

APPLICATION: MA/10/1753 Date: 7 October 2010 Received: 11 October 2010

APPLICANT: Mr A Tomlin

LOCATION: MBC MUSEUM, ST FAITHS STREET, MAIDSTONE, KENT, ME14 1LH

PARISH: Maidstone

PROPOSAL: Listed building consent for the removal and safe storage of 4no leaded windows to Maidstone Museum's Bentlif wing to allow installation of new concealed ductwork servicing the east wing, as shown on drawing numbers 126/GA-00/Rev LB1, 126/E-03/Rev LB1, 126/GA-21/Rev LB1, & 126/PH-07/Rev LB1 received on 11/10/10 and described in the letter from the agent dated 07/10/10 and received 11/10/10.

AGENDA DATE: 25th November 2010

CASE OFFICER: Angela Welsford

The recommendation for this application is being reported to Committee for decision because:

- the Council is the applicant

1 POLICIES

- 1.1 Maidstone Borough Wide Local Plan 2000: Not applicable.
- 1.1 The South East Plan RSS 2009: BE6.
- 1.3 Government Policy: PPS5 - Planning for the Historic Environment.

2 HISTORY

The museum site has an extensive planning history, the most recent and of most relevance being:

- 2.1 MA/09/0998 - Amendment to MA/07/1366 (Redevelopment of Maidstone Museum east wing comprising of two/three storey extensions, glazed atrium cafe and external landscaping) being replacement of proposed glazed atrium cafe with new display gallery and replacement of proposed hard landscaping to forecourt with soft landscaping – APPROVED 23/07/09.
- 2.2 MA/09/0997 - Amendment to MA/07/1365 (An application for listed building consent for redevelopment of Maidstone Museum east wing comprising of two/three storey extensions, glazed atrium cafe and external landscaping) being

replacement of proposed glazed atrium cafe with new display gallery and replacement of proposed hard landscaping to forecourt with soft landscaping shown – APPROVED 31/07/09.

- 2.3 MA/09/0561 - An application for listed building consent for the excavation alongside existing foundations under the chapel floor for the insertion of a post tension ring beam to tie the failed underpinning together and lime mortar pointing to stonework and redecoration to remove cracks – APPROVED 26/05/09.
- 2.4 MA/07/1366 - Redevelopment of Maidstone Museum east wing comprising of two/three storey extension, glazed atrium cafe and external landscaping - APPROVED 20/09/07.
- 2.5 MA/07/1365 - An application for listed building consent for redevelopment of Maidstone Museum east wing comprising of internal refurbishment, new two/three storey extension and glazed atrium cafe – APPROVED 20/09/07.

3 CONSULTATIONS

- 3.1 ENGLISH HERITAGE: No response received to date.
- 3.2.1 MAIDSTONE BOROUGH COUNCIL CONSERVATION OFFICER: No objections to these minor works relating to windows already blocked internally. The works are fully reversible and do not involve anything beyond the removal of the casements from the masonry frames.
- 3.2.2 It is therefore recommended that the application should be approved with a condition requiring submission for approval of a detailed method statement covering the removal, conservation and future storage arrangements for the removed windows.

4 REPRESENTATIONS

- 4.1 No representations have been received to date.

5 CONSIDERATIONS

5.1 Site and Surroundings

- 5.1.1 The application site is the Grade II* listed Maidstone Museum, located in the Chillington House Conservation Area, close to Maidstone Town Centre. It also falls within an Area of Archaeological Potential.

5.1.2 The building occupies a prominent position opposite Fremlins Walk and has Elizabethan origins, although it was substantially restored and extended in the Victorian era. The front facing St Faith's Street is E-shaped and is constructed of red brick with detailed gables. The east elevation faces Brenchley Gardens, and historically was flanked by a gatehouse, which was destroyed by enemy action in 1940.

5.2 **Background**

5.2.1 Listed Building Consent and Planning Permission were granted, under references MA/07/1365 & MA/07/1366, for the redevelopment of the museum's east wing, including the construction of two / three storey extensions and internal refurbishment. Two main extensions were approved – one to the south east corner, between two gables and one to the north of the eastern gable, adjacent to a 20th century store.

5.2.2 Listed Building Consent and Planning Permission were subsequently granted for relatively minor changes to that approved scheme under references MA/09/0997 & MA/09/0998.

5.2.3 Building works commenced in April 2010, and at the time of my site visit were still under way.

5.2.4 During the construction works, an unforeseen structural beam was discovered to the ground floor ceiling of the Lower Bearsted Gallery. This prevents the implementation of the originally-planned ventilation ductwork routes. Consequently, it will be necessary to create four openings in the east elevation of the Lower Bentlyf Gallery in order to re-route the ducts and still enable them to remain concealed behind the new suspended ceiling structure.

5.3 **Proposal**

5.3.1 Listed Building Consent is sought for the removal and safe storage of four transom light windows to the east elevation of the Lower Bentlyf Gallery to allow the installation of new concealed ductwork to service the museum's east wing. These transom lights form part of two larger mullioned and transomed windows. (There are three such large mullioned and transomed windows on this part of the east-facing elevation of the museum.)

5.3.2 It should be noted that it is only the leaded light casements that would be removed. The masonry window frames would remain in place.

5.3.3 The submission explains that the windows would be assessed individually for stability and, if it is considered necessary, low-tack masking tape would be used across vulnerable panes to prevent them from dropping out during handling.

The removal of the historic stained glass would be carried out by specialist glass conservators, with the windows placed in plywood cradles with cushioning and straps, and lowered to the ground using a Genie lift.

- 5.3.4 The windows would be securely labelled, and a note made of their type and position on the building, plus a photographic record would be made. They would be packed vertically into purpose-made, plywood cases, which would then be stored close to their original location, at low level behind the new partition wall that has already been approved as part of the east wing redevelopment.
- 5.3.5 Records of the works undertaken, the on-site photographic survey and details of the storage location would be included in the Building Maintenance Manual.

5.4 **Assessment**

- 5.4.1 The key issue arising from this application is the impact upon the historic and architectural integrity of the Grade II* Listed building, its significance and its features of special interest.
- 5.4.2 The windows, (transom lights), subject of this application form part of two larger mullioned and transomed windows. Each large window is made up of eight sections – four large sections at the bottom and four smaller sections (the transom lights) at the top. There are three such large mullioned and transomed windows on this part of the east-facing elevation of the museum. These windows are currently blocked internally, so, prior to the commencement of the building works to extend the museum, were only visible from the outside.
- 5.4.3 As a result of the approved extension to the south-east corner of the museum, all three large mullioned and transomed windows would become internal, and the two affected by this application would be completely concealed behind a new plasterboard internal partition wall. Consequently, there would not be any visible effect on the architecture or historic character of the building.
- 5.4.4 It is my view that it will definitely be preferable to utilise natural 'openings' in the architectural framework of the building to overcome the problem of the ventilation ducts than to puncture four new openings through the wall or carry out alterations to the structural beam obstructing their originally-planned route. The transom light windows are considered to be important to the historic and architectural integrity of the building inasmuch as they are historic fabric. However, I consider that the submission proposes a sensitive and well-thought-out solution to the problem that will not only ensure that no historic fabric is lost, but will also ensure that it is all carefully recorded, removed and stored.
- 5.4.5 The Conservation Officer has confirmed that the works would be fully-reversible, so would not cause any harm to the listed building. As stated above, in

paragraph 5.3.2, it is important to remember that the proposal does not involve anything beyond the removal of the casements of the four small transom lights from the masonry frames so would not harm the structure of the building in any way. I therefore consider that, subject to an appropriate condition requiring submission for written approval of a fully-detailed method statement covering the removal, conservation and intended storage arrangements of the removed windows, the proposal would preserve the Grade II* Listed building and its features of special architectural/historic interest. As such, the proposal complies with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990 and PPS5 - Planning for the Historic Environment and Listed Building Consent can therefore be granted.

5.5 **Other Issues**

- 5.5.1 Although the site is located in the Chillington House Conservation Area, impact on a conservation area is dealt with under applications for planning permission, not Listed Building Consent. In this instance the works would not be visible, so there would not be any impact in any case.
- 5.5.2 There are no archaeological issues to consider due to the position and nature of the proposed works, which will not involve any groundworks.

5.6 **Conclusion**

- 5.6.1 The proposed removal and safe storage of the four windows would preserve the historic and architectural integrity of the Grade II* Listed building, its significance and its features of special interest. The proposal is therefore considered to comply with Central Government guidance as set out in PPS5 and I therefore recommend approval subject to the conditions set out below.
- 5.6.2 As this is a Listed Building Consent application made by the Council, it must be referred to the Secretary of State for determination and consequently I have phrased my recommendation to Members accordingly:

6 RECOMMENDATION

REFER THE APPLICATION TO THE SECRETARY OF STATE FOR DETERMINATION, RECOMMENDING THAT LISTED BUILDING CONSENT BE GRANTED subject to the following conditions:

1. The works to which this consent relates must be begun before the expiration of three years from the date of this consent;

Reason: In accordance with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

126/GA-00/Rev LB1, 126/E-03Rev LB1, 126/GA-21/Rev LB1, & 126/PH-07/Rev LB1 received on 11/10/10;

Reason: To ensure the quality of the development and the historic significance of the Grade II* Listed building are maintained in accordance with Policy BE6 of The South East Plan RSS 2009 and the Central Government advice contained in PPS5 - Planning for the Historic Environment.

- 3 The works shall not commence until a detailed method statement covering the removal, conservation and future storage arrangements for the removed windows has been submitted to and approved in writing by the Local Planning Authority, and the works shall subsequently be carried out in strict accordance with the approved statement;

Reason: To ensure the historic significance of the Grade II* Listed building and its features of special interest are preserved in accordance with Policy BE6 of The South East Plan RSS 2009 and the Central Government advice contained in PPS5 - Planning for the Historic Environment.

REASON FOR APPROVAL

The reasons for granting this consent are that proposed works are considered to preserve the building/setting of the building and its special architectural and historic features.

The proposed development, subject to the conditions stated, is considered to comply with the policies of the Development Plan (Maidstone Borough-Wide Local Plan 2000) and there are no overriding material considerations to indicate a refusal of planning consent.