

**PLANNING COMMITTEE**

**4<sup>th</sup> October 2022**

**APPLICATION FOR CONSIDERATION**

**REPORT OF ASSISTANT DIRECTOR - GROWTH & REGENERATION**



**Application Number:** 0309/2022

**Development:** Erection of a single storey side and rear extension to a Grade II listed building

**Location:** 29 Lichfield Street, Tamworth, B79 7QE

## 1. Introduction

- 1.1 The listed building application was received on 4<sup>th</sup> July 2022 to build a single storey side and rear extension on the Tamworth Masonic Rooms at 29 Lichfield Street, Tamworth.
- 1.2 This report should be read in conjunction with application reference 0308/2022 for the full application.
- 1.3 The site is located approximately a quarter of a mile from Tamworth town centre at the end of an existing row of terraced buildings. It is situated in an established mixed use area including residential, offices, professional services, cafes and retail. The existing building itself is three storey in height and of facing brick walls with a tiled pitched roof. The Masonic Rooms are used for meetings, events and functions.
- 1.4 The Tamworth Masonic Rooms is located within the Town Centre Conservation Area. There are a number of other Listed Building in the locality including the neighbouring property 28 Lichfield Street and The White House and The Manor House on the opposite side of the road
- 1.5 The single storey side and extension will measure 10m wide by 4.5m deep with a height of 3.4 with a flat roof.
- 1.6 This has been brought to committee as Councillor Paul Turner is the applicant. As this is an application by an Elected Member, in accordance with Clause 11.4 of the Code of Practice, the Monitoring Officer has reviewed the application and confirmed that referring it to committee is the appropriate course of action.

### Block Plan



Block Plan

## 1. **Policies**

### 2.1 Local Plan Policies

Tamworth Borough Council's Community Infrastructure Levy (CIL)  
Adopted Tamworth Local Plan 2006-2031

- *SS1 The Spatial Strategy for Tamworth*
- *EN5 Design of New Development*
- *EN6 Protecting the Historic Environment*

### 2.2 National Policy

- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)
- National Design Guide 2021

### 2.3 Other Policy/ Guidance:

- Conservation Principles Policies and Guidance for the Sustainable Management of the Historic Environment: English Heritage (2008)
- Historic Environment Good Practice Advice Notes 2, and 3: Historic England (2015)
- Town Centre Conservation Area Appraisal
- Town Centre Conservation Area Management Plan Update 2016

## 3. **Relevant Site History**

F	0308/2022	Erection of a single storey side extension to a Grade II listed building	Pending Consideration
UK	T14075	CHANGE OF USE TO OFFICES WITH REAR VEHICULAR ACCESS AND USE OF REAR LAND FOR PRIVATE PARKING	Permit with Conditions
UK	T16924	REFURBISHMENT OF EXISTING BUILDING AND SINGLE STOREY EXTENSION AT REAR	Permit with Conditions
UK	T16925	REFURBISHMENT OF EXISTING BUILDING FOR USE AS OFFICES	Permit with Conditions
UK	T17704	SECTION 53 DETERMINATION: BUSINESS CENTRE	Refusal
UK	T21945	REMOVAL OF LATH AND PLASTER PARTITION IN ATTIC	Refusal
UK	T23315	3 ILLUMINATED SIGNS	Permit with Conditions
LB	0218/2008	Installation of unisex toilet adjacent to ladies toilet	Permit with Conditions
LB	0020/2014	Works to a Listed Building to allow refurbishment of front entrance	Permit with Conditions
F	0079/2016	Change of use from A2 (financial & professional) to D1 (non-residential institution) and flats above including minor internal alterations	Permit with Conditions
LB	0080/2016	Works to a Listed Building to allow for the change of use from A2 (financial & professional) to D1 (non-residential institution) and flats above including minor internal alterations	Permit with Conditions
LB	0081/2016	Works to a Listed Building to allow for the removal of cellar wall, floors and support beams due to Dry Rot infestation, reinstate new brick support pillars, sealing of floor and walls and installation of sump pump	Permit with Conditions
LB	0454/2021	Listed Building Consent : Proposed new signage	Permit with Conditions

## 3. **Consultation Responses**

- 3.1 Whilst every effort has been made to accurately summarise the responses received, full copies of the representations received are available to view at <http://planning.tamworth.gov.uk/northgate/planningexplorer/generalsearch.aspx>

**TBC Environmental Protection** (received 13/07/2022) – no objections subject to conditions on noise and contamination.

**TBC Conservation** (dated 22/08/2022) – An assessment of the character of the building in its entirety has been conducted, and not only the impact of the proposal on the elevation to which it is proposed. The designation provides additional consideration for a building's fabric and its special historic interest. The character and use of the original building is relevant, as is its age, architectural detail and prominence and contribution to the historic street scene.

#### *Consideration of Harm*

It has been assessed that the proposal would result in less than substantial harm. The extension is attached to the rear of a circa 1970s extension. More detail is required on the impact of the extension to the existing side elevation. Based on information provided thus far, the level of harm to be low, both to the Listed Building, and the character and appearance of the Conservation Area.

#### In conclusion,

There is no objection to the proposal, and recommend approval with conditions for materials, window construction and construction methodology for attachment to existing side elevation.

**Staffordshire Fire and Rescue** (dated 15/07/2022) – general advice provided on considerations of providing fire access and sprinkler systems

The consultation responses comments are précised if conditions are proposed these are included within the conditions at the end of the report unless stated otherwise.

## **4. Additional Representations**

4.1 As part of the consultation process adjacent residents were notified and a press notice was published. Site notices were erected. No neighbour comments have been received at the time of writing this report.

## **5. Equality and Human Rights Implications**

5.1 Due regard, where relevant, has been taken to the Tamworth Borough Council's equality duty as contained within the Equalities Act 2010. The authority has had due regard to the public sector equality duty (PSED). Under section 149 of the Equality Act 2010, a public authority must in the exercised of its functions, have due regard to the interests and needs of those sharing the protected characteristics under the Act, such as age, gender, disability and race. This proposal has no impact on such protected characteristics.

5.2 There may be implications under Article 8 and Article 1 of the First Protocol of the Human Rights Act, regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions. However, these issues have been taken into account in the determination of this application.

## **6. Planning Considerations**

6.1 The key issues to be considered at this stage are

- Principle
- Character and Appearance and Historic Environment Considerations
- Consideration of harm to the character and appearance of the conservation area and the significance of the listed building

### 6.1 Principle

6.1.1 Policy SS1 (The Spatial Strategy for Tamworth) of the adopted local plan for Tamworth states that it will safeguard built assets and the historic environment will be protected and enhanced with consideration of designated and non-designated assets. To this end the alteration of listed buildings is acceptable provided due consideration is given to these overarching aims.

- 6.1.2 In determining any planning application, special attention shall be paid to the desirability of preserving listed buildings and preserving or enhancing the character or appearance of conservation areas as set out in sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Regard should also be given to the relevant parts of the National Planning Policy Framework, in particular paragraphs 189-208, Conservation management and appraisals as listed above, and Policy EN6 Protecting the Historic Environment. Planning policy indicates that the proposal should enhance or preserve the area as a whole.
- 6.2 Character and Appearance and Historic Environment Considerations
- 6.2.1 The Tamworth Masonic Rooms at 29 Lichfield Street, is a Grade II Listed Building described thus by Historic England:
- House, now Masonic rooms. Early C19. Brick with ashlar dressings; slate roof with tile to rear; brick end stacks. Georgian style. L-plan. 3 storeys; symmetrical 3-window range. Ground and 1st floor sill bands; top cornice. Round-headed entrance has doorcase with pilasters and open pediment, fanlight over 6-fielded-panel door. Windows have rubbed brick flat arches, those to ground and 1st floors over 12-pane sashes; 2nd floor has windows with sills and 6-pane sashes. Rear has wing under hipped roof with brick cornice and C20 addition; right return has some casement windows with pegged frames.
- 6.2.2 Local Plan Policy EN6 states that development that affects designated heritage assets including conservation areas and listed buildings will be required to assess the impact of the development on the asset through a heritage statement and statement of significance and clearly demonstrate how the significance, including its setting, will be protected, conserved and, where possible, enhanced. It goes on to say that where sites are located in a conservation area, particularly the historic town centre core, proposals will be required to pay particular attention to:
- a. The scale, form, height, massing, detailing and materials of the development, the existing buildings and physical context to which it relates.
  - b. historically significant boundaries, street layouts, open spaces, landscape features and structures identified in the conservation area appraisals including walls, railings, street furniture and paved surfaces.
  - c. important views of listed buildings, scheduled monuments and historic townscape as identified in the conservation area appraisals.
- 6.2.3 Policy EN5 – Design and New Development states that developments should be of a scale, layout form and massing which conserves or enhances the setting of development and utilize materials and overall detailed design which conserves or enhances the context of the development. Proposals should respect and where appropriate reflect existing local architectural and historic characteristics but without ruling out innovative or contemporary design which is still sympathetic to the valued characteristics of an area.
- 6.2.4 The Tamworth Masonic Lodge, located at 29 Lichfield Street is a Grade II Listed Building on a corner plot at the south western extent of the Tamworth Town Centre Conservation Area. The front 3 storey section is early 19<sup>th</sup> century with the major rear extension being built around 1950 and the smaller flat roof kitchen extension in the late 1980's.
- 6.2.5 The proposed extension will only be visible from the west side and the rear of the building and the proposed extension is similar in design to a previous 1980's kitchen extension to the side of the building. The extension will have matching brickwork and flat roof and the eaves height will be the same as the existing extension and there is a wall around the Masonic Rooms on the west side which will screen the extension from view from the street.
- 6.2.6 The proposal for a side extension has been assessed by the Local Planning Authority who have taken the view that the impacts of the proposal are modest and reasonable given the need for additional storage required for the function of the building.
- 6.2.7 The proposal will not have a significant impact on the character and appearance of this locality for the following reasons:
- Its scale, design and materials are sympathetic to the existing building
  - It relates well to its surroundings
  - Its siting would not significantly impact on the streetscene

6.3 Consideration of harm to the character and appearance of the conservation area and the significance of the listed building

6.3.1 The proposed scheme in its current form will cause 'less than substantial' harm to the listed building and the character and appearance of the conservation area. Paragraph 200 of the NPPF requires 'clear and convincing' justification for any harm caused with great weight given to the asset's conservation. Paragraph 202 of the NPPF states that where there is 'less than substantial harm,' that the benefits of the development are weighed against the harm, including the optimum use. The above specified policies of the Local Plan and accompanying guidance also seek to preserve the character and appearance of the streetscape and ensure design and materials are appropriate for the historic environment.

6.3.2 The NPPF has a range of paragraphs devoted to consideration of proposals of this type including: Paragraph 199:

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 200 states:

Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Substantial harm to or loss of:

Grade II listed buildings, or grade II registered parks or gardens, should be exceptional;

Assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional

Paragraph 202 states:

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Paragraph 203 states:

The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

6.3.2 A Heritage Statement has been submitted with this application which states that the proposal is being instigated by the building owners due to the limited storage available within the Masonic Rooms. The proposed storage areas will be used for the storage of equipment and furniture which are required for the various uses of the building. It is also stated that the new extension will help to ensure the long-term occupation and maintenance of the building which is a positive consideration. It is considered that the proposed extension will cause less than substantial harm to the heritage assets and that harm is justified on the basis that it protects the longevity of the building. The Conservation Officer has not objected to the proposal, therefore furthers the acceptability of the proposal. The application is therefore considered to comply with policies EN5 and EN6 of the Tamworth Local Plan 2006-31 and the National Planning Policy Framework.

**7 Conclusion**

It is proposed to construct a single storey side extension at 29 Lichfield Street, Tamworth, B79 7QE which are currently the Masonic Rooms. These Masonic Room are a Grade II listed building and the site is within the Town Centre Conservation Area. The principle of the development is acceptable and the proposed extension replicates the adjacent existing flat roof element of the building and as such will not impact the character and appearance or the relevant heritage assets. The proposed development is considered to be of an acceptable design which will not have a significant adverse impact upon the setting and it will preserve the special character and appearance of the Listed Building and the Town Centre Conservation Area.

**Recommendation**

Approval subject to Conditions

**Conditions / Reasons**

1. The development shall be started within three years from the date of this decision. Reason: In compliance with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
2. The development hereby permitted shall only be carried out in accordance with the application form and drawings: 012205/1 and 012205/2 dated Jan'22 unless otherwise agreed in writing by the Local Planning Authority. Reason: To define the permission.
3. Notwithstanding condition 2 above, no development shall take place until samples of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. Reason: To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Tamworth Town Centre Conservation Area and to conform to policies EN5 and EN6 of Tamworth Local Plan 2006-31.

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