will be deviating from the original appearance of a highly prominent building, it will not preserve the character of the conservation area. The proposed residential use of the building also deviates away from the originally planned use, which formed part of the zoning and another element of character of the 'Plan for Plymouth'.

59. Overall, the harm to the conservation area is considered to be less than substantial and the benefits of securing a new use to the building, landscape improvements and improved public access is considered to outweigh the harm.

60. The Hoe Conservation area is located to the south of the application site, and the Barbican conservation area is located to the south east of the application site. Given the height of the Civic Centre, the elevational changes will have a minor impact upon the appearance of these conservation areas. However, as post war design is not a key element of significance of these designated conservation areas, the changes to the elevation of the Civic Centre is not considered to have a harmful impact upon these conservation areas. The character and appearance of these conservation areas are considered to be preserved and therefore complies with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

#### 61. Heritage – Planning application implications

Consideration has been given to the heritage implications of the provision of District Heating. The energy centre is proposed in the basement and there is a proposed planning condition which requires an amended basement plan. As the basement is not considered to have any particular significance, it is not considered that any amendments here would impact upon the significance of the listed building. The associated works including routes within the building does have the potential to impact upon the fabric of the listed building. The proposed conditions include details of ventilation, servicing and plant, as well as final details of the basement area in order to ensure the works do not impact upon the features of special architectural or historic interest.

62. Due to potential external noise impacts upon the proposed residential, a ventilation strategy condition is recommended on the associated planning application. Any resulting changes upon the listed building can be dealt with through conditions on this listed building consent, for example through the façade detail condition and/or the internal works to the tower condition. It is acknowledged that the proposed façade is highly sensitive in terms of its character and there will be significant challenges in agreeing further changes to this. As noted in the planning application, should ventilation not be achieved, a balanced judgement would need to be made by the Local Planning Authority, balancing the heritage considerations with the noise impact.

63. The landscape works within the proposed new Civic Square, including tree planters and seating, are not considered to give rise to harm of significance to the listed building.

64. The proposed provision of Electric Vehicle Charging points (EVC) within basement are also not considered to give rise to harm of significance to the listed building.

65. The proposed biodiversity measures including the provision of nest boxes is not considered to impact upon the features of special architectural or historic interest.

#### 66. Heritage – Conclusion

To summarise the assessment above, the following works are considered to constitute less than substantial harm:

- Loss of Civic use. Harm is mitigated through the introduction of new uses which will help to secure the future use of the civic centre
- Loss, replacement and design of east and west façades. Harm is mitigated through the retention of key features of the existing design (glazing, variation in depth, Fibonacci pattern within cladding)
- Civic sign on roof. Harm is mitigated through its reversible nature.
- Glazed extension to south block. Harm is mitigated through the proposed lightweight glazed design

Overall it is considered that the proposal will result in less than substantial harm to the listed Civic Centre and Council House.

67. Therefore NPPF para 196 applies:

“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.”

68. The building has been vacant for a number of years and its condition has deteriorated in that time. It is a prominent building in the city centre, and its condition and vacancy has a negative impact upon the city centre. Securing the optimum viable use is therefore a key consideration, as per the above paragraph of the NPPF. The NPPG states “Harmful development may sometimes be justified in the interests of realising the optimum viable use of an asset, notwithstanding the loss of significance caused, and provided the harm is minimised”. HE have stated that “In respect of these proposals, Historic England are of the view that the applicant has demonstrated that the harm to the building has indeed been minimised. The proposals will provide a use that is viable and will lead to the investment in the Civic that is necessary for its long-term conservation.”

69. Whilst the viability of the proposals is still uncertain, it is considered that the proposals represent an opportunity in securing optimum viable future uses for the Civic Centre. In addition, by bringing the building back into use, there are a number of public benefits including:

- Public access , including access days to the roof, and access at the lower levels for the commercial uses in accordance with PLY15
- Creation of new public realm and improvement to existing public realm including tree planting and biodiversity enhancements in accordance with PLY6, PLY15 and DEV26
- New staircase link to Theatre Royal in accordance with PLY6, DEV20, DEV29
- Vibrant uses at the ground and first floor which will enhance the vibrancy and vitality of the city centre in accordance with PLY6, PLY15, DEV20
- Delivery of city centre housing and associated benefits to the city centre in accordance with PLY6, PLY15, DEV10
- Provision of space for an energy centre and safeguarding for future connection to the district heat network in accordance with PLY6 and DEV32

70. In accordance with DEV21, it is considered that there has reasonable efforts to find new uses and to mitigate the extent of harm. By securing new uses for this building it is also considered that this proposal complies with the NPPF (para 193) which states great weight should be given to the assets conservation. It is considered that the proposal also complies with SPT I I, which gives support for heritage led regeneration and requiring development to make a positive contribution to local character.

71. Para 192 of the NPPF directs LPA’s in determining planning applications to take account of:



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

72. Reflecting on the above, it is considered that this proposal will help to enhance the significance of the heritage asset, through removal of later extensions, reinstating Fibonacci pattern, repair works, revealing terrazzo floor and improvements to the listed park and garden. Whilst securing viable uses for this building is a challenge it is considered that the proposal is an important opportunity to secure the future use of the building. The proposed uses are considered to make a positive contribution to the city centre, including the creation of a sustainable community. By bringing this landmark building back into use, this is considered to support economic viability of the city centre and will positively contribute towards local character and distinctiveness.

73. As previously noted, there is a duty under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects a listed building or its setting 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. Paragraphs 1 to 74 above evidence the special regard of all the relevant heritage assets, and the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

74. Consideration has been given to relevant case law in relation to listed buildings and heritage issues when determining planning applications, these include the notable Barnwell case and those later cases which followed on from Barnwell, such as Mordue and Tower Hamlets as well as several others. This advises that desirability of preserving the settings of listed buildings should not simply be given careful consideration but “considerable importance and weight” when carrying out the balancing exercise. It is considered that the NPPF policy considerations with regard to harm have been applied appropriately, arriving at less than substantial harm and justification on this basis (para 196). The application is considered to comply with SPT11 and DEV21 of the Joint Local Plan.

## **9. Human Rights**

Human Rights Act - The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

## **10. Local Finance Considerations**

Under the present Community Infrastructure Levy charging schedule no CIL contribution is required for this development.

## **11. Planning Obligations**

Not applicable

## **12. Equalities and Diversities**

This planning application has had due regard to Section 149 of the Equality Act with regard to the Public Sector Equality Duty and has concluded that the application does not cause discrimination on the grounds of gender, race and disability.

The associated planning application has given consideration to the prevention of suicide from the roof the building. This is proposed to be dealt with through a management condition. A condition has been attached which requires the guideline amount of DDA compliant spaces, both for the residential and in the public car park.

The new commercial units are all proposed to be fully accessible with level thresholds, and internally there are lifts to access the upper floors. The new public realm is accessible by ramped access. The residential units are fully accessible, and the lift will be extended to include access to the roof entrance amenity space.

### **13. Conclusions and Reasons for Decision**

Officers have taken account of the NPPF and the Planning (Listed Buildings and Conservation Areas) Act 1990 and in considering whether to grant planning permission for development which affects a listed building, special regard has been given to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

It is concluded that the following works will result in less than substantial harm to the Grade II Listed building:

- Loss of Civic use. Harm is mitigated through the introduction of new uses which will help to secure the future use of the civic centre
- Loss, replacement and design of east and west façades. Harm is mitigated through the retention of key features of the existing design (glazing, variation in depth, Fibonacci pattern within cladding)
- Civic sign on roof. Harm is mitigated through its reversible nature.
- Glazed extension to south block. Harm is mitigated through the proposed lightweight glazed design

Other elements of the scheme are considered to better reveal the significance of the listed building. These works include:

- Removal of later extensions
- Reinstatement of Fibonacci pattern
- Repairs to features such as columns and roof
- Revealing and protecting the terrazzo floor
- Improvements to park and garden (works to the reflective pool)

Paragraph 196 of the NPPF applies, and the harm has been weighed against the public benefits of the proposal including securing its optimum viable use. It is considered that the proposals will bring the building into a number of uses, as well as the public benefits as listed above. Overall it is considered that the proposal will not cause significant harm to the listed building's special architectural and historic interest and therefore, for the reasons discussed above, is recommended for conditional approval.

### **14. Recommendation**

In respect of the application dated 21.03.2019 it is recommended to Grant Conditionally.

### **15. Conditions / Reasons**

The development hereby permitted shall be carried out in accordance with the following approved plans:

#### **I        CONDITION: APPROVED PLANS**

Site Location Plan PL-001 Rev PL1 received 19/03/19

Proposed Site Plan PL-003 Rev PLI received 19/03/19  
Proposed Podium Roof Plan PL-005 Rev PLI received 19/03/19  
Proposed Basement Floor Plan PL-010 Rev PLI received 19/03/19  
Proposed Ground Floor Plan PL-011 Rev PLI received 19/03/19  
Proposed First Floor Plan PL-012 Rev PLI received 19/03/19  
Proposed Mezzanine and Second Floor Plan PL-013 Rev PLI received 19/03/19  
Proposed Third Floor Plan PL-014 Rev PLI received 19/03/19  
Proposed Fourth Floor (Floors 4 to 5) PL-015 Rev PLI received 19/03/19  
Proposed Sixth Floor Plan (Floors 6 to 9) PL-017 Rev PLI received 19/03/19  
Proposed Tenth Floor Plan (Floors 10 to 13) PL-021 Rev PLI received 19/03/19  
Proposed Roof Terrace PL-025 Rev PLI received 19/03/19  
Proposed Forteenth Floor and Gull Wing Roof Plan PL-026 Rev PLI received 19/03/19  
Proposed Ground Floor - North Block PL-030 Rev PLI received 19/03/19  
Proposed Ground Floor Plan - South Block PL-031 Rev PLI received 19/03/19  
Proposed First Floor Plan - North Block PL-032 Rev PLI received 19/03/19  
Proposed First Floor Plan - South Block PL-033 Rev PLI received 19/03/19  
Proposed North Side Elevation PL-050 Rev PLI received 19/03/19  
Proposed East Site Elevation PL-051 Rev PLI received 19/03/19  
Proposed South Site Elevation PL-052 Rev PLI received 19/03/19  
Proposed West Site Elevation PL-053 Rev PLI received 19/03/19  
Proposed New Civic Square Elevations PL-054 Rev PLI received 19/03/19  
Proposed Council House Site Elevation PL-055 Rev PLI received 19/03/19  
Proposed North Elevation PL-060 Rev PLI received 19/03/19  
Proposed East Elevation - South PL-061 Rev PLI received 19/03/19  
Proposed East Elevation - North PL-062 Rev PLI received 19/03/19  
Proposed South Elevation PL-063 Rev PLI received 19/03/19  
Proposed West Elevation - North PL-064 Rev PLI received 19/03/19  
Proposed West Elevation - South PL-065 Rev PLI received 19/03/19  
Proposed New Civic Square Elevation - North PL-066 Rev PLI received 19/03/19  
Proposed New Civic Square Elevation - South PL-067 Rev PLI received 19/03/19  
Proposed South Block Council House Elevation PL-068 Rev PLI received 19/03/19  
Proposed Section AA PL-070 Rev PLI received 19/03/19  
Basement Conservation Floor Plan PL-220 Rev PLI received 19/03/19  
Ground Floor Conservation Plan PL-221 Rev PLI received 19/03/19  
First Floor Conservation Plan PL-222 Rev PLI received 19/03/19  
Conservation Plan Mezzanine and Second Floor PL-223 Rev PLI received 19/03/19  
Conservation Plan Third and Fourth Floor PL-224 Rev PLI received 19/03/19  
Conservation Plan Fifth and Sixth Floor PL-225 Rev PLI received 19/03/19  
Conservation Plan Seventh and Eighth Floor PL-226 Rev PLI received 19/03/19  
Conservation Plan Ninth and Tenth Floor PL-227 Rev PLI received 19/03/19  
Conservation Plan Eleventh and Twelfth Floor PL-228 Rev PLI received 19/03/19  
Conservation Plan Thirteenth and Fourteenth Floor PL-229 Rev PLI received 19/03/19  
Conservation Plan 15th Floor and Roof PL-230 Rev PLI received 19/03/19  
Conservation Typical Lift Lobby Plan and Section PL-231 Rev PLI received 19/03/19  
Conservation - Existing North Elevation PL-250 Rev PLI received 19/03/19  
Conservation - Existing East Elevation PL-251 Rev PLI received 19/03/19  
Conservation - Existing South Elevation PL-252 Rev PLI received 19/03/19  
Conservation - Existing West Elevation PL-253 Rev PLI received 19/03/19  
Conservation - New Civic Square Elevations PL-254 Rev PLI received 19/03/19  
Existing South Block Council House Elevation PL-255 Rev PLI received 19/03/19  
TR External Staircase PL-300 Rev PLI received 19/03/19  
TR External Staircase PL-301 Rev PLI received 19/03/19  
Proposed North Block North Elevation GF and FF PL-307 Rev PLI received 19/03/19

North Block South Elevation - East Side PL-311 Rev PL1 received 19/03/19  
South Courtyard - Outward First Floor PL-315 Rev PL1 received 19/03/19  
South Block - Delabole Slate and Clerestory PL-319 Rev PL1 received 19/03/19  
South Block - New FF Openings PL-323 Rev PL1 received 19/03/19  
South Block - New Undercroft Elevation PL-325 Rev PL1 received 19/03/19  
South Courtyard - Pool Details PL-327 Rev PL1 received 19/03/19  
Proposed Facade Section PL-331 Rev PL1 received 19/03/19  
Proposed Facade Plans PL-333 Rev PL1 received 19/03/19  
Proposed Rooftop and Gullwing PL-337 Rev PL1 received 19/03/19  
Proposed Lift Lobby Detail PL-345 Rev PL1 received 19/03/19  
Proposed 1-Bed Apartment PL-350 Rev PL1 received 19/03/19  
Proposed 2-Bed Flexi Apartment PL-355 Rev PL1 received 19/03/19  
Proposed Typical M4(2) Flat Layout Plans PL-360 Rev PL1 received 19/03/19  
Proposed Ground Floor Plan External Demise PL-365 Rev PL1 received 19/03/19  
Proposed Landscape Plan PL-006 Rev PL3 received 24/12/19

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with the Plymouth & South West Devon Joint Local Plan 2014–2034 (2019).

## **2 CONDITION: TIME LIMIT COMMENCEMENT**

The works hereby permitted shall be begun before the expiration of three years from the date of this consent.

Reason:

To comply with Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

## **3 CONDITION: PRE-COMMENCEMENT: BUILDING RECORDING**

No development to which this permission relates shall commence until an appropriate programme of historic building recording and analysis has been secured and implemented in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority. The development shall be carried out at all times in strict accordance with the approved scheme.

Reason:

To ensure that historic evidence is appropriately recorded, in accordance with DEV21 of the Plymouth and South West Devon Joint Local Plan 2014 - 2034 and para 199 of the NPPF 2019.

Pre Commencement Justification: To ensure that important historic features are properly protected / respected before construction commences.

## **4 CONDITION: PRE-COMMENCEMENT OF DEMOLITION: DEMOLITION WORKS**

Prior to commencement of any demolition works, details shall be submitted and approved with the Local Planning Authority showing the areas of masonry to be demolished and setting out the method of ensuring the safety and stability of the building fabric identified to be retained throughout the phases of demolition and reconstruction. Such details are to include structural engineering drawings and/or a method statement. The work shall be carried out fully in accordance with the method statement approved.

No demolition works shall take place before evidence has been submitted to the Local Planning Authority of a binding contract for the full implementation of the comprehensive scheme of development (and associated planning permission for which the contract provides).

Reason: To ensure that premature demolition does not take place and that an unsightly gap does not detract from the character and appearance of the area and in the interests of ensuring that no damage is caused to the part of the building which is to be retained and in accordance with DEV21 of the Plymouth and South West Devon Joint Local Plan 2014 - 2034 and para 199 of the NPPF 2019.

Pre Commencement Justification: To ensure that important historic features are properly protected / respected before construction commences.

## **5 CONDITION: PRE-COMMENCEMENT TOWER WORKS: SAMPLE OF TRANSOM/SPANDREL PANEL MATERIAL**

Prior to commencement of works to the tower, notwithstanding the information shown on the accompanying plans, a sample of the proposed materials to be used for the replacement transom/spandrel panels in the new façades shall be submitted to, and approved in writing by, the local planning authority in consultation with Historic England. The development shall be carried out at all times in strict accordance with the approved details.

Reason:

To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to ensure that the details of the proposed work comply with DEV21 of the Plymouth and South West Devon Joint Local Plan 2014 - 2034 and para 190 and 192 of the NPPF 2019.

Pre Commencement Justification: To ensure that important historic features are properly protected / respected before construction commences.

## **6 CONDITION: PRE-COMMENCEMENT TOWER WORKS: EAST AND WEST FAÇADE DETAIL**

Prior to commencement of works to the tower, details of the proposed works to the east and west façade, including:

- Details, materials, finishes of the new glazing system
- Proposed spandrel panel pattern
- Replacement mullions
- Works to existing fabric such as the framing panels

Shall be submitted to and approved in writing by the Local Planning Authority. The said details shall include the repair/ reinstatement designs, materials and methodology. The development shall be carried out at all times in strict accordance with the approved details.

Reason:

To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and To ensure that the details of the proposed work comply with DEV21 of the Plymouth and South West Devon Joint Local Plan 2014 - 2034 and para 190 and 192 of the NPPF 2019.

Pre Commencement Justification: To ensure that important historic features are properly protected / respected before construction commences.

## **7 CONDITION: PRE-COMMENCEMENT TOWER WORKS: NORTH AND SOUTH FAÇADE DETAIL**

Prior to commencement of works to the tower, details of the proposed works to the north and south façade, including:

- Details of the transom/spandrel cladding panels to be retained and repaired
- Details of new aluminium units (design, material, finish)
- Details of new fibre cement panels
- Any other finish, such as painted areas

Shall be submitted to and approved in writing by the Local Planning Authority. The said details shall include the repair/ reinstatement designs, materials and methodology. The development shall be carried out at all times in strict accordance with the approved details.

Reason:

To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to ensure that the details of the proposed work comply with DEV21 of the Plymouth and South West Devon Joint Local Plan 2014 - 2034 and para 190 and 192 of the NPPF 2019.

Pre Commencement Justification: To ensure that important historic features are properly protected / respected before construction commences.

## **8 CONDITION: PRE-COMMENCEMENT ROOF TOWER WORKS: GLAZED ROOF PAVILLION**

Prior to commencement of works to the tower roof, details of the proposed works to the glazed roof pavilion, including:

- Details of elevation treatment, including ventilation, window frame finish and new doors
- Internal works including layout and ceiling , wall and floor finishes
- Terrazzo and concrete floor finishes, balustrade and handrails to be made good and cleaned for reuse.
- Lighting
- Planters and other affixed furniture
- Lighting, ventilation, servicing and plant

Shall be submitted to and approved in writing by the Local Planning Authority. The said details shall include the repair/ reinstatement designs, materials and methodology. The development shall be carried out at all times in strict accordance with the approved details.

Reason:

To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to ensure that the details of the proposed work comply with DEV21 of the Plymouth and South West Devon Joint Local Plan 2014 - 2034 and para 190 and 192 of the NPPF 2019.

Pre Commencement Justification: To ensure that important historic features are properly protected / respected before construction commences

## **9 CONDITION: PRE-COMMENCEMENT ROOF TOWER WORKS: OTHER ROOF WORKS**

Prior to commencement of works to the tower roof, details of the proposed works to the roof, including:

- Balustrade works
- Landscape works including affixed furniture
- Final floor finish
- Repair works to yellow gull wing roof

- CIVIC sign details
- Works to Building Maintenance Unit (BMU)
- New roof membrane
- Works to aggregate panelling and paint finish
- Lighting, ventilation, servicing and plant
- Mansafe systems

Shall be submitted to and approved in writing by the Local Planning Authority. The said details shall include the repair/ reinstatement designs, materials and methodology. The development shall be carried out at all times in strict accordance with the approved details.

Reason:

To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to ensure that the details of the proposed work comply with DEV21 of the Plymouth and South West Devon Joint Local Plan 2014 - 2034 and para 190 and 192 of the NPPF 2019.

Pre Commencement Justification: To ensure that important historic features are properly protected / respected before construction commences.

#### **10 CONDITION: PRE-COMMENCEMENT ROOF TOWER WORKS: TELECOMMUNICATIONS EQUIPMENT**

Notwithstanding the information shown on the accompanying plans, prior to commencement of works to the tower roof, further details showing the retention, removal or relocation of existing telecommunications equipment housed in the rooftop area of the tower shall be submitted to, and approved in writing by, the local planning authority in consultation with Historic England. The development shall be carried out at all times in strict accordance with the approved details.

Reason:

To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to ensure that the details of the proposed work comply with DEV21 of the Plymouth and South West Devon Joint Local Plan 2014 - 2034 and para 190 and 192 of the NPPF 2019.

Pre Commencement Justification: To ensure that important historic features are properly protected / respected before construction commences.

#### **11 CONDITION: PRE-COMMENCEMENT DEMOLITION OF ENTRANCE LOBBY: TERRAZZO FLOOR FINISH DETAILS**

Notwithstanding the information shown on the accompanying plans, prior to the commencement of demolition of the entrance lobby, details of the protection (both during construction and final finish) for the existing terrazzo floor finishes in the tower lobby shall be submitted to, and approved in writing by, the local planning authority in consultation with Historic England. The development shall be carried out at all times in strict accordance with the approved details.

Reason:

To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to ensure that the details of the proposed work comply with DEV21 of the Plymouth and South West Devon Joint Local Plan 2014 - 2034 and para 190 and 192 of the NPPF 2019.

Pre Commencement Justification: To ensure that important historic features are properly protected / respected before construction commences.

## **12 CONDITION: PRE-COMMENCEMENT TOWER WORKS: INTERNAL WORKS TO TOWER**

Prior to commencement of works to the tower, details of the proposed works to the tower, including:

- Works to core areas, including replacement lifts, details of lift doors, lobby wall linings, suspended ceiling lighting to be removed, terrazzo and concrete floor finishes, balustrade and handrails to be made good and cleaned for reuse
- Areas of demolition
- Final finishes including ceiling, wall and floor finishes
- Internal partitions and fittings to be removed
- Timber panelling to be removed and details of reuse
- Lighting, ventilation, servicing and plant

Shall be submitted to and approved in writing by the Local Planning Authority. The said details shall include the repair/ reinstatement designs, materials and methodology. The development shall be carried out at all times in strict accordance with the approved details.

Reason:

To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to ensure that the details of the proposed work comply with DEV21 of the Plymouth and South West Devon Joint Local Plan 2014 - 2034 and para 190 and 192 of the NPPF 2019.

Pre Commencement Justification: To ensure that important historic features are properly protected / respected before construction commences.

## **13 CONDITION: PRE-COMMENCEMENT DEMOLITION OF ENTRANCE LOBBY: WORKS TO FIRST FLOOR BALCONY**

Prior to commencement of demolition to of the entrance lobby, details of the proposed works to the first floor balcony, including:

- Works to extend the existing concrete balcony slab
- Timber deck floor finish
- Balustrading

Shall be submitted to and approved in writing by the Local Planning Authority. The said details shall include the repair/ reinstatement designs, materials and methodology. The development shall be carried out at all times in strict accordance with the approved details.

Reason:

To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to ensure that the details of the proposed work comply with DEV21 of the Plymouth and South West Devon Joint Local Plan 2014 - 2034 and para 190 and 192 of the NPPF 2019.

Pre Commencement Justification: To ensure that important historic features are properly protected / respected before construction commences.



#### **14 CONDITION: PRE-COMMENCEMENT GROUND AND FIRST FLOORS WORKS: GROUND AND FIRST FLOOR COLUMN REPAIRS**

Prior to commencement of works to the ground and first floor, details of the proposed works to the concrete and murano glass columns shall be submitted to and approved in writing by the Local Planning Authority. The said details shall include the repair/ reinstatement designs, materials and methodology. The development shall be carried out at all times in strict accordance with the approved details.

Reason:

To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to ensure that the details of the proposed work comply with DEV21 of the Plymouth and South West Devon Joint Local Plan 2014 - 2034 and para 190 and 192 of the NPPF 2019.

Pre Commencement Justification: To ensure that important historic features are properly protected / respected before construction commences.

#### **15 CONDITION: PRE-COMMENCEMENT NORTH BLOCK: NORTH BLOCK WORKS EXTERNAL**

Prior to commencement of works to the north block, details of the proposed external works to the north block, including:

- Works to spandrel panels including glazing lower panels
- Repair of existing glazing
- Concrete panel repair and reuse of concrete aggregate panels
- Paint finishes
- All new glazing, including glazed doors and louvre panels
- New aluminium panelling
- New concrete mullions
- Roof works, including infill of roof lights, new roof membrane and coping , mansafe systems
- Lighting, ventilation, servicing and plant

Shall be submitted to and approved in writing by the Local Planning Authority. The said details shall include the repair/ reinstatement designs, materials and methodology. The development shall be carried out at all times in strict accordance with the approved details.

Reason:

To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to ensure that the details of the proposed work comply with DEV21 of the Plymouth and South West Devon Joint Local Plan 2014 - 2034 and para 190 and 192 of the NPPF 2019.

Pre Commencement Justification: To ensure that important historic features are properly protected / respected before construction commences.

#### **16 CONDITION: PRE-COMMENCEMENT NORTH BLOCK: NORTH BLOCK WORKS INTERNAL**

Prior to commencement of works to the north block, details of the proposed internal works to the north block, including:

- Partition removal and new partitions
- Works to columns
- Repair works to existing service cores and stairs
- New service cores and stairs

- Ventilation and service risers
- Floor, wall and ceiling finish
- Lighting, ventilation, servicing and plant

Shall be submitted to and approved in writing by the Local Planning Authority. The said details shall include the repair/ reinstatement designs, materials and methodology. The development shall be carried out at all times in strict accordance with the approved details.

Reason:

To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to ensure that the details of the proposed work comply with DEV21 of the Plymouth and South West Devon Joint Local Plan 2014 - 2034 and para 190 and 192 of the NPPF 2019.

Pre Commencement Justification: To ensure that important historic features are properly protected / respected before construction commences.

### **17 CONDITION: PRE-COMMENCEMENT SOUTH BLOCK: SOUTH BLOCK WORKS EXTERNAL**

Prior to commencement of works to the south block, details of the proposed external works to the south block, including:

- Ramped access
- Repair of delabole slate panels
- Repair of existing glazing
- Concrete panel repair and reuse of concrete aggregate panels
- Paint finishes
- All new glazing, including glazed doors and louvre panels
- New aluminium panelling
- New concrete mullions
- Roof works, including infill of roof lights, new roof membrane and coping, man safe systems
- Works to council house glazing system
- Lighting, ventilation, servicing and plant

Shall be submitted to and approved in writing by the Local Planning Authority. The said details shall include the repair/ reinstatement designs, materials and methodology. The development shall be carried out at all times in strict accordance with the approved details.

Reason:

To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to ensure that the details of the proposed work comply with DEV21 of the Plymouth and South West Devon Joint Local Plan 2014 - 2034 and para 190 and 192 of the NPPF 2019.

Pre Commencement Justification: To ensure that important historic features are properly protected / respected before construction commences.

### **18 CONDITION: PRE-COMMENCEMENT SOUTH BLOCK: SOUTH BLOCK WORKS INTERNAL**

Prior to commencement of works to the south block, details of the proposed internal works to the south block, including:

- Partition removal and new partitions
- Works to columns
- Repair works to existing service cores and stairs
- New service cores and stairs, including new lift installation
- Ventilation and service risers
- Floor, wall and ceiling finish
- Lighting, ventilation, servicing and plant

Shall be submitted to and approved in writing by the Local Planning Authority. The said details shall include the repair/ reinstatement designs, materials and methodology. The development shall be carried out at all times in strict accordance with the approved details.

Reason:

To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to ensure that the details of the proposed work comply with DEV21 of the Plymouth and South West Devon Joint Local Plan 2014 - 2034 and para 190 and 192 of the NPPF 2019.

Pre Commencement Justification: To ensure that important historic features are properly protected / respected before construction commences.

## **19 CONDITION: PRE-COMMENCEMENT SOUTH BLOCK EXTENSION: SOUTH BLOCK GLAZED EXTENSION**

Prior to commencement of works to the south block extension, details of the proposed south block extension shall be submitted to and approved in writing by the Local Planning Authority. The said details shall include the design, materials and methodology. The development shall be carried out at all times in strict accordance with the approved details.

Reason:

To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to ensure that the details of the proposed work comply with DEV21 of the Plymouth and South West Devon Joint Local Plan 2014 - 2034 and para 190 and 192 of the NPPF 2019.

Pre Commencement Justification: To ensure that important historic features are properly protected / respected before construction commences.

## **20 CONDITION: PRE-COMMENCEMENT BASEMENT: BASEMENT WORKS**

Prior to commencement of works to the basement, details of the proposed works to the basement, including:

- External works including roller shutter doors, brick work, paint finish and new doors
- Lighting, ventilation, servicing and plant
- Final internal layout including floor, walls, ceiling finish

Shall be submitted to and approved in writing by the Local Planning Authority. The said details shall include the repair/ reinstatement designs, materials and methodology. The development shall be carried out at all times in strict accordance with the approved details.

Reason:

To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to ensure that the details of the proposed work comply with DEV21 of the Plymouth and South West Devon Joint Local Plan 2014 - 2034 and para 190 and 192 of the NPPF 2019.

Pre Commencement Justification: To ensure that important historic features are properly protected / respected before construction commences.

## **21 CONDITION: PRE-COMMENCEMENT DETAILS OF GOODS, LIGHTING, VENTILATION, SERVICING AND PLANT DETAILS**

No works to install rainwater goods, lighting, ventilation, serving or plant shall take place until details of the proposed lighting, ventilation, servicing and other plant have been submitted to and approved in writing by the Local Planning Authority. The said details shall include the location, design, materials and finishes to be used. The development shall be carried out at all times in strict accordance with the approved details.

Reason:

To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to ensure that the details of the proposed work comply with DEV21 of the Plymouth and South West Devon Joint Local Plan 2014 - 2034 and para 190 and 192 of the NPPF 2019.

Pre Commencement Justification: To ensure that important historic features are properly protected / respected before construction commences.

## **22 CONDITION: PRE-COMMENCEMENT PUBLIC REALM: PUBLIC REALM WORKS**

Prior to commencement of works to the public realm, details of the proposed public realm works, including:

- Reflective pool
- New staircase link
- Repair works to spiral staircase
- Surface treatment/hard landscape works
- Tree planters
- Civic lettering signage
- Affixed furniture including seating areas and planters
- Replacement balustrading

Shall be submitted to and approved in writing by the Local Planning Authority. The said details shall include the repair/ reinstatement designs, materials and methodology. The development shall be carried out at all times in strict accordance with the approved details.

Reason:

To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to ensure that the details of the proposed work comply with DEV21 of the Plymouth and South West Devon Joint Local Plan 2014 - 2034 and para 190 and 192 of the NPPF 2019.

Pre Commencement Justification: To ensure that important historic features are properly protected / respected before construction commences.

## **INFORMATIVES**

## **1 INFORMATIVE: PLANNING PERMISSION CONDITIONS**

In the exercise of the Listed Building Consent, regard must be had to the conditions imposed on the notice of planning permission I9/00439/FUL relating to the development to which these works are associated.

## **2 INFORMATIVE: CONDITIONAL APPROVAL (NEGOTIATION)**

In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and the National Planning Policy Framework 2019, the Council has worked in a positive and pro-active way with the Applicant including pre-application discussions and has negotiated amendments to the application to enable the grant of planning permission.