

- a) **DOV/16/01254 – Erection of railings and gates to front and side elevations - Deal Town Hall, High Street, Deal (Planning Permission)**

**DOV/16/01255 - Erection of railings and gates - Deal Town Hall, High Street, Deal (Listed Building Consent)**

Reason for Report: Called in at the request of Councillor Friend siting concerns regarding the impact of the proposal on the character and appearance of the conservation area.

b) **Summary of Recommendation**

Planning permission be granted

Listed building consent be granted

c) **Planning Policy and Guidance**

Dover District Core Strategy 2010

- DM1 supports development within the built confines

National Planning Policy Framework (NPPF)

- Paragraph 7 – the three roles of sustainable development
- Paragraph 17 – securing a good level of amenity to existing and future occupants
- Paragraph 56 – good design as a key aspect of sustainable development
- Paragraphs 132-134 – safeguarding the historic environment

d) **Relevant Planning History**

No relevant planning or listed building consent applications

e) **Consultees and Third Party Responses**

- Deal Town Council

Deal Town Council are the applicants in this instance. No response has been received for the planning application. A comment of 'no objection' was received as part of the listed building consent application.

- Public Representations:

2 letters of objection have been received to the planning application and 4 letters of objection have been received to the listed building consent application; the comments are summarized as follows:

- Inappropriate for a former fire station
- Contrary to the 'Shopfronts in Conservation Area' guidance
- The design 'to match Cavalry Barracks' is specious and not appropriate
- Town Hall railings previously on site were half height
- Use of cctv/policing should be improved
- Harmful to the character and appearance of the conservation area
- Harmful to listed building

- Introduce an atypical boundary treatment into the conservation area

**f) 1. The Site and the Proposal**

1.1 The property is a grade II listed building listed in 1974. . The building sits in a prominent location on the west side of High Street, at the junction of High Street and St George's Road, within the Deal Middle Street Conservation Area. The St George's Road façade is highly visible in views north along the High Street, and the main façade, whilst set on an angle to the High Street, is highly visible to vehicle and pedestrian traffic travelling south along the High Street.

1.2 The list description reads as follows:

'Dated 1803. 2 storeys yellow brick with a rounded end turning into St George's Place. The High Street elevation has a pediment. Modillion cornice and parapet to roof. 3 windows. The central window bay projects and is a Venetian window. This is flanked by round-headed windows. On the right side is a portion of lower elevation which forms the Mayor's Parlour having a simple round-headed doorcase with 6 panelled door. Tuscan colonnade. A drinking fountain of 1875 has been inserted in the corner by Earl Grenville, Warden of the Cinque Ports at that time. The side elevation is lower and has a slate roof and 3 sashes with glazing bars intact on the 1st floor only and a round-headed doorcase. The Town Hall and Nos 115 to 127 (odd) form a group.'

1.3 The proposal is for the erection of gates and railings to the arches at ground floor level, enclosing the open undercroft area. The gates would be constructed in solid mild steel with 3 pairs of gates at 3.02m high fronting the high street and 1 single gate at 2.3m high with an overhead arch section fronting St Georges Road. They would be finished in black paint and have gilded finials and points.

1.4 The proposal seeks to overcome security issues identified by the applicant and allow for better utilisation of the space.

1.5 The intention is for the gates & railings to remain full height so that people could not climb over them. Above the side gate would be fitted a matching fixed semi-circular section again so that people could not climb over it.

**2. Main Issues**

- Principle of Development
- Impact on Heritage assets
- Impact on the visual amenity of the area
- Impact on the residential amenity of the area
- Impact on highways and parking

**3. Assessment**

Principle of Development

- 3.1 Deal Town Hall is located within the confines of Deal and is therefore DM1 compliant. Matters of detail in respect of suitability are discussed below.

#### Impact on Heritage Assets

- 3.2 The main considerations in this case concern the impact that the physical works would have upon the special architectural and historic interest of the listed building. Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states: "In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State 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 72 (2) states in relation to conservation areas: "special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area".
- 3.3 Photographs have been submitted with the application which show that the undercroft was historically enclosed with railings. The proposal is to construct railings and gates which are taller and to a different pattern, but replicate a historic pattern found within Deal. It is not possible to replicate the exact detailing of the historic railings as the detailed design is not clearly visible in the historic photographs. The proposed pattern is considered acceptable as it follows a historic pattern that has a local connection.
- 3.4 The gates & railings would be galvanised before being painted black with gilt finials and points to ensure maximum life.. The centre gates to have offset hinges to allow all gates to fold flat to the wall when opened. The bottom fitting of each gate would be via a 'pin and socket' arrangement with the top fixing into a steel plate. It is considered that the physical impact on the listed building will be minimal as the detailed design illustrates that the gates and railings will require minimal fixings via support plates and fixing pins, which would consequently be removable without causing harm to any historic fabric of interest.
- 3.5 Significant views to and from the Town Hall within the Deal Middle Street Conservation Area would remain unaffected, with a minor visual change to the building and its setting, as the gates will fold flat to the wall when the Town Hall is open. There will be a visual change to the building when the gates are closed, however the traditional design is considered sympathetic and will not detract from the setting of the listed building.
- 3.6 The NPPF requires that local planning authorities evaluate alterations to a listed building or within a conservation area as to the level of harm which would result from a proposal (Paragraphs 132-134 of the NPPF). In this instance, and as shown above, there would be no harm to the listed building or to the character and appearance of the conservation area. The impact would be neutral.

#### Impact on the Visual Amenity and Street Scene of the Area

- 3.7 The site is very prominent in local and some longer views from the High Street and from within the conservation area. Any change to the façade will have an impact on the visual amenity and on the street scene.

- 3.8 Historically, there had been railings to the front of the application site though it is unclear if these formed part of the fire station itself or were along the pavement/road. Regardless of this, the impact of this proposal would need to be seen in the current policy context and the fact that historically there were some form of railings on this site, whilst material, can only be given limited weight.
- 3.9 As it currently stands, given the orientation of the Town Hall to the street and adjacent building on the High Street, the undercroft visually forms part of the public highway/pavement. However, given that the gates would be open and folded back to allow almost as much open access to the undercroft as is currently enjoyed during the day, it is considered that the proposal would be unlikely to harm the street scene purely on the presence of the gates and railings alone.
- 3.10 The design of the railings/gates has been questioned in some of the public responses to the application. These have been taken into account in this assessment. However, it is considered that the grand design of the railings/gates would help alleviate any visual amenity harm that the proposal could have on the building. To clarify, it would take what could become a dark, inaccessible, 'prison-like' space with a more simplified railing/gate design and turn it into something of more visual interest and raise what was a fire station to something resembling the town hall that it now is.
- 3.11 Due to the regular incidents of anti-social behaviour in the undercroft this area is not a pleasant place to visit and is not fulfilling its potential to be an additional feature of the Town Hall and an asset for the residents of Deal. Deal Town Council officers considered the option of having CCTV in the undercroft and through consultation with the local PCSO's agreed that although cameras may be a visual deterrent in some instances they would not stop the incidents in the undercroft.
- 3.12 The PCSO's advised that where the Undercroft is open it has been historically a venue for antisocial behaviour and CCTV would not stop this, they strongly advise that the only way to stop this is to install gates, and have added that this will be of great assistance to them and help with policing the town at night. For this reason the Town Council consider that gates to close the Undercroft off at night when the Town Hall is not in use is the best way to ensure that the area is protected which will be to the benefit of everyone who uses the undercroft during the day.
- 3.13 As the gates would only be closed at night to prevent anti-social behaviour, and the design is considered acceptable as proposed in conservation area terms, it is considered that there would be no harm to the visual amenity of this building nor would it harm the street scene. The reduction of anti-social behaviour as a result of this proposal would also improve both the visual amenity of this building and the street scene.

#### Impact on the Residential Amenity of the Area

- 3.14 The railings would not lead to an increase in any residential amenity issues. It is likely that, given a reduction in anti-social behaviour within the undercroft at night, the residents of the flats opposite would have an improvement in amenity through a reduction in noise and disturbance and likely any

perception of privacy issues (arising from anti-social behaviour/rough sleeping) would be mitigated through this proposal.

#### Impact on Highways and Parking

- 3.15 It is considered that, given that the façade of Deal Town Hall is set back from and on an angle to the High Street, there would be no highway safety concerns as a result of this proposal. It would not distract drivers nor would it lead to an obstruction of the public highway.
- 3.16 There would be no impact on parking as a result of this proposal.
- 3.17 It is considered that the proposed development would not lead to highway safety concerns or parking issues.

#### Other Matters

- 3.18 Letters have been received raising objection to the proposal, however it is considered that the visual impact on the listed building and conservation area will be low. Clear and convincing justification for the proposal has been submitted, in addition to the reversibility of the works and the public benefit noted above outweighs the concerns raised.
- 3.19 It has been suggested that the proposed railings/gates would be contrary to advice contained in 'Shop Fronts and Signage within Conservation Areas' (2011). The application site is not a business involved with trading of goods or services nor do the arches of the undercroft form a 'shopfront' and therefore the above SPD can be given little, if any weight. It was a fire station and is now offices. That said, the guidance contained within the above SPD would seek high-quality and appropriate design for the host building. The proposal is not for 'security shutters' or 'grilles' as described in the SPD. The proposed railings/gates would form part of the boundary of the application site and would be considered an enclosure, not shutters/grilles. It is considered that the design solution overcomes any issues which could be raised should the façade of the Town Hall be considered under shop front guidance.

#### Conclusion

- 3.20 It is considered that the proposed railings/gates would not lead to harm to the historic character of the listed building nor lead to harm to the conservation area. However, given the reduction in antisocial behaviour which would result from this proposal, it is considered that there would in any case be a public benefit.
- 3.21 It is considered that the proposed railings/gates would not lead to any highway safety concerns.
- 3.22 On balance, it is therefore concluded that planning permission and listed building consent should be granted.

**g)**

#### **Recommendation**

- I Planning Permission BE GRANTED subject to the following conditions to include:

3 year commencement; 2) Built in accordance with the approved drawings and details; 3) Railings and gates to be installed in accordance with approved details.

- II Listed Building Consent BE GRANTED subject to the following conditions:  
3 year commencement; 2) Built in accordance with the approved drawings and details; 3) Railings and gates to be installed in accordance with approved details.
- III Powers be delegated to the Head of Regeneration and Development to settle any necessary conditions in respect of the Planning Permission and Listed Building Consent, in line with the issues set out in the recommendations and as resolved by the Planning Committee.

Case Officer

Andrew Wallace – Planning

Gianni Simone - Heritage