

## REPORT SUMMARY

<b>REFERENCE NO - 20/03615/LBC</b>			
<b>APPLICATION PROPOSAL</b> Internal changes to units 12-15 including relocation of partitions between units, doorways and toilet facilities (Works Commenced)			
<b>ADDRESS</b> The Corn Exchange The Pantiles Royal Tunbridge Wells TN2 5TE			
<b>RECOMMENDATION</b> to GRANT Listed Building Consent subject to conditions (please refer to section 10.0 of the report for full recommendation).			
<b>SUMMARY OF REASONS FOR RECOMMENDATION</b> The proposals only effect modern walls which were the result of a refurbishment in the 1980's The proposal would not have a significant impact on the historic fabric or character of the Listed Building.			
<b>INFORMATION ABOUT FINANCIAL BENEFITS OF PROPOSAL</b> The following are considered to be material to the application: <b>Contributions (to be secured through Section 106 legal agreement/unilateral undertaking): N/A</b> <b>Net increase in numbers of jobs: N/A</b> <b>Estimated average annual workplace salary spend in Borough through net increase in numbers of jobs: N/A</b> The following are not considered to be material to the application: <b>Estimated annual council tax benefit for Borough: N/A</b> <b>Estimated annual council tax benefit total: N/A</b> <b>Estimated annual business rates benefits for Borough: N/A</b>			
<b>REASON FOR REFERRAL TO COMMITTEE</b> Tunbridge Wells Borough Council are the Free Holders of the Corn Exchange.			
<b>WARD</b> Pantiles & St Marks	<b>PARISH/TOWN COUNCIL</b>	<b>APPLICANT</b> see below <b>AGENT</b> Mrs Louise Caney	
<b>DECISION DUE DATE</b> 01/03/21	<b>PUBLICITY EXPIRY DATE</b> 12/02/21	<b>OFFICER SITE VISIT DATE</b> 22/12/20	
<b>RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):</b>			
<b>19/02252/FULL</b>	Change of Use of units 5-9 and 14-15 from B1a (Office) to D1 (Adult Education) [no physical alterations proposed] for a temporary period of 3 years	Permitted	10/10/19
<b>19/01714/FULL</b>	Change of Use from Class B1(a) (Office) to Class D1 (Non residential institution) as a clinic specialising in minor cosmetic procedures, theatre and consulting rooms and offices arranged over first and second floors and linked to adjacent existing D1 use in Market House via interconnecting doors at first and second floors.	Permitted	12/09/19

	Installation of condensing and air handling plant.		
<b>17/02097/FULL</b>	Change of use of ground floor from retail, entertainment, drinking establishment, leisure and food and drink uses to a business centre comprising open plan offices falling within Use Classes B1 (Business) and A2 (Financial and Professional Services) and continued lawful use of part of the basement, together with ancillary minor operational works to facilitate the new use(s)	Permitted	22/08/17
<b>17/02098/LBC</b>	Listed Building Consent - minor operational works to facilitate proposed new use(s) under reference 17/02097/FULL	Permitted	22/08/17
<b>17/03411/LBC</b>	Listed Building Consent - Temporary change of use of the ground floor of the Former Day at the Wells Building for a period of 6 years from cinema use (Class D2) to use as a sales centre (Class A2), including the creation of an internal show apartment, office accommodation, toilets and kitchen area, requiring the formation of a new internal door and other ancillary internal amendments	Permitted	14/12/17
<b>17/03413/FULL</b>	Temporary change of use of the ground floor of the Former Day at the Wells Building for a period of 6 years from cinema use (Class D2) to use as a sales centre (Class A2) and associated internal changes	Permitted	14/12/17
<b>84/00342/FUL</b>	Shops, offices, restaurant, heritage museum, health club, auction hall, parking	Permitted	18/01/85
<b>84/00343/LBC</b>	Listed Building Consent - Part demolition	Permitted	18/01/85

## MAIN REPORT

### 1.0 DESCRIPTION OF SITE

- 1.01 This site forms part of the 'Lower Walks' area of The Pantiles and is within the Corn Exchange situated to the south-east of The Pantiles Lower Walk.
- 1.02 The Corn Exchange comprises a central hall with retail units around the perimeter which frame the central space. The building is Grade II listed but was the subject of significant internal alteration/rebuilding when developed for the most recent uses under the 1984 permissions.

### 2.0 PROPOSAL

- 2.01 Following the submission of application 20/03410/FUL the agent noticed that there is a slightly different internal wall layout has been built without obtaining the necessary consent.
- 2.02 The changes apply to units 12-15 on the ground floor and include the following:
- Revised position of partitions between units 12&13 and 14&15;
  - New separate accessible toilet and mini kitchen area to units 12&13 and 14&15;and
  - Associated partition walls and door adjustments.

### **3.0 PLANNING CONSTRAINTS**

Listed Building Grade: II (*statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990* (relates to Corn Exchange House including no. 49)

### **4.0 POLICY AND OTHER CONSIDERATIONS**

**The National Planning Policy Framework (NPPF) (2019)**  
**National Planning Practice Guidance (NPPG)**

**Development Plan:**

**Tunbridge Wells Core Strategy 2010:**

Core Policy 4 - Environment

Core Policy 5 – Sustainable design and construction

Core Policy 9 – Development I Royal Tunbridge Wells

**Tunbridge Wells Borough Local Plan 2006:**

Policy EN1 – General development criteria

### **5.0 LOCAL REPRESENTATIONS**

- 5.01 Site notices were displayed on the 21 January 2021 at four locations around the application site. In addition an advert was placed in a local newspaper on the 22 January 2021.

### **6.0 CONSULTATIONS**

**Conservation Officer**

- 6.01 03/02/21: The heritage statement highlights that much of the building has been reworked in the 1980's, in addition a substantial part of the building was lost to fire damage. The proposals are minor and in parts of the building with little original building fabric. The works are reversible and will not result in the loss of fabric of significance. On this basis there is no objections to the proposal from a heritage perspective.

### **7.0 APPLICANT'S SUPPORTING COMMENTS**

- 7.01 It is important to note that the wider area was the subject of a comprehensive redevelopment in the 1980's. Much of the lower walks area, including the Corn Exchange and Royal Victoria House, has been rebuilt, almost completely. The extent of intervention into The Corn Exchange and its rebuilding in the 1980's is so severe that those elements of historic importance that remain are confined to the structural iron roof members and sections of the west elevation - the main frontage onto the Pantiles.
- 7.02 Given the changes are internal, within the redeveloped part of the building, it is not felt that they are contentious in heritage terms. The internal works are minor in nature and were undertaken as a result of changes to the facilities required for units 12-15 solely. They do not affect any of the above elements of the listing which relate to the building's historic/aesthetic importance. The changes are not visible externally, and therefore will not affect the character or appearance of the Conservation area as a heritage asset. Neither will these changes affect the group listing (Nos. 45-61), which it forms part of.
- 7.03 In conclusion it is not considered that the works undertaken have any negative impact on the character or historical merit of the application property or affect the

Conservation area. This application seeks to regularise the works undertaken and does not propose any new works to the listed building.

## **8.0 BACKGROUND PAPERS AND PLANS**

Application form  
Location plan  
Ground floor plan  
Covering letter/heritage statement

## **9.0 APPRAISAL**

### **Impact on Grade II Listed Building**

9.1 The sole issue to be considered is whether the proposal is acceptable in terms of its impact on the listed building and its settings.

9.2 There is a statutory duty for local planning authorities in considering whether to grant listed building consent, to 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.

9.3 Para 185 of the NPPF sets out that;

*'Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:*

- a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;*
- b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;*
- c) the desirability of new development making a positive contribution to local character and distinctiveness; and*
- d) opportunities to draw on the contribution made by the historic environment to the character of a place.*

9.4 Core Policy 4 states that the Borough's heritage assets including Listed Buildings will be conserved and enhanced and special regard will be had to their settings.

9.5 The works have already taken place. The alterations resulted in changes to the internal layout of the building but will not affect the outside of the building. The Corn Exchange has been substantially altered internally following a major refurbishment in the 1980's, in addition a substantial part of the building was lost to fire damage. All the walls involved in the proposal are of modern plasterboard therefore no historic fabric will be altered or removed.

9.6 The NPPF states at paragraph 192 that in determining applications local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) the desirability of new development making a positive contribution to local character and distinctiveness.*

- 9.7 The proposals are minor and in parts of the building with little original building fabric. The works are reversible and will not result in the loss of fabric of significance. The historic significance of the building as a listed building would not be impacted by the proposals, and is therefore recommended for approval.

**10.0 RECOMMENDATION – GRANT** Subject to the following conditions

- (1) The development to which this consent relates shall be begun before the expiration of 3 years from the date of this decision.

Reason: To comply with the requirements of Section 18 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- (2) The development hereby permitted shall be carried out in accordance with the following approved plans:

Location plan, drawing number 57053\_PL-101B  
Ground Floor plan, drawing number 57053\_PL-102B

Reason: To clarify which plans have been approved

Case Officer: Charlotte Oben

- 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.