



Application No: 161058

Location: Town Hall, High Street, Colchester, CO1 1PJ

Scale (approx): 1:1250

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7.11 Case Officer: Libby Kirkby-Taylor

LISTED BUILDING

Site: Town Hall, High Street, Colchester CO1 1PJ

Application No: 161058

Date Received: 21 April 2016

Agent: Mr Martin Leek

Applicant: Colchester Borough Council

Development: Restoration of clock face, including removal of opal glass, and replacing glass with opal perspex.

Ward: Castle

Summary of Recommendation: Conditional Approval

1.0 Reason for Referral to the Planning Committee

- 1.1 This application for listed building consent is referred to the Planning Committee because the Town Hall is owned by the Borough and the applicant is Colchester Borough Council.

2.0 Synopsis

- 2.1 The key issues explored below are the impact of the proposed works to the clock on the special interest of the listed building.

3.0 Site Description and Context

- 3.1 The Town Hall is a grade I listed building and a key town centre landmark dating from the closing years of the Victorian period and constructed in a Baroque freestyle with Italianate clock tower.

4.0 Description of the Proposal

- 4.1 The works comprise the restoration of the historic skeleton clock to address long term fatigue. The works consist of the restoration of the clock including repainting and regilding of the clock face and an overhaul of working parts. The proposed works to the face include replacement of surviving areas of the opal glazing with Perspex of a similar appearance.

5.0 Land Use Allocation

- 5.1 Town Centre Uses – DP6

6.0 Relevant Planning History

- 6.1 The Town Hall has a long history of successive applications for minor internal alterations. The most recent was considered at the meeting of 26 May 2016 under reference 160502 when consent was granted for reordering of the Committee Chamber for the installation of a new bench on a raised platform.

7.0 Principal Policies

- 7.1 Planning law requires that applications for listed building consent must be determined in accordance with section 16(2) of the Planning (Listed Buildings & Conservation Areas) Act 1990 that 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." .
- 7.2 The National planning Policy Framework (NPPF) must also be taken into account in planning decisions and sets out the Government's planning policies are to be applied. The NPPF makes clear that the purpose of the planning system is to contribute to the achievement of sustainable development. There are three dimensions to sustainable development: economic, social and environmental. Part 12 of the Framework titled 'Conserving and enhancing the historic environment' provides strategic policy guidance in relation to the interplay of planning and the conservation of heritage assets including listed buildings. Paragraph 132 states that "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" Two categories of harm are identified, namely substantial and less than substantial harm. These are addressed at paragraphs 132-134 of the framework. However, all harm to a listed building is undesirable and requires clear and convincing justification.
- 7.3 Continuing the themes of the NPPF, the adopted Colchester Borough Core Strategy (adopted 2008, amended 2014) adds detail through local strategic policies. Particular to this application, the following policies are most relevant:

UR2 - Built Design and Character
ENV1 - Environment

- 7.4 In addition, the following are relevant adopted Colchester Borough Development Policies (adopted 2010, amended 2014):

DP14 Historic Environment Assets

8.0 Consultations

8.1 Historic England (formerly English Heritage) comments:

“Colchester’s Town Hall is an exceptionally fine civic building, from a period in which civic architecture flourished. A bravura essay in the Edwardian Baroque, the Town Hall was built between 1897 and 1902 to the designs of John Belcher. It is listed at grade I on account of its exceptional architectural and historic interest.

With this application consent is sought to repair the clock faces on the clock tower, replacing opal glass with opal perspex. Some panes of the historic glass have been broken, and the remainder are likely to be lost when the clock faces are refurbished or repaired. It is proposed to replace the glass with perspex on the grounds that perspex will not break and that it will be safer, while looking little different to the historic glass.

Historic England have considered this proposal in the light of the National Planning Policy Framework’s policies for the conservation of designated heritage assets - of which the Town Hall is an exceptional example - and in particular of its injunction that great weight should be given to the conservation of such assets and their significance (NPPF, especially 131, 132, 134).

The repair of the clock is evidently desirable. The substitution of perspex for the historic glass would take away something from the authenticity of the building.

These points notwithstanding, the effect of the change on the significance of the building is unlikely to be material.

Recommendation

In the light of these considerations, Historic England concludes that the proposed works would be consistent with the National Planning Policy Framework’s policies for the conservation of designated heritage assets, provided that your Council is satisfied that the proposed new material will perform adequately, both practically and aesthetically.”

In addition to the details reported above, the full text of all consultation responses is available to view on the Council’s website.

9.0 Parish Council Response

9.1 N/A

10.0 Representations

10.1 None received at the time of report drafting

The full text of all of the representations received is available to view on the Council’s website.

11.0 Development Team and Planning Obligations

11.1 This application is not classed as a “Major” application and therefore there was no requirement for it to be considered by the Development Team and it is considered that no Planning Obligations should be sought via Section 106 (S106) of the Town and Country Planning Act 1990.

12.0 Report

12.1 This report considers:

- *The justification for the works*
- *The impact of the proposed works on the special interest (significance) of the listed building*
- *Conformity with good practice and the NPPF*

12.2 Justification for the works

The Town Hall is a historic building and requires continuous cycles of maintenance. The clock face is constructed from opal glass set in a cast iron framework. The glazing is face puttied into the frame and has suffered from inevitable losses and breakages. The remainder of the works are non-contentious comprising redecoration (including regilding) and refurbishment of the clock mechanism. The scheme proposes to replace the remaining opal glass with opal Perspex as it is considered that this will reduce breakages and losses that necessitate the removal of the face for repair. We understand that in any event most of the remaining opal glass is likely to be lost in the renovation process.

12.3 The impact of the works on the special interest of the listed building

The majority of the proposed works will retain historic fabric and enhance the condition and appearance of the clock. The replacement of the glazing within the skeleton clock face will result in a modest loss of historic fabric. The proposed replacement would be in a different material but it is considered that any change will be imperceptible and only a marginal loss in integrity would result. It is important to note that Historic England do not object to the proposed works.

12.4 Conformity with good practice and the NPPF

The works in the main comprise repair and maintenance and this is considered wholly compliant with statute and the basic premise in the NPPF that heritage assets should be conserved in a manner consistent with their significance. The marginal loss of original glazing (if any) is considered not to be material when considered against the works of maintenance/repair as a whole. Whilst it could be argued that this element is less than substantial harm (paragraph 134 of the framework) when taken in the round the works are conservative and justified to maintain the clock feature in a good state of repair.

13.0 Conclusion

13.1 It is considered that the repair works are fully justified and any limited harm identified with the loss of any original glazing is more than offset by the scheme's benefits as a whole.

14.0 Recommendation

14.1 APPROVE subject to the following conditions

15.0 Positivity Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

16.0 Conditions

1.0 ZAB - Time Limit for LBCs

The works hereby permitted shall begin before the expiration of 3 years from the date of this consent.

Reason: To comply with the requirements of Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2.0 ZLA - Only Works Shown Within Application

This approval is limited to the works shown on the approved drawings and does not indicate approval for associated or enabling works that may be necessary to carry out the scheme. Any further works must be submitted to and approved, in writing, by the Local Planning Authority prior to any works commencing.

Reason: For the avoidance of doubt as to the scope of the permission and to ensure that the historic building is preserved from any other potentially harmful works.

17.0 Informatives

1.0 LUA

PLEASE NOTE: This listed building consent relates solely to the plans, drawings, notes and written details submitted with the application or as subsequently amended in writing and referred to in this notice. Any variation of the works or additional works found necessary before work starts or while work is in progress or required under the Building Regulations, or by the County Fire Services or environmental health legislation may only be carried out after approval by the Local Planning Authority. Unauthorised modifications, alterations or works not covered by this consent may constitute an offence under Section 9 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and may render the applicant, owner(s), agent and /or contractors liable to enforcement action and/or prosecution.