

REPORT SUMMARY

REFERENCE NO - 21/03773/LBC		
APPLICATION PROPOSAL		
Listed Building Consent: External proprietary stepover to maintain an access route around the plant room; as built external flues to the plant room roof; as built external plant and ductwork including air handling unit; external screen; amendment to bike rack positions; removal of redundant flagpoles		
ADDRESS The Amelia Scott Mount Pleasant Road Royal Tunbridge Wells Kent TN1 1AW		
RECOMMENDATION to GRANT planning permission 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 would result in the delivery of the Tunbridge Wells Cultural Hub on a site allocated for this purpose within the Site Allocations Local Plan (July 2016); • The proposal represents minor changes from the previous approvals granted under reference 17/03642/LBC, 19/00614/LBC, 20/00154/LBC, 20/02298/LBC and 21/01515/LBC; • The proposal would result in a minimal impact to the two listed buildings within the application site; the overall harm from the Amelia Scott development to the special character of the listed buildings (when taken in context with the rest of the previously permitted development) remains at the 'less than substantial' level and is still considered to be outweighed by the public benefits of the proposal; • 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		
Estimated annual business rates benefits for Borough: N/A		
REASON FOR REFERRAL TO COMMITTEE		
Tunbridge Wells Borough Council is the applicant and freehold owner of land within the application site		
WARD Park	PARISH/TOWN COUNCIL N/A	APPLICANT Mr Patrick Rynne AGENT Mr Edward Dunderdale

DECISION DUE DATE 17/01/22 EOT	PUBLICITY EXPIRY DATE 24/12/21	OFFICER SITE VISIT DATE Various
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):		

Whole site

21/01515/LBC	Listed Building Consent - Externally fixed/mounted electrical & security equipment and signage/wayfinding.	Granted	22/07/21
21/01990/ADV	Advertisement Consent - Provision of 5 external signs	Granted	22/07/21
20/02298/LBC	Listed Building Consent: Variation of Condition 2 (Approved Plans) of 20/00154/LBC - Internal and external alterations including associated drainage and retention of external stairwell and new kiln room door; amendment to basement layout of AEC building; addition of metal IT cage to Museum building; minor change from door from infill extension to courtyard; demolition of one existing later addition wall to first floor of the AEC; minor changes to archive extension windows; creation of access between the archive extension and museum roof.	Granted	29/10/20
20/00253/FULL	Variation of Condition 2 of 19/00577/FULL - Internal and external alterations to the current permission including: amendments to the internal layout, retention of an existing lift and associated layout changes, plus changes to agreed external materials including the omission of zinc cladding and amendments to the brick specification	Granted	27/03/20
20/00154/LBC	Listed Building Consent: Variation of Condition 2 of 19/00614/LBC - Internal and external alterations to the current consent including: amendments to the internal layout, retention of an existing lift and associated layout changes, plus changes to agreed external materials including the omission of zinc cladding and amendments to the brick specification	Granted	27/03/20
19/00614/LBC	Listed Building Consent - Partial demolition of the Adult Education Centre, Museum and Library and removal of two huts to the rear of the site. Erection of extensions to the side and rear of the Adult Education Centre, Museum and Library to create a unified Cultural Hub. Associated internal and external alterations.	Granted	09/05/19
19/00577/FULL	Variation of Condition 2 (Approved Plans) of 17/03640/FULL - Omission of proposed lantern above the Museum entrance;	Granted	09/05/19

	Removal of screen between existing Museum entrance and lending library; Removal of lightwell to the west elevation of the AEC building; Removal of stairwell to the south elevation of the AEC; Omission of Door DG.39 From AEC ground floor entrance; AEC Corridor Doors at ground, first and second floor level to be replaced instead of retained; New structural arrangement to café; addition of roof plant to AEC; Alterations to infill extension design; Amendments to external acoustic screen to roof plant area above archive extension		
17/03640/FULL	Proposal: Partial demolition of the Adult Education Centre, Museum and Library and removal of two huts to the rear of the site. Erection of extensions to the side and rear of the Adult Education Centre, Museum and Library to create a unified Cultural Hub	Granted	24/01/18
17/03642/LBC	Proposal: Listed Building Consent - Partial demolition of the Adult Education Centre, Museum and Library and removal of two huts to the rear of the site. Erection of extensions to the side and rear of the Adult Education Centre, Museum and Library to create a unified Cultural Hub. Associated internal and external alterations.	Granted	24/01/18

Tunbridge Wells Library, Museum and Art Gallery

15/504150/COUNTY	County Council Regulation 3 application for a single storey extension to the fire escape lobby area and new tarmac path leading to the existing car park.	No Objections	18/06/15
13/00990/LBC	Listed Building Consent: Divide an existing office into two and form new door opening in existing wall with general refurbishment of area to form Register Office space	Granted	21/06/13
12/00814/KCCRG3	Regulation 3 (KCC) Extension to rear of building to house new lift	No Objections	02/05/12
12/00500/LBC	Listed Building Consent: External lift shaft and internal alterations including new lift lobbies, w/cs and doors	Granted	18/07/12
07/00723/LBC	Listed Building Consent - Repairs/upgrading to main roof	Granted	26/04/07
07/00528/LBC	Listed Building Consent - Replace existing opening hours sign with new design of same size	Granted	05/04/07
05/02190/LBC	Listed Building Consent - Temporary consent for raising the path and fitting guard rail.	Granted	17/10/05
04/02025/KCCRG3	Disabled access improvements - Alterations to height of pavement outside Library	No Objections	12/09/05

04/01838/LBC	Listed Building Consent - To provide disabled access into and around the ground floor	Granted	12/09/05
00/02283/LBC	Listed Building Consent - New external and internal banners and external notice board	Granted	12/03/01
00/02296/ADV	Advertisement - non illuminated projecting banners	Granted	19/12/00
00/00987/LBC	Listed Building Consent - New display cases and reception counter in foyer and museum	Granted	26/07/00
98/01503/LBC	Listed Building Consent - repairs to 4 no. brick corners to parapet with insertion of expansion joints to parapet wall	Called in by Secretary of State	07/12/98

Adult Education Centre

12/00525/LBC	Listed building consent: 4 no. internal lift lobbies, installation of lift and upgrade of existing doors to provide 30min fire compartmentation to comply with current building regulations	Granted	07/08/12
10/03489/LBC	Listed Building Consent - (1) Repairs to front elevation stonework and roof; (2) Secondary glazing fire protection to 3 No. large windows adjacent to fire escape; (3) Removal and infill of 3 No. pavement lights	Granted	10/01/11
03/00076/LBC	Listed Building Consent - Ramp to front entrance	Granted	16/07/03
02/02948/KCCRG3	KCC Joint Regulation 3 - Disabled ramp to front elevation and installation of front entrance doors	No Objections	03/01/03

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 This application refers to part of the wider civic complex within Tunbridge Wells Town Centre. The whole site is approximately 0.24ha in size and comprises the Adult Education Centre (AEC) and the library and museum building. Both of these are Grade II Listed, and the application site is situated within the Tunbridge Wells and Rusthall Conservation Area.
- 1.02 Between the two is a recently-completed barrel-shaped extension which is part of the ongoing Amelia Scott development. A further large extension to the rear and a courtyard area also form part of the project, which has been completed externally.
- 1.03 The whole site is currently closed as the Amelia Scott project is still awaiting internal completion pursuant to the earlier planning permissions/LBCs granted between 2018 and 2021. It is due to be formally opened in Spring 2022.
- 1.04 The library and museum were built in 1939, fitted out during WWII and finally completed in the early 1950s. External materials are largely brown brick with reconstituted stone dressings. Distinctive features of the building identified in the

listing description are the stone coping and band at the top with the wording "LIBRARY AND MUSEUM"; the eight 30-pane sashes and central tall window incorporating a double door with lotus decoration and a frieze above; and the large well staircase. In the late 1960s, the bowed ground floor section at the rear was extended upwards to form a rear first floor reference library. This section has also been removed as part of the Amelia project.

- 1.05 The AEC (originally called the Technical Institute) is a red brick building on a stone plinth dating from 1902 and reflects the Art Nouveau style. Notable features include three immense stone dormer windows on the 2nd floor, the use of casement windows and three large bays on the first floor; and the frieze above the first floor.
- 1.06 To the south of the site is the Grade II listed Town Hall, Assembly Hall Theatre, police station and former Magistrates' Court. To the east is Monson House, a 1980s office block. To the west is Civic Way, a grassed/tree lined area dividing Civic Way from Mount Pleasant Road and the Grade II listed war memorial. North of the site is Monson Colonnade, Nos. 36-50 (evens) Monson Road and the Opera House, which are all Grade II listed

Background – previous permissions and LBCs

- 2.01 Application 17/03642/LBC granted listed building consent for works to facilitate a new Cultural Hub (TWCH) offering access to a range of public and other services for the area. The project has since been named 'The Amelia Scott', after Amelia Scott (1860 - 1952) who was a British social reformer, campaigner for women's suffrage and one of the first two women elected as Tunbridge Wells councillors. The supporting development plan policy documents still refer to the project as the 'Cultural Hub', however, this makes no difference to the planning considerations of the proposal.
- 2.02 The previously-granted permissions/LBC were to refurbish and renovate the existing museum and library building in Civic Way and the AEC on Monson Road, by incorporating extensions to bring the two buildings together and demolishing the two huts at the rear, which were argued to present accessibility issues and to be unfit for purpose. The following services are to be incorporated in the new extended complex of buildings:
- Museum
 - Library and Archive
 - Adult Learning Education Centre
 - Tourist Information Centre
 - Gateway Services
 - Birth/death Registration Services
- 2.03 The development also includes a café, shop and other public facilities. Broadly the previously permitted development involved works to;
- Demolish the two AEC 'huts' to the rear of the site;
 - Remove the first floor level at the rear of the library & museum building, plus remove the entire east-facing rear wall and both first and second floor levels to create better links with the AEC;
 - Remove the ground floor WC structure to the rear of the AEC;
 - Construct a barrel-roofed infill extension linking the AEC with the library & museum. This would be designed as a lightweight timber/steel structure with a fully glazed façade to Monson Road and continuation of the existing AEC stone plinth at ground level, with a further glazed area overlooking the new courtyard;

- Construct a two storey extension to the rear of the library & museum to house a temporary exhibition space, workshop and ancillary storage plus a loading bay accessed via a roller shutter (ground floor). There would be a reference library/archive (first floor) - this extension would be purpose built for these uses. The design is intended to reflect a brick-built 'box' with a stone plinth that relates to the banding around the top of the museum/library;
- Create a new external courtyard space to provide an area for temporary exhibitions/events, plus a café seating area with gates (to be designed by a commissioned artist) to the east boundary to secure the area;
- Replace/restore the existing rooflights to the museum galleries;
- Add new automatic sliding doors to the AEC, with retention of the existing doors (enabling them to be held open);
- Open up of the rear elevation of the AEC and its cafe with new windows/doors to provide access to the courtyard;
- Insulate and recover the flat roof of the library & museum building, zinc covered and louvered plant areas on the southern side (on the roof of the existing building and the proposed extension) adjacent to a solar PV array;
- Add insulation and secondary glazing throughout the buildings;
- Create various alterations to the fenestration on both buildings.

2.04 Both buildings will maintain their respective entrances on to Civic Way and Monson Road.

2.05 The rationale behind the layout is to provide a 'noisy' wing on the north side and a 'quiet' wing to the south.

2.06 A number of minor changes and alterations have been approved through respective listed building consent and planning permissions between 2019 and 2021. Exterior signage was also permitted through a grant of Advertisement Consent last year.

Current LBC application

2.07 This application seeks LBC for various minor works associated with the previously permitted extension and conversion of the buildings;

- a) External set of steel steps, forming a stepover between the original library/museum building roof parapet and the extension, to maintain access between these two areas. The need for this has arisen through consultation with Kent Fire Brigade and TWBC Building Control. This feature is unseen from ground level;
- b) A set of four external flues on the plant room roof, towards the end of the new rear extension. The boilers within the plant room below provide heat for the buildings and requires flues to vent a minimum of 1m above the roof. They extend 600mm above the highest part of the previously consented roof and are only seen at ground level from limited viewpoints around Monson Way, plus from parts of the Town Hall Yard and Crescent Road car parks;
- c) Changes to external plant and ductwork, including air handling units: The original drawings approved in January 2018 showed an air handling unit to the rear of the archive building (the two storey rear extension facing the Town Hall). Minor alterations to the height and positioning of the unit are proposed, including the omission of an overhang roof above the unit which was intended to host solar panels.
- d) To mitigate the visual impact of the air handling units a screen is proposed, which would comprise louvers and cladding to match the plant room;

- e) Alteration of position of bike racks moved from a position in front of the AEC centre to in front of the barrel vault extension. This is to avoid sub-surface utilities infrastructure (electrical, water) plus the previously permitted advertising and pavement lights. This is within the description of works as the application was made alongside a planning application, but does not require LBC;
- f) Removal of redundant flag poles, which are in a poor state of repair and rarely used.

3.0 SUMMARY INFORMATION (overall figures from previous permissions/LBCs in respect of the whole Amelia Scott project – these do not relate directly to the works proposed under the current application)

	Existing	Proposed	Change (+/-)
Site Area	0.2 ha	0.2 ha	No change
Gross External Area	3873 sq.m	4544 sq.m	+671 sq.m
Internal Floorspace	3390 sq.m	3972 sq.m: Additional 1182 sq.m, with 600 sq.m to be removed.	+582 sq.m
Land use	Adult Education Centre, Museum, library, gallery space and ancillary outdoor, office and storage areas	Adult Education Centre, Museum, library, gallery space and ancillary outdoor, office and storage areas along with Tourist Information Centre and Gateway	Addition of Tourist Information Office and Gateway
Car parking spaces (inc. disabled)	8 along southern edge plus space for 4-5 in the courtyard	0, with a dedicated loading bay included on the eastern elevation.	-12/13
Cycle spaces	0	24	+24
No. of storeys	AEC: 3 Library & museum: 2	AEC: 3 Library & museum: 2	No change
Max ridge height	AEC: 18.9m Library: 10.4m	No change to existing building heights. Infill extension: 14.9m. Rear extension: 9.9m Height of top of lantern from ground level: 12.1m	As set out in preceding column
Max height inc. plant	As above	As above except for 11.8m for Rear Extension	As set out in preceding column

No. of jobs	25 Full-time (FT), 23 Part-time (PT)	30 FT, 25 PT	+5 FT and +2 PT
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4.0 PLANNING CONSTRAINTS

The Tunbridge Wells Library, Museum & Art Gallery and the Adult Education Centre buildings are both Grade II listed (*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) 2021
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

Core Policy 9: Development in Tunbridge Wells

Tunbridge Wells Borough Local Plan 2006

Policy EN1: Development Control Criteria

Supplementary Planning Documents

Civic Development Planning Framework

Other documents:

Tunbridge Wells Cultural Strategy 2014-24

Draft Local Plan – only moderate weight can be given to this as it has only just been formally submitted for examination, following conclusion of the Regulation 19 consultation

6.0 LOCAL REPRESENTATIONS

6.01 Site notices were displayed around the application site on 26 November 2021. The application was also advertised in the local press.

6.02 No comments have been received from members of the public.

7.0 CONSULTATIONS

Historic England

7.01 **(30/11/21)** – below threshold for consultation

TWBC Principal Conservation Officer

7.02 **(16/12/21, verbal)** - no issues raised regarding with the flagpoles, bike rack, or the parapet cut-through fir plantroom. The changes relating to the ductwork are unfortunate however the external screen will provide a simple and consistent approach to the screening of the plant on the roof. Therefore this element has a limited impact on the character of the building.

7.03 The proposal is, overall, considered to be acceptable, from a heritage perspective. The changes are minor compared to the impact of the whole scheme, as originally proposed. Therefore the impact would only be marginally greater overall and is negligible in the context of the overall Amelia Scott development. No concerns are raised regarding impacts upon the building's historic fabric.

7.04 A condition is needed to require the fixing of the louvring within a set timeframe – three months of date of this permission, or prior to the opening to the public, whichever occurs sooner.

8.0 APPLICANT'S SUPPORTING COMMENTS (taken from covering letter dated 31st October 2021)

8.01 The majority of changes are minor in nature and have been undertaken so as to, where possible create heritage gains. Other changes are negligible and overall result in no impact on the buildings.

9.0 BACKGROUND PAPERS AND PLANS

9.01 Covering letter dated 31/10/21
Application form (including amended section 14)
Photograph view set
Drawings, decision notices and heritage statement from previous applications

10.0 APPRAISAL

10.01 The issue to be considered is whether the proposal is acceptable in terms of its impact on the listed buildings (AEC and the library & museum) and their settings. This is the same approach that was applied to the previous LBC applications.

10.02 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.

10.03 Para 190 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.*

Footnote 67 clarifies that the principles set out in section 12 of the NPPF apply to the heritage-related consent regimes as well as plan making and decision making.

10.04 Para 200 makes it clear that the significance of a heritage asset can be harmed or lost through its alteration or destruction or development within its setting. As heritage

assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building should be exceptional, although this has not been an overall finding on previous LBC/planning applications for the Amelia Scott project.

10.05 NPPF Para 202 states that;

'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.'

Extant consents

10.06 The overall development involves internal and external alteration to both buildings, as set out in section 2.0. This is particularly relevant to the library & museum, where the entire rear wall and half of the external wall facing Monson Road have been completely removed, as will a large amount of internal walling.

10.07 The Heritage Statement submitted as part of the previous LBC evaluates the significance of particular areas of the building, based on;

- The original or historic plan-form and significance of building fabric and;
- The contribution of the elevations to townscape/aesthetic value and their architectural emphasis.

10.08 The most significant and important areas of the buildings (the front elevations) will remain largely unchanged by the originally-approved project. Being 20th Century buildings, much of the internal fabric (except the original glass screens in the library) is not considered to be of significant intrinsic value, however the location and plan form of internal walls relates to the original layout and design of these municipal buildings and reflects the purposes for which they were originally intended.

10.09 The PCO summarised on the previous iterations of this scheme that the harm caused to the two listed buildings by the individual changes ranges from 'less than substantial' to 'substantial' in the case of the demolition of the rear wall of the library building. This is because the greater the cumulative number of individual changes, the greater the level of harm. There are benefits from the development too, namely the removal of many of the inappropriate later interventions including modern suspended ceilings, steel fire escapes and internal subdivisions which are significant heritage benefits. The overall judgement was that 'less than substantial harm' would occur.

Current application

10.10 The changes proposed here are minor and relate to functional, necessary alterations that are necessary for the extended building to function as a public facility. As such they cause little harm in themselves and no materially greater degree of harm to the heritage assets would occur than was previously found acceptable. Historic England raises no objections either. It can therefore be reasonably concluded that the public benefits of the scheme, which remain unchanged, would similarly outweigh the reduced level of harm and be consistent with previous decisions.

Overall summary

10.11 In cases where 'less than substantial' harm is found, NPPF paragraph 202 thus applies. This is not to ignore the statutory duty imposed in LPAs by section 66(1) of the Act. If the LPA considers that the harm is less than substantial, the harm must

still be given considerable importance and weight. It is a judgement for the decision-maker as to whether the non-heritage public benefits of the proposal and securing the optimum viable use of the assets outweigh that identified 'less than substantial' harm; and whether the proposal secures the optimum viable use of the buildings.

10.12 In summary, whilst the resulting harm to the heritage assets of the overall project is still considered to be towards the upper end of less than substantial, this harm is still considered to be outweighed by the previously-appraised public benefits of the scheme and securing the assets' optimum viable use. On this basis the tests within NPPF para 202 are still considered to be met and it is recommended that Listed Building Consent is granted.

10.13 As this is not an amendment to the previous LBCs the conditions need not be repeated from those earlier consents. The additional condition sought by the PCO is however required.

11.0 RECOMMENDATION – GRANT Subject to the following conditions:-

- 1) The development hereby permitted relates to the following approved plans:

Drawings 210, 2100J (excluding references to courtyard gates), 2101J, 2102J, 2103I, 2104J

Reason: To clarify which plans are approved.

- 2) The works to fit the external louvres to the rooftop plant room shown in the approved drawings 2102J and 2104J shall be completed in accordance with the approved plans within three months of the date of this consent, or prior to the first opening of the Amelia Scott development to the public, whichever is earlier.

Reason: To safeguard the character and appearance of the listed building

INFORMATIVES

N/A

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.