

REPORT SUMMARY

REFERENCE NO - 19/03037/LBC		
APPLICATION PROPOSAL Listed Building Consent: Minor alterations to existing War Memorial foundations (works carried out)		
ADDRESS War Memorial Mount Pleasant Road Royal Tunbridge Wells Kent		
RECOMMENDATION to GRANT listed building consent subject to conditions (please refer to section 11.0 of the report for full recommendation)		
SUMMARY OF REASONS FOR RECOMMENDATION <ul style="list-style-type: none"> • The proposal is connected to the delivery of a key element of the Tunbridge Wells Public Realm (Phase 2) scheme to improve the pedestrian environment in Mount Pleasant Road and create a new Town Square in front of the War Memorial; • This is on a site allocated for this purpose within the Site Allocations Local Plan (July 2016) and in accordance with the Civic Development Planning Framework Supplementary Planning Document (February 2018); • On balance, the proposal would not create a harmful impact to the special character of the Grade II listed War Memorial; • Other issues raised have been assessed and there are not any which would warrant refusal of the application or which cannot be satisfactorily controlled by condition. 		
INFORMATION ABOUT FINANCIAL BENEFITS OF PROPOSAL The following are considered to be material to the application: Contributions (to be secured through Section 106 legal agreement/unilateral undertaking): N/A Net increase in numbers of jobs: N/A Estimated average annual workplace salary spend in Borough through net increase in numbers of jobs: N/A The following are not considered to be material to the application: Estimated annual council tax benefit for Borough: N/A Estimated annual council tax benefit total: N/A Annual New Homes Bonus (for first 4 years): N/A Estimated annual business rates benefits for Borough: N/A		
REASON FOR REFERRAL TO COMMITTEE Tunbridge Wells Borough Council is the freehold owner of the application site		
WARD Park	PARISH/TOWN COUNCIL N/A	APPLICANT Kent County Council On Behalf Of TWBC AGENT Mr Russell Florey
DECISION DUE DATE 18/12/19	PUBLICITY EXPIRY DATE 29/11/19	OFFICER SITE VISIT DATE Various

RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):

19/01742/FULL	Construction of access steps between Mount Pleasant Road and Civic Way, either side of the existing War Memorial	Granted	25/07/19
19/00109/FULL	Construction of access steps between Mount Pleasant Road and Civic Way either side of the War Memorial	Granted	12/04/19

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 This application relates to the War Memorial and the land adjacent to it within in Tunbridge Wells town centre. The memorial is set into a stone wall enclosing a grass embankment on the west side of Mount Pleasant Road, with the Civic Centre (comprising the Town Hall and Library/Museum) and Civic Way to the rear. Opposite the memorial are retail units in various A-class units such as retail, restaurants/cafes and professional services. The trees along the banked area with small-scale flower planting between them were planted approximately 15 years ago however this is not linked to any specific grant of planning permission. Two of these trees have recently been removed in connection with the recent grant of planning permission for steps either side of the War Memorial.
- 1.02 The application site is situated within the Tunbridge Wells and Rusthall Conservation Area. The War Memorial, along with Civic Way, the banking either side and the adjacent pavement leading up to the roadside edge of Mount Pleasant Road are all within TWBC ownership. Various works have been undertaken recently in connection with Phase 2 of an ongoing series of enhancements throughout the town centre, principally along the central spine between Fiveways and the Pantiles. Implementation of Phase 1 covering the Fiveways area commenced on site in September 2014 and was completed in 2015.
- 1.03 The memorial consists of a life-size bronze statue of a young bareheaded rifleman in full battle dress, with his rifle held across his body and his helmet tumbled at his feet. The memorial was unveiled on 11 February 1923 by Col. Viscount Hardinge. The statue faces towards Mount Pleasant Road and stands on a rectangular plinth of Portland stone with the words OUR GLORIOUS DEAD/1914-1918/HONOUR AND GRATITUDE/PRAISE/1939-1945 in bronze lettering on the face with a stone carved wreath below. The flank walls on either side of the plinth have bronze plaques with the names of the First World War dead. The names of the Second World War dead are on similar plaques on the return walls. On each of these return walls is a bronze lamp with a laurel garland carved beneath. Additional names were added to the memorial after the Second World War. An additional memorial stone was added in April 2018 to a local Victoria Cross recipient, Major Eric Dougall. The memorial was listed at Grade II in 2011.

2.0 PROPOSAL

- 2.01 Works that are associated with this LBC application were approved under two separate planning applications back in April and July 2019 (see above). These

related to the installation of Yorkstone access steps and retaining walls between Mount Pleasant Road and Civic Way, either side of the War Memorial.

- 2.02 During construction, whilst excavating for the foundations of the southern steps it was been observed that the existing War Memorial foundations had not been constructed as anticipated. The construction of the access steps involves casting a reinforced concrete foundation immediately adjacent to the War Memorial wall with all setting out measurements taken from the visible extents of the existing structure (this is illustrated in submitted drawing 4300695/000/55). In reality, the existing structure has a large bow within the brickwork and concrete foundation, which interferes with the construction of the new steps.
- 2.03 It was found necessary to trim the brickwork and concrete on the southern side of the memorial to facilitate the proposed concrete foundation. This work was undertaken using hand tools and a small hand held 110v electric breaker. The Memorial was monitored during this process - had any structural movement been observed then works would have been stopped.
- 2.03 The northern side of the excavation is advised to be more straightforward and only requires a final hand trim to remove any remaining soil and a limited section of brickwork at the front and rear corners.

3.0 SUMMARY INFORMATION

	Existing	Proposed	Change (+/-)
Site Area	56 sqm	56 sqm	No change

4.0 PLANNING CONSTRAINTS

- 4.01 The War Memorial is listed at Grade II (*statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990*);

5.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF) National Planning Practice Guidance (NPPG)

Site Allocations Local Plan Adopted 2016

Policy AL/STR 1: Limits to Built Development

Policy AL/RTW 2A: Civic Complex/Crescent Road Area of Change

Tunbridge Wells Borough Core Strategy 2010

Core Policy 4: Environment

Tunbridge Wells Borough Local Plan 2006

Policy EN1: Development Control Criteria

Supplementary Planning Documents:

Civic Development Planning Framework February 2018

Other documents:

Tunbridge Wells Cultural Strategy 2014-24

6.0 LOCAL REPRESENTATIONS

- 6.01 A site notice was displayed close to the application site on 8 November 2019. The application was also advertised in the local press.
- 6.02 No comments have been received in response.

7.0 CONSULTATIONS

TWBC Conservation Officer

- 7.01 **(27/11/19)** - I consider that the amendment (to the originally submitted document) covers the work carried out and provides an acceptable assessment of the impact that works would have and the justification of why the works were needed.
- 7.02 I am happy that the works were necessary and that no harm was caused to the significance of the war memorial.
- 7.03 I raise no further objection to the application from a heritage perspective.
- 7.04 **(05/11/19)** - The submission is very similar to the submission for the original application for the steps. The heritage statement does not appear to have been amended to incorporate the works required to the foundations, indeed it still states, 'no physical works' within the text of the document in reference to the War Memorial. I would suggest that the applicant needs to supply an amendment to the original report that states the change in the original proposal, the physical impact on the monument, the impact on the significance of the monument and an assessment of harm to that significance.
- 7.05 This application has arisen from the original unauthorised works carried out during the contract for the public realm works. An assessment was carried out at that time by TWBC and the works were determined to be necessary, that the physical impact would be low and that significance would not be harmed by the works. A 'banksman' was requested to monitor the work if progressed and to ensure that any sign of movement, cracking or other defect to the monument would result in the works being stopped for further assessment. A listed building consent application was requested.
- 7.06 My opinion on this matter has not changed subsequent to that onsite assessment and subject to the correct heritage assessment being submitted by the applicant. On this basis I raise no objection to the proposal from a heritage viewpoint

8.0 APPLICANT'S SUPPORTING COMMENTS (taken from Design & Access Statement)

- 8.01 The Tunbridge Wells Public Realm Phase 2 scheme is being developed to improve the pedestrian environment in Mount Pleasant Road and create a new Town Square in front of the War Memorial.
- 8.02 This is the second of several phases proposed within Tunbridge Wells and follows on from the works at Five Ways which were completed in 2015.
- 8.03 The section of Mount Pleasant Road covered by Phase 2, between Monson Road and Crescent Road, is important for the safe and convenient use of public transport. As a key area in the town centre the aspiration is to create a focal space and improve the overall experience for bus users whilst rationalising the amount of infrastructure.

- 8.04 This section of Mount Pleasant Road is currently dominated by traffic and is therefore an unattractive environment for pedestrians. The Phase 2 public realm works aim to create a more pleasant experience for pedestrians and public transport users.
- 8.05 The scheme will feature widened footways, narrowed carriageways and a raised table-top feature/town square. New steps created either side of the War Memorial will link Mount Pleasant Road with Civic Way and The Amelia.
- 8.06 Scheme Benefits (outside the direct scope of this application);
- Create a more pedestrian focused space, improving the setting of The Amelia.
 - Introduce steps between Civic Way and Mount Pleasant road linking with the new entry to The Amelia Scott.
 - Improve the setting of the War Memorial and enhance it as a focal point.
 - Introduce raised table top to carriageway to define the setting of the War Memorial /new town square.
 - Rationalise bus shelters, but maintain convenience for users.
 - Introduce raised table top at Monson Road junction to improve safety.
 - Improved seating and cycle facilities throughout.

9.0 BACKGROUND PAPERS AND PLANS

- 9.01 Application form
Design & Heritage Statement
Supporting Statement
Drawing numbers 4300695/000/05C, 4300695/000/34A, 4300695/000/55,
4300695/1700/01 Rev 2, 4300695/1700/02 Rev 1
Heritage Addendum received 26/11/19

10.0 APPRAISAL

- 10.01 The main issue to be considered is the impact on the character and historic fabric of the Memorial, as a Grade II Listed building.
- 10.02 Planning legislation requires that, when considering whether to grant permission for development which affects a heritage asset, the LPA shall have special regard to the desirability of preserving or enhancing that heritage asset. These matters should be accorded considerable importance and weight when weighing this factor in the balance with other 'material considerations' which have not been given this special statutory status.
- 10.03 The works to the listed War Memorial was not originally envisaged when planning permission was granted for the steps either side. Subsequent investigation of the sub-surface parts of the structure as the steps project developed indicated the need to trim back a small amount of the brickwork and stonework, thereby triggering a need for LBC.
- 10.04 As set out in their consultee response the Principal Conservation Officer was aware of the works when they took place earlier in the autumn. They have been involved throughout the development of the wider public realm scheme. Objections have not been raised to what are relatively minor works at a sub-surface level to the Memorial, with no quantifiable harm arising from this intervention to the fabric of the structure. The works would have very little if any effect on the overall character and

appearance of the Grade II listed building, being unseen once completed. There is no suggestion the works have affected the building's structural stability.

10.05 The benefits of the scheme include the facilitation of the construction of the steps which benefit from planning permission and are a key element of the Phase 2 public realm enhancement works.

10.06 On this basis it is recommended that Listed Building Consent is granted.

11.0 RECOMMENDATION – GRANT Subject to the following condition:

1) The works hereby permitted relate to the following approved plans:

Drawing numbers 4300695/1700/02 Rev 1, 4300695/000/34A, 4300695/000/55
Methodology under heading 'Proposed work' within Supporting Statement

Reason: To clarify which plans are approved.

Case Officer: Richard Hazelgrove

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.