

REPORT SUMMARY

REFERENCE NO - 19/01715/LBC			
APPLICATION PROPOSAL Listed Building Consent - 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. Installation of condensing and air handling plant.			
ADDRESS Corn Exchange House 49 The Pantiles Royal Tunbridge Wells TN2 5TE			
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 <div>- 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.</div>			
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 are the Free Holders of the Corn Exchange.			
WARD Pantiles & St Marks	PARISH/TOWN COUNCIL N/A	APPLICANT Lower Pantiles LLP AGENT Mr John Whitlock	
DECISION DUE DATE 03/09/19	PUBLICITY EXPIRY DATE 23/08/19	OFFICER SITE VISIT DATE 13/08/19	
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
17/02097/FULL	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	Permitted	22/08/17

	Professional Services) and continued lawful use of part of the basement, together with ancillary minor operational works to facilitate the new use(s)		
17/02098/LBC	Listed Building Consent - minor operational works to facilitate proposed new use(s) under reference 17/02097/FULL	Permitted	22/08/17
17/03411/LBC	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
17/03413/FULL	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
84/00342/FUL	Shops, offices, restaurant, heritage museum, health club, auction hall, parking	Permitted	18/01/85
84/00343/LBC	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.
- 1.03 This application relates to the part of the building occupied by Bella Vou a cosmetic Clinic, and also the offices in part of the Corn Exchange to the west at no. 49 specifically the first and second floor levels. The offices are currently vacant.
- 1.04 Access into the building is from a side door to the right of the main entrance to the Corn Exchange from the Lower Pantiles.

2.0 PROPOSAL

- 2.01 The site currently has a B1 office use status but the proposal is for a change of use to a D1 (non-residential institution) use which will match that of Market House where Belle Vou is currently located.

- 2.02 The two properties will be linked via the existing internal doorways within Corn Exchange House being re-developed to provide additional clinic space, theatre rooms and staff welfare.
- 2.03 Internal alterations are being proposed are the removal of a number of light stud and brickwork partitions to create larger rooms, the removal of redundant fixtures and fittings including a kitchenette and two WC's, and a water tank. Creation of new partition walls.
- 2.04 Three new air cooling units are proposed on a flat roof to the rear of the building.

3.0 SUMMARY INFORMATION

Proposed new floor space under D1 use: 224.7m²

4.0 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)

5.0 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

6.0 LOCAL REPRESENTATIONS

- 6.01 Site notices were displayed on the 02 August 2019 at two locations around the application site. In addition an advert was placed in a local newspaper on the same date.
- 6.02 No representations were received.

7.0 CONSULTATIONS

Principal Conservation Officer

- 7.01 13/08/19: The proposed works will lead to changes to the internal layout of the building but will not impact the exterior. This building has suffered substantial internal alteration and all the walls involved in this new programme of alteration are modern plasterboard walls dating from the 1980's major refurbishment.
The proposal for a cooling unit likewise would not have an impact on the character of the building due to its proposed location.

As such the significance of the building as a listed building would not be impacted by the proposals. On this basis no objection are raised on heritage grounds.

8.0 APPLICANT'S SUPPORTING COMMENTS

- 8.01 The proposed works are not considered major structural works and preserve the current features of the building. The extension of the existing business into the adjoining property will be in keeping with the current character and history of the building and therefore will have a low visual impact, as well as increasing the level of visitors to The Pantiles, with the potential of creating new jobs.

9.0 BACKGROUND PAPERS AND PLANS

Application form
Site location plan
Existing plans and elevations
Proposed plans and elevations
Design and access statement

10.0 APPRAISAL

Impact on Grade II Listed Building

- 10.1 The sole issue to be considered is whether the proposal is acceptable in terms of its impact on the listed building and its settings.
- 10.2 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.
- 10.3 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.*

- 10.4 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.
- 10.5 A site visit was undertaken with the Principal Conservation Officer and the Senior Planning Officer Present where they looked at the proposed walls to be removed.
- 10.6 The proposed alterations would result 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. All the

walls involved in the proposal are of modern plasterboard therefore no historic fabric will be altered or removed.

- 10.7 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.

The building is currently vacant and by allowing the alterations for the expansion of a business the building will come into a suitable, viable use. This should secure the ongoing conservation of the heritage asset.

- 10.8 The proposed air conditioning units would be located on a flat roof where there are other similar existing units. It is considered that they would not have an impact on the character of the building due to the size and type of unit proposed or the location.
- 10.9 The historic significance of the building as a listed building would not be impacted by the proposals, and is therefore recommended for approval.

11.0 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:

Site Block Plan, drawing number 56844-PL02, received 17/06/19
Roof plan as proposed, drawing number 56844-PL14A, received 17/06/19
South East (rear) Elevation as proposed, drawing number 56844-PL15A, received 17/06/19
North West (front) Elevation as proposed, drawing number 56844-PL08, received 17/06/19
Lower Ground Floor Plan as proposed, drawing number 56844-PL10, received 17/06/19
Ground Floor Plan as proposed, drawing number 56844-PL11A, received 17/06/19
First Floor Plan as proposed, drawing number 56844-PL12 B, received 17/06/19
Second floor plan as proposed, drawing number 56844-PL-13B, received 20/08/19
First and second floor plan proposed demolition and strip out, drawing number 56844-PL-16A, received 20/08/19

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.