

PLANNING APPLICATION OFFICERS REPORT



Application Number	18/00129/LBC	Item	01
Date Valid	06.02.2018	Ward	ST PETER AND THE WATERFRONT
Site Address	Abbey Hall Catherine Street Plymouth PL1 2AD		
Proposal	Replacement windows (south elevation)		
Applicant	Abbey Hall Management Committee		
Application Type	Listed Building Consent		
Target Date	03.04.2018	Committee Date	05.04.2018
Extended Target Date	N/A		
Decision Category	Member/PCC Employee		
Case Officer	Mrs Jess Maslen		
Recommendation	Grant Conditionally		

1. Description of Site

Abbey Hall is the Grade II listed church hall and assembly rooms, which is associated with St Andrews Church, and fronts onto Catherine Street. Built in 1895 of Plymouth limestone rubble with freestone detailing in the Perpendicular Gothic style, the building stands to the west of the 14th century Grade I Prysten House and south of the Grade I Church of St Andrew, in a strongly composed group.

2. Proposal Description

The proposal is to replace the two windows on the south elevation of the building.

3. Pre-application Enquiry

None

4. Relevant Planning History

08/00914/LBC Internal alterations to provide wheelchair accessible platform lift GRANTED CONDITIONALLY

99/00580/FUL Vary conditions 02 & 03 of Planning Permission 1518/96 to permit use of premises as a restaurant and to extend GRANTED CONDITIONALLY

96/00845/CAC Repair work including rebuilding of chimney GRANTED CONDITIONALLY

94/01340/LBC Alterations in association with installation of replacement boiler GRANTED CONDITIONALLY

87/00431/FUL Use of hall as day nursery GRANTED CONDITIONALLY

5. Consultation Responses

None received

6. Representations

None received

7. Relevant Policy Framework

The legislation under which listed building consent applications are considered is the Planning (Listed Buildings and Conservation Areas) Act 1990 together with the relevant paragraphs of the NPPF – National Planning Policy Framework 2012.

The Planning (Listed Buildings and Conservation Areas) Act 1990 requires that, when considering whether to grant listed building consent for any works 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.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts (including the Town and Country Planning Act 1990 and the Planning (Listed Buildings and Conservation Areas) Act 1990, the determination must be made in accordance with the plan unless material considerations indicate otherwise. The relevant policy of Plymouth's adopted development plan is CS03, and in the emerging Plymouth and South West Devon Joint Local Plan, policies DEV20 and DEV 21 deal with the historic environment.

Additionally, the following planning documents are also material considerations in the determination of the application:

* Development Guidelines Supplementary Planning Document

NPPF CHAPTER 12 Conserving and enhancing the historic environment paragraphs 129, 131 and 132 are particularly relevant to this application.

Paragraph 129 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 131 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 132 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. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification...

Therefore the relevant heritage assets in this application are the Grade II listed building itself, and the nearby listed buildings that wrap around the building, with the adjoining Grade I listed Prysten House to the east; the Grade II* Synagogue to the west and the Grade II Baptist Church and Dispensary standing to the south and south west.

8. Analysis

1. This application has been considered in the context of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. The building provides an important architectural and historical presence on Catherine Street, with the backdrop of St Andrews and the adjoining truncated Prysten House providing strong visual markers to the late Victorian meeting hall, which displays a Perpendicular Gothic style to reflect the style of the older church behind, and is built in limestone rubble, allowing it to relate well to the group as a whole.

3. An extract from the Historic England listing description, dating from 1998 for Abbey Hall is as follows:

SX4754 CATHERINE STREET, Plymouth 740-1/57/414 (East side) St Andrew's Abbey Hall and Church House Assembly Room

GVII

Church hall and assembly rooms. 1895 on rainwater head. Plymouth limestone rubble with freestone dressings including moulded mid-floor string; steep dry slate roof with coped gable ends and an embattled parapet at the front with a moulded and carved cornice; plain parapet at rear. Perpendicular Gothic style. Rectangular plan. 2 storeys; 1:6-window range. Doorways at far left and right. Moulded 4-centred stilted arch to principal left-hand doorway and relief lettering: ST ANDREW'S ABBEY HALL; tall triple transomed and traceried 3-light principal window above. Other doorway has chamfered rubble jambs, a tudor arch and a Y-traceried fanlight above. The other

windows are 2-light and transomed with moulded jambs, the 5 ground-floor windows with Y-traceried heads, the taller 1st floor windows with traceried heads. INTERIOR: suspended ceiling to first floor. Strong group value with Prysten House, Abbey Place (qv) and Church of St Andrew, Catherine Street (qv).

4. The reason for replacement of these windows is a health and safety issue, in that the current timber window frames have become rotten putting those using the car park below at risk of falling panes of glass, and therefore there is an urgent need to replace them. Taking advantage of this issue, the applicant seeks to improve the look of the windows, to improve the character and appearance of the elevation through a higher quality design. Following discussion with the Historic Environment Officers, the applicant proposes to replace the existing timber windows that overlook the car park on the south elevation with single glazed timber windows in a more coherent style, relating better to both the age of the building and to each other.

5. The difficulty is that both window reveals are of different height and width, and the reveals themselves, created during the 1970s when the original windows in the south elevation were blocked in, are set at a height and width at odds with the rest of the windows in the building.

6. The applicant has agreed that as far as possible the windows will match each other, in terms of opening mechanisms, design and material so that the windows create a more consistent look on this elevation of the building and improve the visual appearance as a whole. The applicant also proposes to remove the excessive clutter around the windows to create a more attractive look.

7. Design

The design, whilst of a more contemporary style to the rest of the windows in this building, is considered to be an acceptable compromise. It is important to recognise that these windows are seen in isolation from the other, older windows in this building, so whilst they do not match the design, materials and opening mechanisms of the other windows, they create a contemporary response to the existing 1970 reveals, whilst being constructed in materials of an appropriate quality.

8. The justification for the proposed replacement is to ensure the health and safety of those using the car park below. However, the applicant has sought to ensure that the replacements to the existing windows are of a more attractive design that will improve the look of the elevation overall.

9. Other Impacts

This building stands in the Barbican Conservation Area, and the existing windows create an unattractive and discordant presence overlooking the car park. The proposal to create a more coherent design of window on this elevation is to be celebrated as it will ensure that the look of the elevation is improved creating an aspect more in keeping with the Conservation Area as a whole, an area identified as of special architectural and historic interest, the character and appearance of which it is desirable to preserve and/or enhance.

10. Therefore, the application is considered to comply with Policy CS03 (Historic Environment) of the Council's Adopted Local Development Framework – Core Strategy 2007, policies DEV21 and DEV22 of the emerging Plymouth and South West Devon Joint Local Plan, as well as the guidance as set out in the Development Guidelines SPD First Review 2013.

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

None applicable to this application

13. Conclusions

Officers have taken account of the NPPF and the Planning (Listed Buildings and Conservation areas) Act 1990, and have concluded that the proposal accords with policy and national guidance and, for the reasons discussed above, will not cause any significant harm to the listed building's special architectural and historic interest. Officers therefore recommend conditional approval.

14. Recommendation

In respect of the application dated **06.02.2018** 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

Window Detail Cutting List Diagrams 16-08-17 - received 29/01/18

Window Detail Large Drawings with Setting Out 1 of 3 16-08-17 - received 26/01/18

Window Detail Large Drawings with Setting Out 2 of 3 16-08-17 - received 26/01/18

Site Plans Block plan identifying elevation where the windows are to be replaced 290118 - received 26/01/18

Site Location Plan Site Location Plan 29012018 - received 29/01/18

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61-66 of the National Planning Policy Framework 2012.

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.

Informatives

1 INFORMATIVE: (NOT CIL LIABLE) DEVELOPMENT IS NOT LIABLE FOR A COMMUNITY INFRASTRUCTURE LEVY CONTRIBUTION

The Local Planning Authority has assessed that this development, due to its size or nature, is exempt from any liability under the Community Infrastructure Levy Regulations 2010 (as amended).

2 INFORMATIVE: UNCONDITIONAL APPROVAL (APART FROM TIME LIMIT AND APPROVED PLANS)

In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way and has granted planning permission.