

APPLICATION: MA/11/0752 Date: 9 May 2011 Received: 10 May 2011

APPLICANT: Mr David Guest, Maidstone Borough Council

LOCATION: TOWN HALL, MIDDLE ROW, MAIDSTONE, KENT, ME14 1TF

PARISH: Maidstone

PROPOSAL: An application for Listed Building consent for works to the lead gutter serving the roof, including removal of redundant SV pipe from front elevation and replacement with cast iron downpipe as shown on the site location plan and drawing numbers 1682/002 & 1682/003 received 10/05/11.

AGENDA DATE: 30th June 2011

CASE OFFICER: Angela Welsford

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

- The Council is the applicant.

## **1. POLICIES**

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

## **2. HISTORY**

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

- 2.1 MA/10/0229 - An application for listed building consent for alterations to ventilation pipe work on the south elevation of the Town Hall, replacing 100mm CI pipe with a 150mm CI pipe with bracket fixings and replacement of existing 150mm CI pipe with a new pipe and bracket fixings – APPROVED 09/04/10.
- 2.2 MA/06/1458 - An application for listed building consent for improvements to the heating and ventilation installation supplying the council chamber, works to include; changing the convector units in the chamber, renewing plant and ductwork in the roof space, provision of heat exchanger unit on the roof, provision of a new oak louvered dormer window and a new diffuser in existing ceiling vent – APPROVED 12/10/06.

## **3. CONSULTATIONS**

- 3.1 ENGLISH HERITAGE: The application should be decided in accordance with national and local policy and MBC's specialist conservation advice.

- 3.2 MAIDSTONE BOROUGH COUNCIL CONSERVATION OFFICER: Recommends approval. "These are essential works necessary to overcome existing shortcomings in the rainwater disposal system which are leading to damage to the building and its important interior decorations."

#### **4. REPRESENTATIONS**

- 4.1 No representations have been received to date.

#### **5. CONSIDERATIONS**

##### **5.1 Site and Surroundings**

- 5.1.1 The application relates to the Grade II\* listed Maidstone Town Hall, which is located in a prominent position in Middle Row, within the Maidstone Town Centre Conservation Area. The area is identified as having the potential for discovery of archaeological remains.
- 5.1.2 The building was constructed during the 1760s and underwent extensive refurbishment in the 1850s. The Council Chamber is understood to be one of the few rooms to retain features of the original construction, such as two eighteenth-century pedimented overmantels and six fielded panelled doors specifically mentioned in the list description. The fine Rococo decorative scheme, dating from the 1850s, was carried out by Galli and Cotti, and is considered to be the dominant feature within the space and a key element of the building's significance.

##### **5.2 PROPOSAL**

- 5.2.1 Listed Building Consent is sought under this application for works to the lead gutter serving the roof to alleviate a historic water ingress problem which is understood to be damaging the internal fabric of the building.
- 5.2.2 The proposal involves making the existing secret gutter, which runs through the loft area, redundant by raising the existing lead-lined gutter located behind the parapet wall and installing a new cast iron downpipe to allow surface water to discharge into the existing pavement drain. The downpipe would replace the existing redundant vent pipe on the front elevation of the building.

##### **5.3 ASSESSMENT**

- 5.3.1 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.
- 5.3.2 The submission explains that the works are necessary to prevent further damage and staining to the decorative painted ceiling in the Council Chamber, which is already beginning to occur as a result of rainwater ingress from the secret gutter which runs through the loft area beneath the pediment/cupola. If the problem is

not rectified, ultimately the water damage is likely to destroy the existing painted finishes and cause the roof timbers above to decay.

- 5.3.3 During my site visit I saw evidence of the water damage on the Council Chamber ceiling. The paintwork on the decorative panel directly above the window facing onto Middle Row closest to the apse end is blistered and cracked. This is likely to cause the paint to peel if not halted. In my view, some form of remediation is essential to the preservation of the building's significance, a key element of which is the striking decorative scheme.
- 5.3.4 The existing vent pipe is set at first floor level only, whereas the proposed downpipe would extend down to ground level. However, I noted during my site visit that there are already other full-height cast-iron downpipes on both the Middle Row and Bank Street elevations. I do not therefore consider that the proposal would look out of place or cause harm to the historic character or appearance of the building. Furthermore, there would not be any significant loss of important historic fabric as a result of the works to the gutter.
- 5.3.5 The Council's Conservation Officer has advised that, in his view, these works are essential to the prevention of further damage to the building and its important interior decoration, and has recommended that the application is approved. English Heritage has advised that the application should be decided in accordance with national and local policy and the Council's specialist conservation advice.
- 5.3.6 To summarise, therefore, the proposal would preserve the Grade II\* listed building, its significance 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.

## **5.4 OTHER ISSUES**

- 5.4.1 Although the site is located in the Town Centre Conservation Area, impact on a conservation area is dealt with under applications for planning permission, not Listed Building Consent. In this instance the use of a cast iron down pipe is historically appropriate and the other works would not be visible, so there would be very little impact in any case.
- 5.4.2 There are no archaeological issues to consider due to the position and nature of the proposed works, which will not involve any groundworks.

## **6 CONCLUSION**

- 6.1 The proposed works to the lead gutter serving the roof, including the removal of the redundant vent pipe and its replacement with a cast iron downpipe, would preserve the historic and architectural integrity of the Grade II\* listed Town Hall 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.

- 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:

## **7. 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: site location plan and drawing numbers 1682/002 & 1682/003 received 10/05/11;

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.

## **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.